

STATE OF TEXAS           §  
   §  
 COUNTY OF FORT BEND    §

**AMENDMENT TO AGREEMENT FOR  
 PROFESSIONAL ENGINEERING 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 Engineering Services on August 22, 2017, (hereinafter "Agreement") for Services to be provided under the Fort Bend County 2013 Mobility Bond Program – Owens Road from Harlem Road to Jester Road – Project No. 13403, pursuant to SOQ 14-025; and

WHEREAS, the parties desire to amend the Agreement for continued construction materials testing and inspection services to be provided and increase the total Maximum Compensation available to perform the services.

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

1. County shall pay Contractor an additional twenty thousand two hundred twenty-six dollars and 09/100 (\$20,226.09) to render additional Services to County as described in the Additional Services Proposal dated December 8, 2017, attached as Attachment "A" hereto and incorporated herein for all purposes; and
2. The Maximum Compensation payable to Contractor for all Services rendered under the Agreement and this Amendment is hereby increased to an amount not to exceed fifty-eight thousand two hundred forty-two dollars and 04/100 (\$58,242.04), authorized as follows:
 

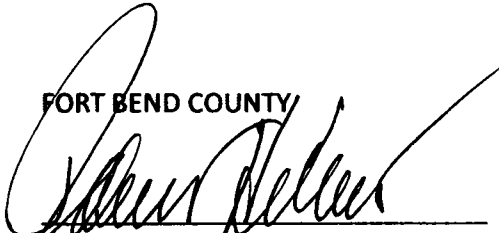
\$38,015.95 under the Agreement; and  
 \$20,226.09 under this Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement and this Amendment exceed the Maximum Compensation without written amendment executed by the parties.

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

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Amendment to Agreement for Professional Engineering Services  
 2013 Mobility Bond Project No. 13403  
 Page 1 of 2

FORT BEND COUNTY

  
Robert E. Hebert, County Judge

AVILES ENGINEERING CORPORATION

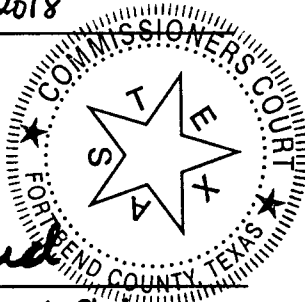
  
Authorized Representative – Signature

1-2-2018  
Date

Ronald E Ortwerth  
Authorized Representative – Name

ATTEST:


  
Laura Richard, County Clerk



Senior Vice President  
Title

12-13-17  
Date

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 \$58,242.04 to accomplish and pay the obligation of Fort Bend County under this contract.

  
Robert Ed Sturdivant, County Auditor

I:\Marcus\Agreements\Engineering\Road Construction\Owens\Amend 1 - Owens.CMT.Aviles.docx.12/12/2017

# ATTACHMENT A



December 8, 2017

Fort Bend County Engineering Department  
301 Jackson St.  
Richmond, TX 77469

Attn: Robert E. Barker, Sr. VP  
Othon, Inc.  
Email: [rbaker@othon.com](mailto:rbaker@othon.com)

Re: **Additional Services Proposal**  
***Owens Road (Mobility Project No. 13403)***  
***Paving and Drainage Improvements***  
***Fort Bend County, Texas***  
***Original Proposal / Cost Estimate No.: 17-23 Rev 1***

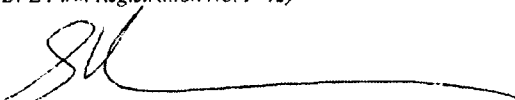
To Whom It May Concern:

Aviles Engineering Corporation (AEC) is requesting Additional Services (***\$20,226.09***) to be added to AEC's Original PO No. 157121 (***\$38,015.95***) for a new Not to Exceed cost of ***\$58,242.04***. AEC has prepared the attached **Additional Services Proposal / Cost Estimate** to providing continuing Construction Materials Engineering, Testing and Inspection Services on the above referenced project.

The estimated quantities used were determined by AEC and Othon.

Aviles Engineering Corporation appreciates the opportunity to offer its services to your project and looks forward to working with you during the construction phase.

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



Shane Ressman, P.E.  
Vice President

Cost Estimate (1 Page)

**CONSTRUCTION MATERIALS TESTING & INSPECTION ESTIMATE**

**Additional Services for**

**Owens Road (Mobility Project No. 13403)**

**Paving and Drainage Improvements; Fort Bend County, Texas**

**Soils, Concrete and Asphalt for Owens & Jester Rd Intersection and Harlem & Owens Rd Right Turn Lane**

- **Soils (Owens & Jester Road Intersection):** AEC and Othon estimate twelve (12) trips to complete the Soil Inspections (Embankment, Proofroll, Gradations, Depth Checks and Field Density Testing).
- **Soils (Harlem & Owens Rd Right Turn Lane):** AEC and Othon estimate three (3) trips to complete the Soil Inspections (Proofroll, Gradations, Depth Checks and Field Density Testing).
- **Concrete (Owens & Jester Road Intersection):** AEC and Othon estimate five (5) trips to complete the Concrete Inspections plus five (5) trips for cylinder pick ups.
- **Asphalt (Harlem & Owens Rd Right Turn Lane):** AEC and Othon estimate one (1) trip to complete the Asphalt Inspections. *Frequency of Sampling of HMA Base and Surface: 400 Cumulative Tons*

<u>Description of Services</u>	<u>Quantity</u>	<u>Unit Fee</u>	<u>Unit</u>	<u>Total</u>
Engineering Technician	134.25	\$ 65.00	hour	\$ 8,726.25
Engineering Technician OT	0	\$ 97.50	hour	\$ -
Nuclear Density Equipment Rental	98	\$ 10.50	hour	\$ 1,029.00
Vehicle Charge	143	\$ 10.00	hour	\$ 1,430.00
Compressive Str. Cylinder Test, (ASTM C39)	25	\$ 17.00	each	\$ 425.00
Molding Specimens 3/Set (TEX-206-F)	2	\$ 63.00	set	\$ 126.00
Bulk Density - Lab Molded (TEX-207-F)	2	\$ 54.00	set	\$ 108.00
HVEEM Stability (TEX-208-F)	2	\$ 95.00	set	\$ 190.00
Extraction/Gradation by Ignition (ASTM D 6307)	2	\$ 169.00	each	\$ 338.00
Maximum Theoretical Specific Gravity (TEX-227F)	2	\$ 91.00	each	\$ 182.00
Project Engineer	7.7	\$ 149.00	hour	\$ 1,147.30

**Subtotal = \$ 13,701.55**

**ESTIMATED TOTAL FOR ADDITIONAL SERVICES & TESTING (Remaining Work After 12/2/17) = \$ 13,701.55**

**AMOUNT OF CONTRACT / PO = \$ 38,015.95**

**AMOUNT IN EXCESS OF CONTRACT (As of 12/2/17) = \$ 6,524.54**

**AMOUNT OF ADDITIONAL SERVICES REQUESTED = \$ 20,226.09**

**NOTES & ASSUMPTIONS:**

- No standby time is included in this estimate, it is based on the Contractor being ready for inspection at the time the inspection is scheduled
- No re-inspection or re-testing is included in this estimate
- All Inspection and Testing is estimated @ 8hr or less per trip (including travel). NO OVERTIME

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

Certificate Number:  
2017-293902

Date Filed:  
12/13/2017

**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:

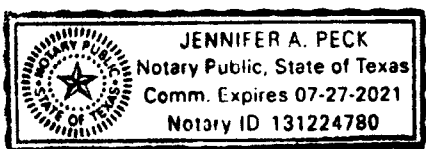
**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**  
Project 13403  
Construction Materials Testing & Inspection Additional Services

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.



AFFIX NOTARY STAMP / SEAL ABOVE

*[Handwritten Signature]*  
Signature of authorized agent of contracting business entity

Sworn to and subscribed before me, by the said Ronald Ortuzar, this the 13th day of December, 2017, to certify which, witness my hand and seal of office.

*[Handwritten Signature]*  
Signature of officer administering oath

JENNIFER A. PECK  
Printed name of officer administering oath

OFFICE MANAGER  
Title of officer administering oath

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01/02/2018

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Construction Materials Testing & Inspection Additional Services

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			Controlling	Intermediary

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

**6 UNSWORN DECLARATION**

My name is \_\_\_\_\_, and my date of birth is \_\_\_\_\_.

My address is \_\_\_\_\_ (street), \_\_\_\_\_ (city), \_\_\_\_\_ (state), \_\_\_\_\_ (zip code), \_\_\_\_\_ (country).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
(month) (year)

\_\_\_\_\_  
Signature of authorized agent of contracting business entity  
(Declarant)