

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**THIRD AMENDMENT TO AGREEMENT FOR
 PROFESSIONAL ENGINEERING SERVICES**

THIS THIRD 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 Amani Engineering, Inc., (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 October 6, 2015, (hereinafter "Agreement") pursuant to SOQ 14-025, as amended by documents dated April 26, 2016 (hereinafter "Amendment"), and September 6, 2016 (hereinafter "Second Amendment"); and

WHEREAS, the parties desire to further 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 fifty-six thousand nine hundred eighty-four dollars and no/100 (\$56,984.00) to perform the additional professional geotechnical, surveying and engineering design services as described in Contractor's Fee Proposal dated July 31, 2018 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 five hundred ninety-four thousand sixty-five dollars and no/100 (\$594,065.00), authorized as follows:
 - \$425,286.00 under the Agreement;
 - \$36,555.00 under the Amendment;
 - \$75,240.00 under the Second Amendment; and
 - \$56,984.00 under this Third Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement and any subsequent amendment exceed the Maximum Compensation without an agreement executed by the parties.

4. The parties hereby agree that all terms and conditions of the Agreement have remained in effect to date and the Time of Performance under the Agreement shall hereby be extended to end no later than December 31, 2021.

5. **Certain State Law Requirements for Contracts**

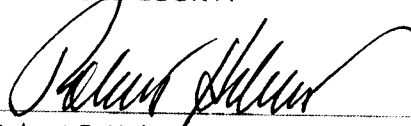
- A. Agreement to Not Boycott Israel Chapter 2270 Texas Government Code: By signature below, Contractor verifies Contractor does not boycott Israel and will not boycott Israel during the term of this Agreement.
- B. Texas Government Code Section 2251.152 Acknowledgment: By signature below, Contractor 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.

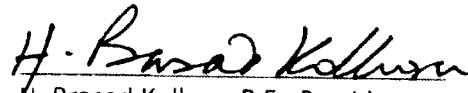
Except as provided herein, all terms and conditions of the Agreement and the subsequent amendments shall remain unchanged.

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FORT BEND COUNTY

AMANI ENGINEERING, INC.


Robert E. Hebert, County Judge

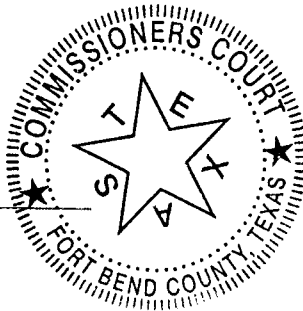

H. Prasad Kolluru, P.E., President

Date

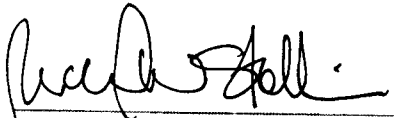
11-7-2018
Date

ATTEST:

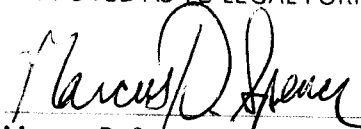

Laura Richard, County Clerk



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 \$ 594,065 to accomplish and pay the obligation of Fort Bend County under this contract



Robert Ed Sturdivant, County Auditor

EXHIBIT A



Amani Engineering, Inc.

• Engineers • Surveyors • Construction Managers

July 31, 2018

Mr. Robert W. Barnett, P.E.
Vice President Transportation
LJA Engineering, Inc.
2929 Briarpark Drive, Suite 600
Houston, TX 77042

Via Email:
rbarnett@ljaengineering.com

Re: Fee Proposal: South Post Oak Boulevard - Revision
Hunter Green Lane to Trammel Fresno Road
FBC Project No.: 13112; Amani Project No.: E15102

Dear Mr. Barnett,

Amani Engineering, Inc. (Amani) is pleased to submit this revised fee proposal to provide professional geotechnical, surveying and engineering design services for the captioned project. Based on our discussions during our meeting on May 9, 2018, subsequent emails, and your July 25, 2018 comments to our original proposal, we have prepared the following scope of work as the basis for our fee. A brief history of Amani's previous services is provided for the reviewer's convenience.

I. PROJECT HISTORY

Fort Bend County Precinct 1 (County) proposes to make improvements to approximately 5250 LF of South Post Oak Boulevard: a four-lane concrete boulevard with storm sewer from just north of Hunter Green Lane to the south edge of West Sycamore Road, and a two-lane asphalt road with open ditch drainage from the north edge of West Sycamore Road to Trammel Fresno Road. Under a previous contract amendment, Amani performed hydrologic and hydraulic (H&H) services related to mitigating the drainage impacts from these roadway improvements, and from those related to a future, adjacent, 150-AC single-family residential development. The detention basin associated with that project was to be located in the southeast quadrant of the South Post Oak Boulevard – West Sycamore Road intersection. The resulting hydraulic impact study was submitted in January 2017.

II. PROJECT SCOPE

The scope of services for this proposal is identical to those described above with three exceptions:

- A. The whole of South Post Oak Boulevard will be modeled as a four-lane, concrete, curb and gutter, raised-median boulevard with a storm sewer drainage system.
- B. The detention basin will be located in an approximately 4.5-AC tract in the southwest quadrant of the South Post Oak – West Sycamore Road intersection.
- C. Amani will prepare the final design plans, details and estimates for the detention basin.

Amani will adhere to Fort Bend County Drainage District requirements¹ and, where appropriate, the applicable requirements of the Harris County Flood Control District².

¹ Drainage Criteria Manual (revised 2011)

² Policy Criteria & Procedure Manual for Approval and Acceptance of Infrastructure (December 2010)

To aid in the development of the final design of the detention basin, Amani will subcontract and manage the services of a registered professional licensed surveyor and a professional geotechnical engineer. Amani will also coordinate with the private utility companies having underground facilities within the rights-of-way of West Sycamore Road and South Post Oak Boulevard adjacent to the detention basin tract. Amani will prepare a utilities conflict table for LJA's use in obtaining utility company approvals.

III. ASSUMPTIONS:

- A. South Post Oak Boulevard will ultimately be a four-lane, concrete, curb and gutter, raised median boulevard section from just north of Hunter Green Lane to the south edge of Trammel Fresno Road.
- B. There are no plans to widen the east or west approaches of West Sycamore Road at its intersection with South Post Oak Boulevard.
- C. There are no plans to widen the east or west approaches of Trammel Fresno Road at its intersection with South Post Oak Boulevard.
- D. The County will purchase the approximately 4.5-AC parcel located in the southwest quadrant of the South Post Oak Boulevard – West Sycamore Road intersection.

IV. EXCEPTIONS:

- A. Notification to the Texas Historical Commission
- B. Wetlands investigations
- C. Environmental site assessments
- D. Easements or off-site surveys
- E. Subsurface Utility Engineering associated with critical locates or potential utility conflicts

V. DELIVERABLES:

- A. Updated Hydraulic Impact Study which includes the following items:
 - 1. Drainage area map, existing drainage infrastructure and outfall information.
 - 2. Analysis of existing system for 2- and 100-yr. events using PCSWMM.
 - 3. Analysis of proposed system for the 2-yr. event.
 - 4. 100-yr. event impact analysis.
 - 5. Mitigation measures and overland flow improvements.
 - 6. Hydraulic data sheets, drainage area maps, and storm sewer designs.
- B. Parcel maps, abstracts, metes and bounds descriptions, etc. as necessary to facilitate the County's acquisition of the approximately 4.5-AC detention basin site.
- C. Boring logs, findings, and recommendations from the geotechnical sampling and testing efforts based on four, 15-FT deep borings within the limits of the detention pond site.
- D. Plan, sections, details, quantities and construction cost estimates associated with the final design of the proposed detention basin

VI. FEE:

As summarized below and detailed in the attached Level of Effort Estimate, we propose a lump sum fee of \$56,984.00.

A. Basic Services (Lump Sum)	\$ 37,375
B. Additional Services (Lump Sum)	\$ 19,609
• ³ Geotechnical Investigation	\$ 6,100
• Right-of-Way Document Preparation	\$ 4,828
• Topographic Survey	\$ 8,681
C. Total Engineering Services Fee (Lump Sum)	<u>\$ 56,984</u>

³ Includes \$2,500 for bulldozer work to access borehole locations

Mr. Robert W. Barnett, P.E.
July 31, 2018
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VII. SCHEDULE:

Twelve weeks from Notice to Proceed

We appreciate the opportunity to submit this revised proposal for these additional services. If you have questions or need additional information concerning this proposal, please call Mr. Dan Simeone, P.E. at 713-270-5700 x104, or me at x101.

Yours Sincerely,
For Amani Engineering, Inc.


H. Prasad Kolluru, P.E.

President

TBPE Firm Reg. No. F-4528

TBPLS Firm Reg. No. 100282-00

HPK: dls: dps

Enclosures: Level of Effort Estimate
Amani 2018 Billing Rates
Terracon July 5, 2018 proposal
CivilCorp July 27, 2018 proposal

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.

Amani Engineering, Inc.
Houston, TX United States

Certificate Number:
2018-423062

Date Filed:
11/06/2018

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

Date Acknowledged:
11/27/2018

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.

131480
Professional Engineering and Surveying 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 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)