

STATE OF TEXAS  
COUNTY OF FORT BEND

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§

KNOW ALL MEN BY THESE PRESENTS:

### **EIGHTH AMENDMENT TO AGREEMENT FOR ENGINEERING SERVICES**

**THIS EIGHTH AMENDMENT** is made and entered into by and between FORT BEND COUNTY, TEXAS, a public body corporate and politic of the State of Texas, acting by and through the Fort Bend County Commissioners Court (hereinafter referred to as "County") and KLOTZ ASSOCIATES, INC., (hereinafter referred to as "Engineer,") authorized to conduct business in the State of Texas.

#### **RECITALS**

WHEREAS, on or about March 4, 2008, County and Engineer entered into an Agreement for Engineering Services, (hereinafter referred to as the "Agreement"), for general engineering consulting services related to the 2007 Mobility Bond Project, (hereinafter referred to as the "Project"); and,

WHEREAS, County and Engineer entered into a First Amendment to the Agreement on August 25, 2009 (hereinafter referred to as "First Amendment"), the Second Amendment dated February 10, 2015, the Third Amendment dated September 1, 2015, the Fourth Amendment dated April 5, 2016, the Fifth Amendment dated December 20, 2016, the Sixth Amendment dated April 25, 2017, and the Seventh Amendment dated December 5, 2017, to allow for additional general engineering consulting services; and,

WHEREAS, County and Engineer desire to further amend said Agreement to add professional engineering and project management services related to the 2007 Mobility Bond Projects.

NOW, THEREFORE, in consideration of the foregoing, the Agreement between County and Engineer is hereby amended as follows:

1. An additional amount not-to-exceed \$320,000.00 shall be available for additional services as described the Proposal for Supplemental Services dated February 5, 2018 attached hereto as Exhibit A to be provided by Engineer as requested by County.
2. Engineer's compensation for the Project shall not exceed a total maximum compensation in an amount not to exceed \$2,788,269.36, authorized as follows:
  - a. Original Agreement not to exceed: \$300,000.00;
  - b. First Amendment not to exceed: \$211,834.68;
  - c. Second Amendment not to exceed: \$341,434.68;
  - d. Third Amendment not to exceed: \$145,000.00;
  - e. Fourth Amendment not to exceed: \$320,000.00;
  - f. Fifth Amendment not to exceed: \$350,000.00;
  - g. Sixth Amendment not to exceed: \$500,000.00;
  - h. Seventh Amendment not to exceed: \$300,000.00; and this
  - i. Eighth Amendment not to exceed: \$320,000.00.

3. No additional funding shall be available for services provided under the Agreement without prior written consent of County.
4. The following provisions are hereby incorporated into the terms of the Agreement as required by Texas Government Code Chapters 2251 and 2270:
  - a. Texas Government Code Section 2251.152 Acknowledgment: By signature below, Contractor represents pursuant to Section 2252.152 of the Texas Government Code, that Contractor is not listed on the website of the Comptroller of the State of Texas concerning the listing of companies that are identified under Section 806.051, Section 807.051 or Section 2253.153.
  - b. Agreement to Not Boycott Israel Chapter 2270 Texas Government Code: By signature below, Contractor verifies Contractor does not boycott Israel and will not boycott Israel during the term of this Agreement.
5. If there is a conflict between this Eighth Amendment, the Agreement, and/or the subsequent Amendments, the provisions of this Eighth Amendment shall prevail.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.]

EXECUTION

This Eighth Amendment shall become effective upon execution by County.

FORT BEND COUNTY, TEXAS:

*Robert E. Hebert*

Robert E. Hebert, County Judge

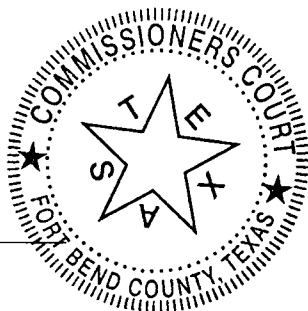
2-27-2018

Date

ATTEST:

*Laura Richard*

Laura Richard, County Clerk



APPROVED: COUNTY ENGINEER

*Richard W. Stolleis*

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

Date

ENGINEER: KLOTZ ASSOCIATES, INC.

*William R. Abbott*

Authorized Agent - Signature

2/12/18

Date

*William R. Abbott* President  
Authorized Agent - Printed Name and Title

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$2,788,269.36 to accomplish and pay the obligation of the Fort Bend County under this contract.

*Robert Ed Sturdivant*

Robert Ed Sturdivant, County Auditor

# EXHIBIT A



Formerly Klotz Associates

1160 Dairy Ashford, Suite 500, Houston, Texas 77079  
T 281 589 7257 W rpsgroup.com/usa

February 5, 2018

Mr. Richard Stolleis, PE  
Fort Bend County Engineering  
301 Jackson Street, 4th Floor  
Richmond, Texas 77469

**Re: Proposal for Supplemental Services on the 2007 Bond Projects (PO #13703)**

Dear Mr. Stolleis,

We appreciate the opportunity to work with the County as Project Manager on the 2007 Bond Program projects. We have worked hard to be responsive to your needs, but we have expended the fees allocated to us previously and request that additional fee be added to our contract to provide redesign for the Trammel Fresno (746) project.

We propose the following scope on a time and materials basis:

|  |                   |
|--|-------------------|
| Right Turn Lane at Hurricane Lane                    | \$ 25,000         |
| Ramp Relocation & Extended Limits (The Gap)          | \$ 120,000        |
| Signal Modifications (Chimney Rock & Winfield Lakes) | \$ 25,000         |
| Storm Sewer Redesign at Hurricane Lane               | \$ 30,000         |
| <u>Extended Time for Project Management</u>          | <u>\$ 120,000</u> |
| Total Services:                                      | \$ 320,000        |

If you have any questions, please contact me at 281-589-7257.

Sincerely,

Don Durgin, PE  
Department Manager

DMD

# 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.**

Klotz Associates, Inc. dba RPS  
Houston, TX United States

**Certificate Number:**  
2018-312837

**Date Filed:**  
02/12/2018

**Date Acknowledged:**  
02/27/2018

**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.**

PO13703  
Supplemental Services on the 2007 Bond Projects

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

**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)