

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES
 LOCAL GOVERNMENT PROJECT PROCEDURES AND INSPECTION RELATED SERVICES**

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 Property Acquisition 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 Consulting Services on January 12, 2016, (hereinafter "Agreement") for Services to be provided under the FM 1093/Westpark Toll Road Extension Project – SH 99 to FM 1463, pursuant to SOQ 14-025; and

WHEREAS, the parties desire to amend the Agreement to increase the total Maximum Compensation to cover the cost of additional labor necessary to perform the Services under the Agreement.

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

1. County shall pay Contractor an additional six hundred fifty thousand dollars and no/100 (\$650,000.00) for the additional labor necessary throughout construction of the Project as described in the Change Order dated March 29, 2017 attached as Exhibit "A" hereto and incorporated herein for all purposes; and
2. Contractor's fees shall be calculated at the rates set forth in the attached Exhibit B, incorporated herein for all purposes, which hereby replaces Exhibit B of the Agreement.
3. The Maximum Compensation payable to Contractor for Services rendered under the Agreement and this Amendment is hereby increased to an amount not to exceed one million seven hundred eighty-two thousand ten dollars and no/100 (\$1,782,010.00), allocated as follows:
 \$1,132,010.00 under the Agreement; and
 \$650,000.00 under this Amendment.
4. In no case shall the amount paid by County for all Services under the Agreement and this Amendment exceed the Maximum Compensation without written amendment executed by the parties.

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

FORT BEND COUNTY

Robert E. Hebert
Robert E. Hebert, County Judge

PROPERTY ACQUISITION SERVICES, LLC

Mark Heidaker
Mark Heidaker, President

4-11-2017

Date

3/29/17

Date

ATTEST:

Laura Richard
Laura Richard, County Clerk

APPROVED:

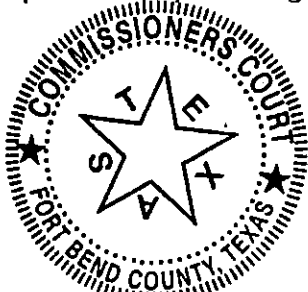
Richard W. Stolleis
Richard W. Stolleis, P.E., County Engineer

APPROVED AS TO LEGAL FORM:

Marcus D. Spencer
Marcus D. Spencer, First Assistant County Attorney

AUDITOR'S CERTIFICATE

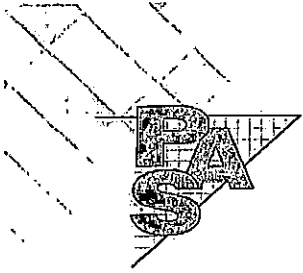
I hereby certify that funds are available in the amount of \$1,782,010.⁰⁰ to accomplish and pay the obligation of Fort Bend County under this contract.



Robert Ed Sturdivant
Robert Ed Sturdivant, County Auditor

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EXHIBIT A



Property Acquisition Services, Inc.

March 29, 2017

Mr. Richard Stolleis, PE
County Engineer
Ft. Bend County
301 Jackson Street
Richmond, TX 77469

RE: Construction Inspection – Change Order
FM 1093/Westpark Extension Project

Dear Mr. Stolleis:

The construction of FM 1093/Westpark Extension Project at an aggressive pace. The Contractor ramps up its operations on a monthly basis and great progress is being made. The inspection staff is onsite every morning by 6:30 am and is consistently working 10-12 hour days. Weekend and night work continues and is planned throughout the duration of construction. As such, more inspection hours are required than originally contemplated. In addition, our Contract Administrator, who is responsible for ensuring all paperwork and process followed by the Contractor is in accordance with state and federal law as required by agreement with TxDOT, is spending more hours on the project than originally planned due to the volume of work required to remain compliant with all LGPP requirements.

To facilitate this ongoing level of activity, PAS Property Acquisition Services requests a change to its contract in the amount of \$650,000.00 to cover the cost of additional labor throughout construction. The rates agreed to in the original contract will not be increased. This change only covers the additional time of having staff on the ground to ensure Ft. Bend County and Ft. Bend Toll Road Authority are getting a finished roadway that meets all plans and specifications.

PAS has welcomed the opportunity to work with Ft. Bend County on the FM 1093 project. If you have any questions or would like to discuss any of the information provided herein further, please do not hesitate to contact me.

Very truly yours,

Mark W. Heidaker
President

EXHIBIT B

Exhibit B
Billing Rates

Revised March 29, 2017

Senior Manager	\$237.50
Lead Inspector	\$140.00
Inspector	\$122.50
Contract Administrator/LGPP Specialist	\$112.50

Fees are based on hourly rates and will be charged on the time spent by personnel assigned to the project in accordance with those rates set forth above. Billing rates for our personnel vary according to the experience of the individuals. In order to retain and attract the best available personnel in a competitive environment, salaries and billing rates are, from time to time, adjusted. If a rate change occurs during contract duration, PAS will discuss rate change with County Engineer or his representative prior to next billing cycle.

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.
PAS Property Acquisition Services, LLC
Sugar Land, TX United States

Certificate Number:
2017-184694

Date Filed:
03/29/2017

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, Texas

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.
SOQ14-025 FM1093/Westpark
Local Government Project Procedures Compliance and Construction Inspection

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Heidaker, Mark	Sugar Land, 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.



Mark Heidaker
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Mark Heidaker, this the 29th day of March, 2017, to certify which, witness my hand and seal of office.

Courtney Hippler Courtney Hippler Notary Public
Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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			Controlling	Intermediary
	Heidaker, Mark	Sugar Land, 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