

STATE OF TEXAS                   §  
   §  
 COUNTY OF FORT BEND         §

**TENTH AMENDMENT TO PROJECT MANAGEMENT AGREEMENT**

**THIS TENTH 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 Schaumburg & Polk, Inc., (hereinafter "Project Manager"), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Project Management Agreement on August 28, 2007, (hereinafter "Agreement") for services relating to the management and administrative support for the 2007 Fort Bend County Mobility Bond Program; and

WHEREAS, County and Project Manager entered into a First Amendment to the Agreement on October 28, 2008, a Second Amendment dated February 3, 2009, a Third Amendment on February 2, 2010, a Fourth Amendment on August 3, 2010, a Fifth Amendment on February 8, 2011, a Sixth Amendment on March 13, 2012, a Seventh Amendment on September 24, 2013, an Eighth Amendment on October 28, 2014, and a Ninth Amendment on June 23, 2015 (hereinafter referred to as "Prior Amendments"); and,

WHEREAS, the parties desire to further amend the Agreement to include additional project management services.

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

1. Services to be rendered under the Agreement shall be amended to add additional project management services, as described in the proposal attached hereto as Exhibit A, and incorporated herein for purposes.
2. County shall pay Project Manager an additional fifty-four thousand three hundred sixty dollars and no/100 (\$54,360.00), on a on a time and material basis, for the additional project management services to be rendered under this Amendment.
3. The Maximum Compensation payable to Project Manager for Services rendered is hereby increased to an amount not to exceed two million two hundred thirty-seven thousand eighty-five dollars and no/100 (\$2,237,085.00), allocated as follows:
 

A. Original Agreement not to exceed:	\$463,747.00
B. Second Amendment not to exceed:	\$349,240.00
C. Third Amendment not to exceed:	\$374,742.00

- D. Fourth Amendment – release of retainage only
- E. Fifth Amendment not to exceed: \$382,425.00
- F. Sixth Amendment not to exceed: \$245,000.00
- G. Seventh Amendment not to exceed: \$236,280.00
- H. Eighth Amendment not to exceed: \$89,925.00
- I. Ninth Amendment not to exceed: \$41,366.00; and
- J. Under this Tenth Amendment, not to exceed \$54,360.00

- 4. In no case shall the amount paid by County for all Services under the Agreement, the Prior Amendments and this Tenth Amendment exceed the Maximum Compensation without a written agreement signed by the parties.
- 5. This Tenth Amendment shall become effective upon execution of County and shall terminate on or before December 31, 2017.

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

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FORT BEND COUNTY

SCHAUMBURG & POLK, INC.

*Robert E. Hebert*  
Robert E. Hebert, County Judge

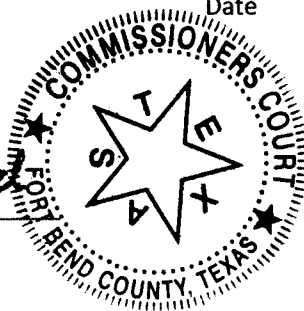
*Mark C. Dessens*  
Mark C. Dessens, Vice President

August 23, 2016  
Date

8/12/16  
Date

ATTEST:

*Laura Richard*  
Laura Richard, County Clerk



APPROVED:

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

APPROVED AS TO LEGAL FORM:

*Marcus D. Spun*  
Assistant County Attorney

**AUDITOR'S CERTIFICATE**

I hereby certify that funds are available in the amount of \$2,237,085.<sup>00</sup> to accomplish and pay the obligation of Fort Bend County under this contract.

*Robert Ed Sturdivant*  
Robert Ed Sturdivant, County Auditor

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# EXHIBIT A

**EXHIBIT A**

**2007 Fort Bend Mobility Bond Program**

SPI Year 9 (2016) Budget

**BASIS OF FEE CALCULATION**

<b>Design Review &amp; Management</b>	
<b>Total Fee Estimate =</b>	<b>\$42,140.00</b>

<b>Bid and Construction Phase</b>	
<b>Total Fee Estimate =</b>	<b>\$12,220.00</b>

<b>Grand Total</b>	<b>\$54,360.00</b>
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**2007 Fort Bend Mobility Bond Program**

Schaumburg & Polk - 2016 Budget

**Design Review & Management**

Project	SPI Design Review & Management - Total Hours per Employee					Comments
	MD	HN	ED	Total Hours	Cost	
733 Katy-Gaston Road	2	0	20	22	\$2,390.00	Final design completion; project is advertising
747 Front Street	20	20	40	80	\$12,200.00	Final design; reviews, mapping, coord (TxDOT, util, Richmond)
X9 Humphrey Way	30	10	60	100	\$14,800.00	Final design completing; coord w/ consultant, KCS remain
X26 Emmanuel King	30	20	20	70	\$12,750.00	Final design; reviews, consultant coord remain
<b>Total</b>	<b>82</b>	<b>50</b>	<b>140</b>	<b>272</b>	<b>\$42,140.00</b>	

Rate \$245.00 \$175.00 \$95.00

**2007 Fort Bend Mobility Bond Program**  
 Schaumburg & Polk - 2016 Budget

**Bid & Construction Phase**

Project	SPI Bid & Construction Phase - Total Hours per Employee					Cost	Comments
	MD	HN	ED	Total Hours	Cost		
733 Katy-Gaston Road	8	0	8	16	\$2,720.00	Advertising; construction to begin Summer 2016.	
747 Front Street	8	4	8	20	\$3,420.00	Construction should begin in 2016.	
2013 Humphrey Way	8	4	4	16	\$3,040.00	Project will advertise early summer 2016.	
2013 Emmanuel King	8	4	4	16	\$3,040.00	Project will advertise in 2016.	
<b>Total</b>	<b>32</b>	<b>12</b>	<b>24</b>	<b>68</b>	<b>\$12,220.00</b>		

Rate \$245.00 \$175.00 \$95.00

Note: Anticipated services include bid document delivery coordination, pre-bid meeting, bid tab prep, coordination with Purchasing, pre-construction meeting.

2016 SCHEDULE OF HOURLY RATES and EXPENSES

ENGINEER IX	\$245.00 /HOUR
ENGINEER VIII	\$200.00 /HOUR
ENGINEER VII	\$175.00 /HOUR
ENGINEER VI	\$155.00 /HOUR
ENGINEER V	\$140.00 /HOUR
ENGINEER IV	\$125.00 /HOUR
ENGINEER III	\$105.00 /HOUR
ENGINEER II	\$95.00 /HOUR
ENGINEER I	\$85.00 /HOUR
DESIGN TECHNICIAN IV	\$110.00 /HOUR
DESIGN TECHNICIAN III	\$95.00 /HOUR
DESIGN TECHNICIAN II	\$75.00 /HOUR
DESIGN TECHNICIAN I	\$55.00 /HOUR
SURVEYOR III	\$95.00 /HOUR
SURVEYOR II	\$75.00 /HOUR
SURVEYOR I	\$55.00 /HOUR
ADMINISTRATIVE ASSISTANT	\$60.00 /HOUR
CONSTRUCTION REPRESENTATIVE III	\$95.00 /HOUR
CONSTRUCTION REPRESENTATIVE II	\$85.00 /HOUR
CONSTRUCTION REPRESENTATIVE I	\$70.00 /HOUR

REIMBURSABLE EXPENSES	
Mileage	IRS Allowable Rate
Misc. Reimbursable Expenses	Actual Cost

Rates Effective: January 1, 2016 *(adjusted annually)*

# 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.**  
Schaumburg & Polk, Inc.  
Beaumont, TX United States

**Certificate Number:**  
2016-97934

**Date Filed:**  
08/11/2016

**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

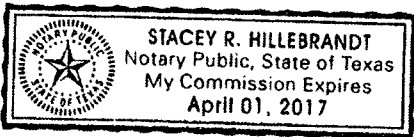
**Date Acknowledged:**

**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.**  
PC 04300003845 Amend. 10  
Project Management

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

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.



*Jeffrey Beamer*  
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Jeffrey Beamer, this the 11<sup>th</sup> day of August, 2016, to certify which, witness my hand and seal of office.

*Stacey R. Hillebrandt*      Stacey R. Hillebrandt      Notary Public  
Signature of officer administering oath      Printed name of officer administering oath      Title of officer administering oath

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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:**  
 08/23/2016

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 PC 04300003845 Amend. 10  
 Project Management

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

**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



Fort Bend County Engineering  
FORT BEND COUNTY, TEXAS

Richard W. Stolleis, P.E.  
County Engineer

## MEMORANDUM

August 23, 2016

**TO: Members of the Commissioners Court**

**RE: Schaumburg & Polk 10<sup>th</sup> Amendment – Project Management, 2007 Mobility**

The total cost of the Amendment is \$54,360. The funding will be transferred from the following projects:

No.	Project	Proposed Fee
733	Katy Gaston	\$5,110
747	Front Street	\$15,620
x9	Humphrey Way	\$17,840
x26	Emmanuel King	\$15,790
<b>Total</b>		<b>\$54,360</b>