

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

SECOND 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 FCM Engineers, P.C., (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 January 13, 2015, (hereinafter "Agreement") pursuant to SOQ 14-025, as amended by document dated September 6, 2016, (hereinafter the "Amendment"); and

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

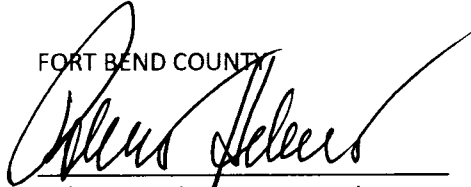
NOW, THEREFORE, the parties do mutually agree as follows:

1. Services to be rendered under the Agreement shall be amended to add additional services, as described in the Fee Proposal for Easement Acquisition and Design of Low Water Ditch Crossing of Maintenance Equipment dated September 13, 2017, attached hereto as Exhibit A, and incorporated herein for purposes.
2. County shall pay Contractor an additional ten thousand seven hundred twenty dollars and 67/100 (\$10,720.67), for the additional professional services to be rendered under this Amendment.
3. The Maximum Compensation payable to Contractor for Services rendered is hereby increased to an amount not to exceed four hundred eighty-seven thousand three hundred eighty-nine dollars and 85/100 (\$487,389.85), allocated as follows:
 - A. \$467,669.18 under the Agreement;
 - B. \$9,000.00 under the Amendment, and
 - C. \$10,720.67 under this Second Amendment.
4. 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 a written agreement executed by the parties.


5. The Time of Performance is hereby extended by an additional twelve (12) months from the date of termination under the Agreement.

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

FORT BEND COUNTY


Robert E. Hebert, County Judge

FCM ENGINEERS, P.C.

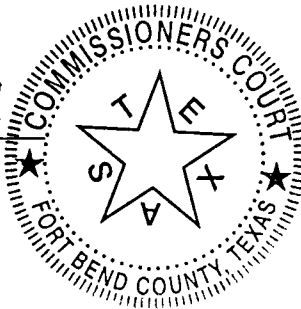

Dr. Frank C. Mbachu, P.E., President

11/14/17
Date

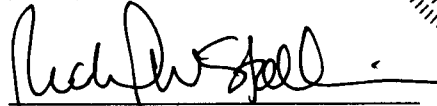
11/3/2017
Date

ATTEST:


Laura Richard, County Clerk



APPROVED:

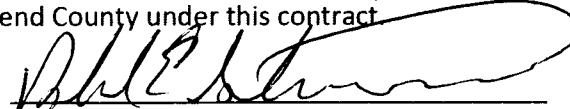

Richard W. Stolleis, P.E., County Engineer

APPROVED AS TO LEGAL FORM:


Marcus D. Spencer, First Assistant County Attorney

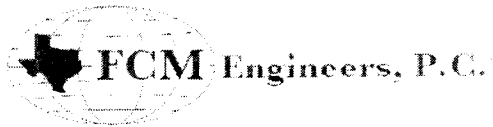
AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 487,389.85 to accomplish and pay the obligation of Fort Bend County under this contract.


Robert Ed Sturdivant, County Auditor

I:\Marcus\Agreements\Engineering\Road Construction\Bellaire Blvd\San Pablo-FM 1464\Amend 2 - Bellaire.FCM.docx.10/31/2017

EXHIBIT A



9700 Richmond Ave.
Suite 250
Houston, Texas 77042
T-713-706-4414
F-713-706-4410

September 13, 2017

Mr. Donald Durgin.
Klotz & Associates
1160 Dairy Ashford, Suite 500
Houston, Texas 77079

Attention: Mr. Bassem Talge

Re: 2013 Mobility Bond Program, Fort Bend County
Bellaire Blvd. from FM 1464 to San Pablo Drive
Mobility Project No. 13202

Subject: Fee Proposal for Easement Acquisition and Design of Low Water Ditch
Crossing of Maintenance Equipment.

Dear Mr. Durgin:

Attached is the fee proposal for two easement acquisitions. The fee proposal is in accordance with your e-mail of August 25, 2017 and is in the amount \$7,670.67. The fee proposal is attached with surveyor's proposal. Please let me know whether the surveyor should be authorized to start work immediately.

Also attached is the surveyor fee proposal for construction staking already invoiced and paid out phase III services budget. It is required that this amount of \$3,050.00 be appropriated to restore the Phase III services budget. This amount is included in the Total Required Appropriation of \$10,720.67 as shown on the fee proposal.

We look forward to working with you on this very important Fort Bend County project. If you have any questions, please call me at (713) 706-4412.

Sincerely,
FCM Engineers P.C.

Dr. Frank C. Mbachu, P.E., DEE
President

FM/mh

cc: Project File #2014101

**Fort Bend County Bond 2013
Bellaire Blvd. from San Pablo to FM 1464
Mobility Project No. 13202
Fee Proposal for Easement Acquisition**

FCM Project Number: 2014101

Sheet No.	Sheet Description	Estimated Man-hours	Project Principal	Project Manager	Sr. Civil Engineer	Civil Engineer	CADD Technician	Total Cost
	BILLING RATE	Hours	\$178.50	\$174.75	\$121.50	\$116.85	\$75.12	
	ADDITIONAL PHASE II FINAL ENGINEERING DESIGN	LEVEL OF EFFORT						
1	Design a low water crossing from newly acquired 20' easement on both northwest corner and southwest corner of San Pablo bridge on Bellaire Boulevard. This will include a crush stone access across the 32' median and the portion of sidewalk crossing designed to be 6 inch thick with possible base stabilization. The low water crossing will be at slope of 3:1 similar to 3:1 slope used for under bridge slope paving. The bottom width of the slope paving is approximately 21'		2	4	12		16	\$3,715.92

Design Total Hours	34	2	4	12	0	16	\$3,715.92
LABOR COST		\$178.50	\$174.75	\$121.50	\$116.85	\$75.12	
TOTAL LABOR COST (Total Hrs x Labor)	\$3,715.92	\$357.00	\$699.00	\$1,458.00	\$0.00	\$1,201.92	

Project Management			0				\$0.00
Quality Control			0				\$0.00
Coordination Meeting with Developer			0				\$0.00
Approval							\$0.00
Specification Review and Revision							\$0.00
Construction Cost Estimate			1				\$174.75
Prebid Assistance							\$0.00

Administrative Total Hours	1	0	1	0	0	0	\$174.75
LABOR COST		\$178.50	\$174.75	\$121.50	\$116.85	\$75.12	
TOTAL LABOR COST (Total Hrs x Labor)	\$174.75	\$174.75	\$174.75	\$0.00	\$0.00	\$0.00	
TOTAL HOURS	35	2	5	12	0	16	

TOTAL ADDITIONAL DESIGN FEE TOTAL **\$3,890.67**

FEE PROPOSAL FOR EASEMENT SURVEY **\$3,780.00**

TOTAL FEE **\$7,670.67**

*** Surveyor Fee Proposal for Construction Staking already invoiced and paid out of Phase III Services but not yet appropriated as attached.** **\$3,050.00**

TOTAL REQUIRED APPROPRIATION **\$10,720.67**

LANDTECH

Landtech, Inc.
2525 North Loop West, Suite 300
Houston, Texas 77008
T: 713-861-7068; F: 713-861-4131
TxBPE Reg. No. F-1364
TxBPLS Reg. No. 10019100

September 1, 2017

Dr. Frank C. Mbachu, P.E., DEE
FCM Engineers, P.C.
9700 Richmond Avenue, Suite 250
Houston, Texas 77042

RE: Bellaire Boulevard from FM 1464 to San Pablo Drive

Dear Dr. Mbachu:

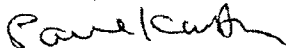
It is my pleasure to submit the following proposal for providing professional surveying services for the above referenced project. The scope of work will be as follows:

Prepare survey plats and metes and bounds descriptions for two easement acquisition at the northwest and southwest corners of Bellaire Boulevard and Brays Bayou.

The Lump Sum Fee of \$ 3,780.00.

Thank you for the opportunity to submit this proposal.

Sincerely,



Paul P. Kwan, RPLS
President
TBPLS Firm No. 10019100

s/users/receptionist/Bellaire Blvd.easement from FM1464 to San Pablo Drive

LANDTECH

Landtech, Inc.
2525 North Loop West, Suite 300
Houston, Texas 77008
T: 713-861-7068; F: 713-861-4131
TxBPE Reg. No. F-1364
TxBPLS Reg. No. 10019100

May 15, 2017

Dr. Frank C. Mbachu, P.E., DEE
FCM Engineers, P.C.
9700 Richmond Avenue, Suite 250
Houston, Texas 77042

RE: Bellaire Boulevard from FM 1464 to San Pablo Drive

Dear Dr. Mbachu:

It is my pleasure to submit the following proposal for providing professional surveying services for the above referenced project. The scope of work will be as follows:

Recover, verify and reset horizontal and vertical control points and benchmarks for contractor. Staking of right of way and baseline are excluded.

Field Party	16 hrs x \$155.00/hr.	=	\$ 2,480.00
Technician	5 hrs x \$ 87.00/hr.	=	\$ 435.00
Reg. Prof. Land Surveyor	1 hrs x \$135.00/hr.	=	<u>\$ 135.00</u>
	Total		\$ 3,050.00

Thank you for the opportunity to submit this proposal.

Sincerely,



Paul P. Kwan, RPLS
President
TBPLS Firm No. 10019100

s/users/receptionist/Bellaire Blvd. from FM1464 to San Pablo Drive

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.

FCM Engineers, PC
9700 Richmond Avenue, # 250, TX United States

Certificate Number:
2017-280062

Date Filed:
11/06/2017

Date Acknowledged:

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

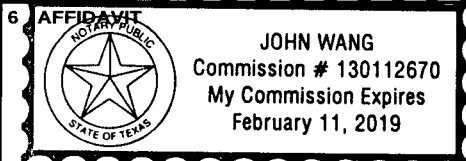
Fort Bend County

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.

2013 Mobility Proj. No. 13202
Paving and Drainage Improvement for Bellaire Boulevard FM 1464 to San Pablo Dr

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Mbachu, Frank	Houston, TX United States	X	

5 Check only if there is NO Interested Party.

☐


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 Frank Mbachu, this the 6 day of NOV, 2017, to certify which, witness my hand and seal of office.

[Signature]
Signature of officer administering oath

John Wang
Printed name of officer administering oath

Notary Public
Title of officer administering oath

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

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FCM Engineers, PC
9700 Richmond Avenue, # 250, TX United States

Certificate Number:
2017-280062

Date Filed:
11/06/2017

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

Date Acknowledged:
11/14/2017

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.

2013 Mobility Proj. No. 13202
Paving and Drainage Improvement for Bellaire Boulevard FM 1464 to San Pablo Dr

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