

STATE OF TEXAS                   §  
   §  
 COUNTY OF FORT BEND         §

**AMENDMENT TO AGREEMENT FOR  
 PROFESSIONAL MATERIALS TESTING AND INSPECTION 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 Aviles Engineering Corporation, (hereinafter "Contractor"), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Agreement for Professional Materials Testing and Inspection Services on February 23, 2016, pursuant to SOQ 14-025, (hereinafter "Agreement"); and

WHEREAS, the parties desire to amend the Agreement for additional services to be provided and increase the total Maximum Compensation for the completion of such additional services.

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

1. County shall pay Contractor an additional thirty thousand dollars and no/100 (\$30,000.00) to complete the materials testing and inspection services as described in the Request for Additional Compensation dated November 2, 2017, attached hereto as Exhibit "A" 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 three hundred thirty thousand dollars and 79/100 (\$330,000.00), authorized as follows:  
       \$300,000.00 under the Agreement; and  
       \$30,000.00 under this Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement and this Amendment exceed the Maximum Compensation without subsequent 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, County Judge

AVILES ENGINEERING CORPORATION

  
Ronald E. Ortwerth, P.E., Sr. Vice President

Date

12-12-2017

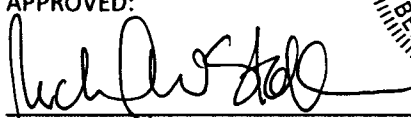
Date

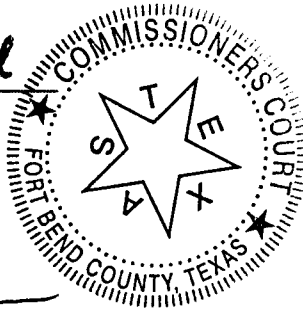
12-5-17

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 \$339,000.00 to accomplish and pay the obligation of Fort Bend County under this contract.

  
Robert Ed Sturdivant, County Auditor

I:\Marcus\FM 1093-Westpark Tollway Project\Construction Mgmt\AEC\Amend 1 - CM Testing & Inspection Svcs.docx.12/4/2017

Amendment to Agreement for Professional Materials Testing and Inspection Services

FM 1093/Westpark Tollway Project, Phase 1

Page 2 of 2

# EXHIBIT A



November 2, 2017

Mr. Mike Stone, PMP, PSP  
Fort Bend County Toll Road Authority  
c/o Mike Stone Associates, Inc.  
PO Box 546  
Richmond, Texas 77406  
MikeStone@MikeStoneAssociates.com

Re: Request for Additional Compensation for Additional Compensation  
For Construction Materials Testing and Inspection Services on  
*Westpark Extension - Fort Bend County Toll Road Authority*  
*PO No. 137085*  
Our Proposal Number: 15-80 Addenda 1

Mr. Stone:

Based on the expected Construction Materials Testing and Inspection Services remaining on the above referenced project, Aviles Engineering Corporation (AEC) will exceed the maximum compensation allowed under our original contract.

AEC proposes that an increase of \$30,000 in the maximum compensation from the current maximum of \$300,000 to \$330,000 will allow AEC to complete the materials testing and inspection required on the project.

**Aviles Engineering Corporation** appreciates the opportunity to continue to provide its services on this project.

Respectfully submitted,  
**Aviles Engineering Corporation**  
(TBP/E Firm Registration No. F-42)

A handwritten signature in black ink, appearing to read "Ron Ortwerth", is written over a horizontal line.

Ronald E. Ortwerth, P.E.  
Senior Vice President

**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.**

**Aviles Engineering Corporation**  
**Houston, TX United States**

**Certificate Number:**  
2017-290755

**Date Filed:**  
**12/05/2017**

**Date Acknowledged:**

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

**County of Fort Bend**

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.

137085

## Construction Materials Testing and Inspection Services

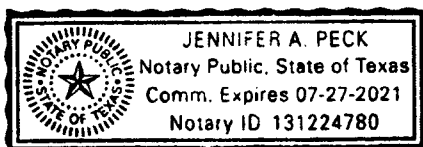
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**5 Check only if there is NO Interested Party.**



## 6 AFFIDAVIT


I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



**AFFIX NOTARY STAMP / SEAL ABOVE**

Signature of authorized agent of contracting business entity

Sworn to and subscribed before me, by the said Ronald E. Ortwerth, this the 5th day of December, 20 17, to certify which, witness my hand and seal of office.

  
Signature of officer administering

JENNIFER A. PECK  
Printed name of officer administering oath

OFFICE MANAGER  
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.  
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12/12/2017

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137085  
Construction Materials Testing and Inspection Services

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