

STATE OF TEXAS           §  
                                       §  
 COUNTY OF FORT BEND   §

**THIRD AMENDED**

**PROFESSIONAL PROPERTY SERVICES CONSULTING AGREEMENT**

**THIS THIRD 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 herein by and through its Purchasing Agent, according to TEXAS LOCAL GOVERNMENT CODE §262.011(d), hereinafter referred to as "County," and KITTELSON LLC, FORENSIC TRANSPORTATION ENGINEERING, hereinafter referred to as "Contractor," authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Agreement for Professional Property Services Consulting on January 12, 2018, hereinafter "Agreement", as amended by document dated August 27, 2018, hereinafter "Amendment 1" and as amended by document dated January 11, 2019, hereinafter "Amendment 2"; 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 nine thousand, three hundred eighty-four dollars and 49/100 (\$9,384.49) for the final expenses with regard to Cause #16-CCV-056539, The State of Texas and Fort Bend County, Texas vs James C. Smith, et al (FM 359 Road Widening Project, Parcel 15, Precinct 1).
2. The Maximum Compensation payable to Contractor for Services rendered is hereby increased to an amount not to exceed fifty-two thousand, eight hundred eighty-four and 49/100 (\$52,884.49), authorized as follows:
 

\$15,000.00 under the Agreement; and  
 \$20,000.00 under the 1<sup>st</sup> Amendment; and  
 \$ 8,500.00 under the 2<sup>nd</sup> Amendment; and  
 \$ 9,384.49 under this 3<sup>rd</sup> 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 an approved change order.

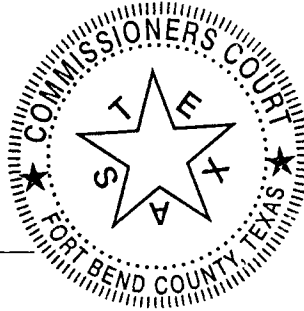
Except as provided herein, all terms and conditions of the Agreement and the Amendment shall remain unchanged.

FORT BEND COUNTY:

K George  
KP George, County Judge

3-26-2019  
Date

ATTEST:  
Laura Richard  
Laura Richard, County Clerk



APPROVED: ROY L. CORDES, COUNTY ATTORNEY

BY [Signature]  
Kevin T. Hedges, Assistant County Attorney

3/21/19  
Date

CONTRACTOR: KITTELSON LLC

[Signature]  
Joseph D. Blaschke, P.E.  
KITTELSON LLC,  
FORENSIC TRANSPORTATION ENGINEERING

3/20/19  
Date

AUDITOR'S CERTIFICATE

On this the 27<sup>th</sup> day of March, 2019, I hereby certify that funds are available in the amount of \$ 52,884.49 to accomplish and pay the obligation of Fort Bend County under this contract.

[Signature]  
Ed Sturdivant, Fort Bend County Auditor

Exhibit A: Final Invoices from Kittelson LLC: January 9, 2019 and February 15, 2019



# KITTELSON LLC

FORENSIC TRANSPORTATION ENGINEERING

TX Firm Registration No. F-16823, 1008 Woodcreek Drive, College Station, TX 77845  
 P 979.693.5800, F 979.693.5870 Billing Questions: [billing@kittelisonllc.com](mailto:billing@kittelisonllc.com)

January 9, 2019  
 Case No: 0C1805  
 Invoice No: 0001675

Fort Bend County Attorney's Office  
 Attn: Kevin Hedges  
 Assistant County Attorney  
 401 Jackson Street, 3rd Floor  
 Richmond, TX 77469  
 United States

Invoice Total **\$121.25**

Parcel 15, FM 359, Fort Bend County  
Professional Services from November 9, 2018 to December 31, 2018

	Hours	Rate	Amount
Principal Engineer			
McInturff, Mike	12/6/2018	.25 295.00	73.75
Review email with attached traffic counts from Kevin Hedges, telephone with Rob Bissett to discuss location of counts			
Senior Office Administrator			
Barnett, Sheri	11/9/2018	.50 95.00	47.50
Administrative support			
Totals	.75		121.25
Total Labor			<b>121.25</b>
Total this Invoice			<b><u>\$121.25</u></b>

Authorized by: Mike McInturff *MM*

Make checks payable to Kittelison LLC  
 Tax ID #: 47-3278582



# KITTELSON LLC

FORENSIC TRANSPORTATION ENGINEERING

TX Firm Registration No. F-16823, 1008 Woodcreek Drive, College Station, TX 77845  
 P 979.693.5800, F 979.693.5870 Billing Questions: [billing@kittelisonllc.com](mailto:billing@kittelisonllc.com)

February 15, 2019

Case No: 0C1805.000

Invoice No: 0001749

Fort Bend County Attorney's Office  
 Attn: Kevin Hedges  
 Assistant County Attorney  
 401 Jackson Street, 3rd Floor  
 Richmond, TX 77469  
 United States

Invoice Total **\$11,457.88**

Parcel 15, FM 359, Fort Bend County  
Professional Services from January 1, 2019 to February 8, 2019

		Hours	Rate	Amount
<b>Principal Engineer</b>				
McInturff, Mike	1/10/2019	.50	325.00	162.50
Review/edit 2nd amended agreement, copy signature page for Joseph Blaschke to sign, insert in agreement and email to Becky Ivy and Kevin Hedges				
McInturff, Mike	1/23/2019	1.00	325.00	325.00
Review report and AASHTO guidelines in preparation for trial testimony, email schedule options to Kevin Hedges				
McInturff, Mike	1/24/2019	.50	325.00	162.50
Review report and AASHTO guidelines in preparation for trial testimony, email to Becky Ivy to confirm courthouse location				
McInturff, Mike	1/28/2019	1.50	325.00	487.50
Telephone with Kevin Hedges and Ken Cannata to discuss trial schedule and testimony of David Steitle, review Steitle's 9.28.18 report				
McInturff, Mike	1/29/2019	1.75	325.00	568.75
Review my deposition and David Steitle's 9.28.18 report in preparation for trial				
McInturff, Mike	1/30/2019	10.50	325.00	3,412.50
Travel to Richmond from Somerville for field review at site, to County Court at Law Number 4 for jury trial, discuss testimony to date and trial schedule with Kevin Hedges, Ken Cannata and Duane Hutson				
McInturff, Mike	2/4/2019	1.25	325.00	406.25
Measure eye and vehicle heights, research and note AASHTO recommendations, telephone with Kevin Hedges and Ken Cannata to discuss trial schedule and testimony of David Steitle				

Make checks payable to Kittelson LLC  
 Tax ID #: 47-3278582

Project	OC1805.000	Parcel 15, FM 359 Ft. Bend County			Invoice	0001749
McInturff, Mike	2/5/2019	8.25	325.00		2,681.25	
Review documents in preparation for testimony, travel from Somerville to Richmond for field review and testimony at jury trial with Kevin Hedges, Ken Cannata and Jeremy Baker, testimony in response to questions from Kevin Hedges, discuss testimony with Kevin Hedges and Ken Cannata and potential questions from Jeremy Baker, return to Somerville						
McInturff, Mike	2/6/2019	8.75	325.00		2,843.75	
Travel from Somerville to Richmond for testimony at jury trial with Kevin Hedges, Ken Cannata and Jeremy Baker, testimony in response to questions from Jeremy Baker, discuss testimony with Kevin Hedges, Ken Cannata and Sal LoPiccolo, testimony in response to questions from Jeremy Baker and Kevin Hedges, return to Somerville						
Senior Office Administrator						
Barnett, Sheri	1/11/2019	.50	95.00		47.50	
Administrative support						
Totals		34.50			11,097.50	
Total Labor						11,097.50
Reimbursable Expenses						
Reimbursable Meals					17.04	
Mileage					319.58	
Parking/Toll					15.60	
Total Reimbursables					352.22	352.22
Unit Billing						
Black & White						
1/10/2019			1.0 Copy @ 0.12		.12	
1/31/2019			61.0 Copies @ 0.12		7.32	
1/31/2019			6.0 Copies @ 0.12		.72	
Total Units					8.16	8.16
Total this Invoice					<u>\$11,457.88</u>	

Authorized by: Mike McInturff

Make checks payable to Kittelson LLC  
Tax ID #: 47-3278582

# 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

Certificate Number:  
 2019-465932

Date Filed:  
 03/20/2019

Date Acknowledged:  
 03/26/2019

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**  
 Kittelson LLC  
 College Station, TX United States

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

**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.**  
 26780  
 Professional Property Services Consulting

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)