

STATE OF TEXAS                   §  
   §  
 COUNTY OF FORT BEND         §

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

**THIS THIRD 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 Cobb, Fendley & Associates, 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 May 5, 2015, (hereinafter "Agreement"), as amended by documents dated January 26, 2016, (hereinafter "Amendment") and January 24, 2017, (hereinafter "Second Amendment") pursuant to SOQ 14-025; and

WHEREAS, the parties desire to further amend the Agreement for additional services to be provided and increase the total Maximum Compensation to complete the additional services.

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

1. County shall pay Contractor an additional twenty-two thousand five hundred four dollars and 74/100 (\$22,504.74) for the addition of a right turn lane to be provided under the Agreement as described in the proposal dated May 8, 2017 attached as Exhibit "A" 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 five hundred eighty-four thousand nine hundred ninety-four dollars and 74/100 (\$584,994.74), authorized as follows:
  - \$518,474.00 under the Agreement;
  - \$28,596.00 under the Amendment;
  - \$15,420.00 under the Second Amendment; and
  - \$22,504.74 under this Third Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement the subsequently executed amendments exceed the Maximum Compensation without further written agreement executed by the parties.

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

FORT BEND COUNTY

  
Robert E. Hebert, County Judge

COBB, FENDLEY & ASSOCIATES, INC.

  
Dale Conger, President

June 13, 2017  
Date

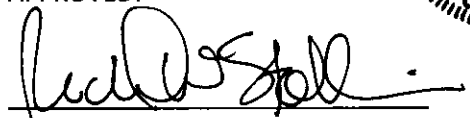
6 - 2 - 2017  
Date

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 \$584,994.<sup>74</sup> to accomplish and pay the obligation of Fort Bend County under this contract.

  
Robert Ed Sturdivant, County Auditor

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# EXHIBIT A

May 8, 2017

Mr. Mark Dessens, P.E.  
Schaumburg & Polk, Inc.  
11767 Katy Freeway, Ste. 900  
Houston, TX 77079

Re: Proposed Right-Turn-Lane to Gaston Road at Greenbusch Road Design Proposal  
In Conjunction with Gaston Road Reconstruction  
Fort Bend County Mobility Bond Project #13311  
CobbFendley Project No. 1511-011-01-02

Dear Mr. Dessens:

Cobb, Fendley & Associates, Inc. (CobbFendley) is pleased to provide this proposal to Fort Bend County in connection with the proposed right-turn-lane addition on Gaston Road westbound at Greenbusch Road. The design and specifications will be prepared in accordance with latest edition of the Fort Bend County's design requirements. The project limits are from the Greenbusch Road intersection to approximately 350 feet east of the Greenbusch Road intersection.

#### **Scope of Services**

The proposed scope is comprised of final design services. The professional engineering services will include design for a proposed right-turn-lane from Gaston Road westbound to Greenbusch Road. The proposed design and construction documents will also be incorporated into the Gaston Road improvements construction plans, Specifications, and Estimate (PS&E) package.

We will perform the Following scope of services as Supplemental Basic Services in addition to CobbFendley's current: "Agreement for Professional Engineering Services for "Gaston Road from Katy-Flewellen Road to Greenbusch Road", Fort Bend County Mobility Bond Project #13311, executed in May 11, 2015 (Contract). The supplemental scope of services are outlined below:

#### **A. Final Design Services**

1. Develop plans, specifications, and construction cost for the design of the right-turn-lane from Gaston Road westbound to Greenbusch Road with 95% and 100% (final) design submittals.
2. Address and incorporate the review comments from Fort Bend County and incorporate them into the subsequent final design submittal.
3. The limits of design for the proposed right-turn-lane include the following:
  - a. Project management, data collection, progress meetings, and correspondence
  - b. Topographic Survey and ROW Mapping, extending along Gaston Road from Greenbusch Road to 400 feet east of Greenbusch Road

- c. Final design plans, including demolition plans, typical sections, pavement geometrics, plan and profile sheets, storm water pollution prevention plan, and cross sections
- d. Demolition and reconstruction of sidewalk alignment along Gaston Road within proposed ROW.
- e. Traffic Signal plans, including wheelchair ramp layout, signal design, intersection striping, and applicable construction standards
- f. Traffic Control plans and construction phasing
- g. Perform quantity take-off, prepare the construction opinion of probable costs, and specifications

#### **Basis of Compensation**

A. Topographic Survey (Weisser) .....	\$1,580.00
B. ROW Mapping per parcel (Weisser)** .....	\$2,900.00
C. Final Design Services (CobbFendley) .....	\$9,965.00
D. Signal Design Services (Neel-Schaffer) .....	\$3,564.00
E. Traffic Control Plan Design Services (TranSystems) .....	\$4,495.74

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<b>TOTAL FEE REQUESTED FOR COMPLETION OF PROJECT .....</b>	<b>\$22,504.74</b>
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\*\* Plus any applicable sales tax

#### **Additional Services (to be provided upon Client authorization)**

CobbFendley will perform additional services if required based on an hourly basis mutually agreed upon by Fort Bend County and CobbFendley by written authorization.

#### **EXCLUSIONS FROM THE SCOPE OF SERVICES**

Specific items excluded from this proposal are as follows, and Cobb Fendley shall have no responsibility to perform any of these services.

1. Fees for Fort Bend County and TCEQ review applications and project advertising.
2. Drainage Impact Analysis based on the proposed right-turn-lane addition.
3. Obtaining title reports, abstracting the property or obtaining ad joinder deeds.
4. Performing environmental testing or environmental assessment of any kind.
5. Develop LOMR/CLOMR or Coordination with FEMA.
6. Any other services not specifically included within the description of the Basic and Additional Services as described above.

Mr. Mark Dessens, P.E.  
May 3, 2017  
Page 3 of 3



**SPECIAL PROVISIONS**

Cobb Fendley will perform only such Additional Services, as are specifically agreed to in writing by Client and Cobb Fendley. Charges for additional services will be in accordance with the attached rate schedule. A copy of the *General Terms and Conditions of the Authorization for Professional Services* is attached and constitutes a part of this agreement.

**SCHEDULE OF SERVICES**

Cobb Fendley will begin work on this project immediately upon receipt of Client's signature on this Authorization. Cobb Fendley will use reasonable efforts to complete the proposed design work within 90 days of its receipt of written authorization to commence services.

**PROPOSAL ACCEPTANCE**

If this proposal is agreeable to you, please indicate your acceptance by signing in the space provided below and return one copy to us for our file. This proposal is void if not accepted within thirty days of the date hereon. The opportunity to propose professional engineering services to your firm is appreciated and we look forward to serving you on this project.

We appreciate the opportunity to submit this proposal and look forward to working with Fort Bend County throughout the remainder of this project. If you have any questions or require any additional information, I can be reached at 713-462-3242.

This proposal accepted by:

**COBBFENDLEY**

A handwritten signature in black ink that reads "Mahmoud Salehi".

Mahmoud Salehi, P.E.  
Principal

**FORT BEND COUNTY  
ENGINEERING DEPARTMENT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

Attachments

\_\_\_\_\_  
Date of Authorization

# 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.

Cobb, Fendley & Associates, Inc.  
Houston, TX United States

Certificate Number:  
2017-218009

Date Filed:  
06/05/2017

Date Acknowledged:

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

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.

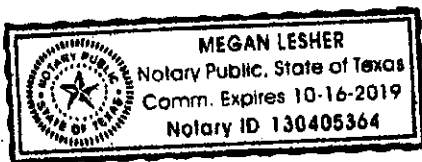
Project No. 13311  
Engineering Services

4	Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)	
			Controlling	Intermediary
	Funk, Stephanie	Houston, TX United States	X	
	Bostwick, John	Houston, TX United States	X	
	Silver, Monica	Houston, TX United States	X	
	Conger, Dale	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]*  
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Elizabeth Bventello this the 5th day of June, 20 17, to certify which, witness my hand and seal of office.

*[Signature]*  
Signature of officer administering oath

Megan Lesher  
Printed name of officer administering oath

Notary  
Title of officer administering oath

**CERTIFICATE OF INTERESTED PARTIES****FORM 1295**

1 of 1

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Houston, TX United States

**Certificate Number:**  
2017-218009

**Date Filed:**  
06/05/2017

**Date Acknowledged:**  
06/13/2017

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Fort Bend County

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Project No. 13311  
Engineering Services

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			Controlling	Intermediary
	Funk, Stephanie	Houston, TX United States	X	
	Bostwick, John	Houston, TX United States	X	
	Silver, Monica	Houston, TX United States	X	
	Conger, Dale	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