

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**SECOND AMENDMENT TO AGREEMENT FOR
 PROFESSIONAL PROPERTY ACQUISITION SERVICES
 2007 MOBILITY BOND – FM 1093/WESTPARK EXTENSION PROJECT NO. 748**

THIS AMENDMENT, is made and entered into by and between Fort Bend County (hereinafter "County"), a body corporate and politic under the laws of the State of Texas, and Percheron, LLC, formerly known as Percheron Field Services, LLC (hereinafter "Contractor"), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Agreement for Professional Property Acquisition Services on February 26, 2013, (hereinafter "Agreement"), as amended by instrument dated November 24, 2015, (hereinafter "Amendment"); and

WHEREAS, the parties desire to further amend the Agreement for additional services to be provided, extend the Time of Performance, and increase the total Maximum Compensation for the additional time necessary for completion of additional Services.

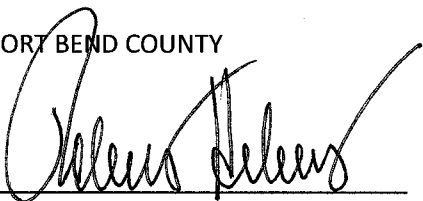
NOW, THEREFORE, the parties do mutually agree as follows:

1. County shall pay Contractor an additional four hundred twenty-nine thousand eight hundred ten dollars and no/100 (\$429,810.00) for the additional hours necessary to complete the property acquisition services to be rendered under the Agreement as described in Exhibit "A" attached hereto and incorporated herein for all purposes.
2. The Maximum Compensation payable to Contractor for Services rendered is hereby increased to an amount not to exceed seven hundred eleven thousand five hundred thirty-five dollars and no/100 (\$711,535.00), authorized as follows:
 - \$158,500.00 under the Agreement;
 - \$123,225.00 under the Amendment; and
 - \$429,810.00 under this Second Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement, the Amendment and this Second Amendment exceed the Maximum Compensation without written consent of County.
4. The Time of Performance under the Agreement is hereby extended to end no later than December 31, 2017.

Except as provided herein, all terms and conditions of the Agreement shall remain unchanged.

Second Amendment to Agreement for Professional Property Acquisition Services
 2007 Mobility Bond – FM 1093/Westpark Tollway Project No. 748

FORT BEND COUNTY



Robert E. Hebert, County Judge

PERCHERON, LLC,
Formerly known as Percheron Field Services, LLC



Ana Rausch, Senior Vice President

2-23-2016

Date

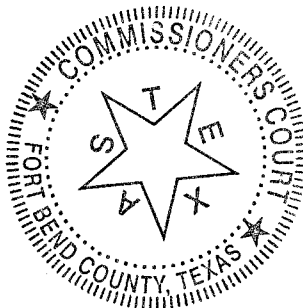
February 12, 2016

Date

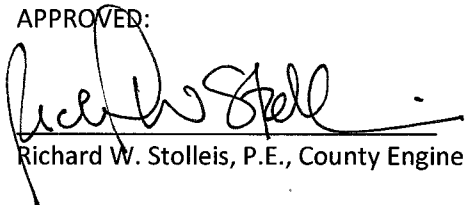
ATTEST:



Laura Richard, County Clerk

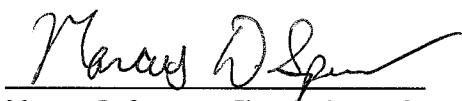


APPROVED:



Richard W. Stolleis, P.E., County Engineer

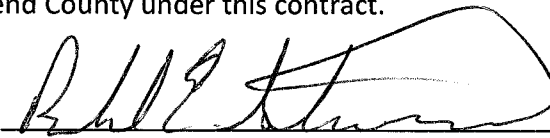
APPROVED AS TO LEGAL FORM:



Marcus D. Spencer, First Assistant County Attorney

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 711,535.⁰⁰ to accomplish and pay the obligation of Fort Bend County under this contract.



Robert Ed Sturdivant, County Auditor

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EXHIBIT A



FM 1093 Phase 2

| Classification | Description | Number of Parcels | Estimated number of Hours per parcel | Unit Cost | Net Cost |
|-----------------------|----------------------------------|-------------------|--------------------------------------|------------|---------------------|
| Project Manager | Project Management and Oversight | 36 | 10 | \$85.00 | \$30,600.00 |
| Sr Right of Way Agent | Parcel Negotiations | 30 | 40 | \$75.00 | \$90,000.00 |
| Sr Right of Way Agent | Negotiate Donation Parcel | 6 | 13 | \$75.00 | \$5,850.00 |
| Relocation Agent | Relocation Assistance | 67 | 24 | \$75.00 | \$120,600.00 |
| Document Specialist | Administrative Support | 36 | 14 | \$65.00 | \$32,760.00 |
| Appraisals | Appraisals | 30 | NA | \$3,500.00 | \$105,000.00 |
| Appraisal Review | Appraisal Review | 30 | NA | \$1,500.00 | \$45,000.00 |
| Total Cost | | | | | \$429,810.00 |

| | |
|------------------|--|
| Company Name | Percheron |
| Address | 1904 W Grand Parkway N. Suite 200 |
| City, State, Zip | Katy, Texas, 77449 |
| Phone | 832.300.6400 |
| Contact | Ana Rausch |
| E-mail | ana.rausch@percheronllc.com |



Scope of Services:

- * 36 Parcels with 6 possible donations
- * 67 Relocations in 5 Buildings (66 Tenants on Parcel 409 and 1 business on Parcel 410)

Management:

Includes part-time Manager for the duration of the project for oversight

Appraisal:

Includes Appraisal and appraisal review

Negotiations:

Includes right of way agent that is TREC licensed during Negotiations and condemnation support. Agent will adhere to Texas Senate Bill 18.

Relocation:

Includes certified relocation agent to coordinate relocation and calculate relocation benefits based on The Uniform Act (URA)

Administrative Support:

Includes document specialist for preparation of legal documents, for tracking status reports and project support. Coordinate with Title Company for closings and Ft Bend Legal for Condemnation Support

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
Percheron LLC
Katy, TX United States

Certificate Number:
2016-12139

Date Filed:
02/10/2016

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.
Fort Bend County

Date Acknowledged:

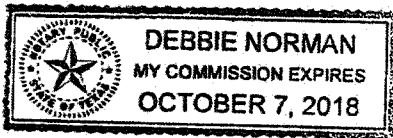
3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.
14-025
Right of Way Acquisition and Relocation Services for FM 1093, Phase 2

| 4 Name of Interested Party | City, State, Country (place of business) | Nature of interest (check applicable) | |
|----------------------------|--|---------------------------------------|--------------|
| | | Controlling | Intermediary |
| Percheron Holdings, LLC | Katy, TX United States | X | |
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5 Check only if there is NO Interested Party.

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



Ana Rausch

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Ana Rausch, this the 11th day of February 20 16, to certify which, witness my hand and seal of office.

Debbie Norman
Signature of officer administering oath

Debbie Norman
Printed name of officer administering oath

Exe. Asst.
Title of officer administering oath

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

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Fort Bend County

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5 Check only if there is NO Interested Party.

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

 Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day of _____, 20_____, to certify which, witness my hand and seal of office.

 Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath