

STATE OF TEXAS                   §  
                                           §  
 COUNTY OF FORT BEND       §

#### **FOURTH AMENDMENT TO PROJECT MANAGEMENT AGREEMENT**

**THIS FOURTH 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 RPS Infrastructure, Inc., formerly known as Klotz Associates, Inc., (hereinafter "Contractor"), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Project Management Agreement on September 2, 2014, (hereinafter "Agreement") for certain management and administrative support services for the 2013 Mobility Bond Project pursuant to SOQ 14-025; as amended by documents dated May 26, 2015, (hereinafter "Amendment"), August 9, 2016 (hereinafter the "Second Amendment") and November 14, 2017, (hereinafter the "Third Amendment"); and

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

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

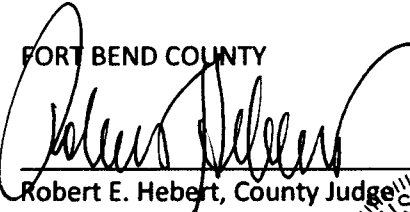
1. Services to be rendered under the Agreement shall be amended to add additional project management services, as described in the Proposal for Fourth Supplemental Services on the 2013 Fort Bend County Bond Projects dated March 18, 2018, attached hereto as Exhibit A, and incorporated herein for all purposes.
2. County shall pay Contractor an additional one hundred fifty thousand dollars and no/100 (\$150,000.00), on a time and material basis, for the additional project management 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 one million four hundred seven thousand eight hundred seventy-five dollars and no/100 (\$1,407,875.00), allocated as follows:
  - A. \$630,000.00 under the Agreement
  - B. \$82,875.00 under the Amendment;
  - C. \$295,000.00 under the Second Amendment;
  - D. \$250,000.00 under the Third Amendment; and
  - E. \$150,000.00 under this Fourth Amendment.
4. In no case shall the amount paid by County for all Services under the Agreement, any previous amendments and this Fourth Amendment exceed the Maximum Compensation without a written agreement signed by the parties.

5. Certain State Law Requirements for Contracts

- a. 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.
- b. 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.

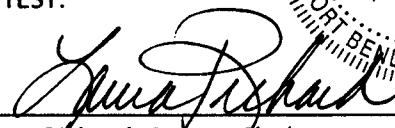
Except as provided herein, all terms and conditions of the Agreement and the subsequent amendments shall remain unchanged.

FORT BEND COUNTY

  
Robert E. Hebert, County Judge

Date

ATTEST:

  
Laura Richard, County Clerk

APPROVED:

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

APPROVED AS TO LEGAL FORM:

  
First Assistant County Attorney

KLOTZ ASSOCIATES, INC.

  
Authorized Agent – Signature

  
Authorized Agent – Printed Name

Title

Date

**AUDITOR'S CERTIFICATE**

I hereby certify that funds are available in the amount of \$ 1,407,875 to accomplish and pay the obligation of Fort Bend County under this contract.

  
Robert Ed Sturdivant, County Auditor

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# EXHIBIT A



Formerly Klotz Associates

1160 Dairy Ashford, Suite 500, Houston, Texas 77079  
T 281 589 7257 W [rpsgroup.com/usa](http://rpsgroup.com/usa)

March 18, 2018

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

**Re: Proposal for fourth supplemental Services on the 2013 Bond Program (PO# 117762, RPS Project Number 006696-0262.016.000)**

Dear Mr. Stolleis,

We appreciate the opportunity to work with the County as a Project Manager on the 2013 Mobility Bond Projects. We have worked hard to provide exceptional service and to be responsive to your needs. We have expended the fees allocated to us previously and request that additional fee be added to our contract.

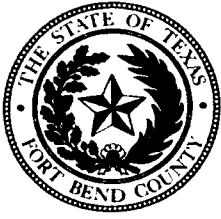
We propose adding \$150,000 to our contract on a time and material basis. We anticipate the following additional effort:

- |                                                            |           |
|------------------------------------------------------------|-----------|
| • 13201 Beechnut – ROW Acquisition & Bidding               | \$10,000  |
| • 13203 Chimney Rock – Final Review, ROW, & Bidding        | \$20,000  |
| • 13207 Lake Olympia I – Final Review, ROW, & Bidding      | \$20,000  |
| • 13409 US 90A at SH 99 – Project Management for 10 Months | \$100,000 |

Thank you for the opportunity to submit this proposal and we look forward to successful projects. Should you have any questions, please call me at 281-589-7257.

Sincerely,

Donald Durgin, PE  
Mobility Department Manager



Fort Bend County Engineering  
FORT BEND COUNTY, TEXAS

Richard W. Stolleis, P.E.  
County Engineer

**MEMORANDUM**

April 19, 2018

**TO: Members of the Commissioners Court**

**RE: RPS Infrastructure, Inc. – Project Management,  
2013 Mobility**

The total cost of the Agreement is \$150,000. The funding will be transferred from the following projects:

Project No.	Project Name	Amount
13201	Beechnut Boulevard	\$10,000
13203	Chimney Rock	\$20,000
13207	Lake Olympia Seg. 1	\$20,000
13409	US 90A at SH 99	\$100,000
Project Management Fee		\$150,000

# 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.

RPS Infrastructure Inc.  
Houston, TX United States

Certificate Number:  
2018-340014

Date Filed:  
04/16/2018

Date Acknowledged:  
04/24/2018

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.

TBD  
Fort Bend County Project Management

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 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)