

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**THIRD AMENDMENT TO AGREEMENT FOR
 PROFESSIONAL ENGINEERING SERVICES**

THIS SECOND 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 Brown & Gay Engineers, Inc., (hereinafter "Contractor"), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Agreement for Professional Engineering Services on July 8, 2014, (hereinafter "Agreement") pursuant to SOQ 14-025, an Amendment to the Agreement on March 24, 2015, (hereinafter "First Amendment") to add geotechnical services; and an additional Amendment to the Agreement on June 23, 2015 (hereinafter "Second Amendment") to add surveying services; and

WHEREAS, the parties desire to further amend the Agreement to add additional metes and bounds services.

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

1. Services to be rendered under the Agreement shall be amended to add professional metes and bounds services, as described in the Proposal for Professional Services – Additional Services (Metes and Bounds) dated May 12, 2016, attached hereto as Exhibit A, and incorporated herein for purposes.
2. County shall pay Contractor an additional three thousand dollars and no/100 (\$3,000.00), on a lump sum basis, for the professional metes and bounds services to be rendered under this Third Amendment.
3. The Maximum Compensation payable to Contractor for Services rendered is hereby increased to an amount not to exceed one hundred sixty-seven thousand one hundred ten dollars and no/100 (\$170,110.00), allocated as follows:
 - A. \$150,000.00 under the Agreement;
 - B. \$11,110.00 under the First Amendment;
 - C. \$6,000.00 under the Second Amendment; and
 - D. \$3,000.00 under this Third Amendment.
4. In no case shall the amount paid by County for all Services under the Agreement, the First Amendment, Second Amendment and this Third Amendment exceed the Maximum Compensation without written agreement executed by the parties.

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 Spring Green Boulevard – Project No. 13318

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5. The time of performance for all Services to be provided by Contractor, including the additional services, shall be extended by twelve (12) months from the date of termination as provided in the Agreement.

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

FORT BEND COUNTY


Robert E. Hebert, County Judge

BROWN & GAY ENGINEERS, INC.

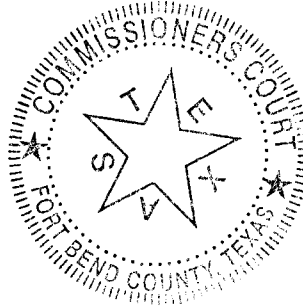

Randy N. Randermann, Senior Vice President

August 9, 2016
Date


8-2-16
Date

ATTEST:


Laura Richard, County Clerk



APPROVED:



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

APPROVED AS TO LEGAL FORM:


Assistant County Attorney

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$170,110.00 to accomplish and pay the obligation of Fort Bend County under this contract.


Robert Ed Sturdivant, County Auditor

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Third Amendment to Agreement for Professional Engineering Services

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EXHIBIT A

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.
Brown & Gay Engineers Inc.
Houston, TX United States

Certificate Number:
2016-93390

Date Filed:
08/02/2016

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:

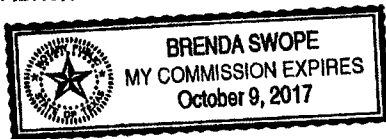
3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.
14-025
13318 Spring Green Amendment 03 Metes and Bounds

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Dillon, William	Frisco, TX United States	X	
	Johnston, Dave	Houston, TX United States	X	
	Lennard, Lee	Houston, TX United States	X	
	Randermann, Randy	Houston, TX United States	X	

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.



[Handwritten Signature]
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Randy Randermann, this the 2nd day of August, 2016, to certify which, witness my hand and seal of office.

[Handwritten Signature]
Signature of officer administering oath

Brenda Swope
Printed name of officer administering oath

Office Administrator
Title of officer administering oath

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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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:
08/09/2016

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 services, goods, or other property to be provided under the contract.
14-025
13318 Spring Green Amendment 03 Metes and Bounds

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Dillon, William	Frisco, TX United States	X	
	Johnston, Dave	Houston, TX United States	X	
	Lennard, Lee	Houston, TX United States	X	
	Randermann, Randy	Houston, TX United States	X	

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