

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 Cobb, Fendley & Associates, 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 May 22, 2018, (hereinafter "Agreement") pursuant to SOQ 14-025; and

WHEREAS, the parties desire to amend the Agreement for additional engineering services to be provided and increase the total Maximum Compensation for such additional services.

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

1. County shall pay Contractor an additional fourteen thousand three hundred eighty-two dollars and 67/100 (\$14,382.67) for the additional design services as described in Contractor's request for amendment dated April 30, 2019 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 three hundred thirty-five thousand seven hundred eighty-five dollars and 67/100 (\$335,785.67), authorized as follows:

\$321,403.00 under the Agreement; and
 \$14,382.67 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 further written agreement executed by the parties.

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

FORT BEND COUNTY

COBB, FENDLEY & ASSOCIATES, INC

KP George
KP George, County Judge

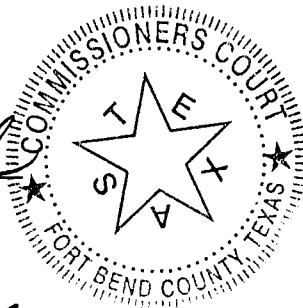
Dale Conger
Dale Conger, P.E., President

5-28-2019
Date

May 9, 2019
Date

ATTEST:

Laura Richard
Laura Richard, County Clerk



APPROVED:

J. Stacy Slawinski
J. Stacy Slawinski, P.E., County Engineer

APPROVED AS TO LEGAL FORM:

Marcus D. Spencer
Marcus D. Spencer, First Assistant County Attorney

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$335,785.67 to accomplish and pay the obligation of Fort Bend County under this contract.

Robert Ed Sturdivant
Robert Ed Sturdivant, County Auditor

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EXHIBIT A

April 30, 2019

Mr. Stacy Slawinsky, P.E.
Fort Bend County Engineer
Fort Bend County Engineering Department
301 Jackson Street,
Richmond, Tx 77469

Re: Contract Amendment for Additional Design Services
Clodine Road widening from Denver Miller to W. Belfort
Fort Bend County Mobility Bond Project #17417
CobbFendley Project No. 1811-004-01

Dear Mr. Slawinsky,

Cobb, Fendley & Associates, Inc. (CobbFendley) is respectfully requesting an amendment to the Clodine Road widening contract, Mobility Bond Project #17417, for additional design services performed at the direction of the Fort Bend County consultant management team. These services rendered were not included in scope of services in the original contract however; CobbFendley made every effort to expedite the final design to keep the project on schedule.

Scope of Services

We performed the following scope of services as supplemental basic services in addition to CobbFendley's current: "Agreement for Professional Engineering Services for "Clodine Road widening from Denver Miller to W. Belfort"", Fort Bend County Mobility Bond Project #17417, executed in May 22, 2018 (Contract).

The scope of services performed is outlined below:

1. Converting the roadway drainage from open ditches to multiple storm sewer systems augmented by swales on top of the proposed storm sewer. The proposed drainage design was incorporated into the Clodine Road widening improvements construction plans, Specifications, and Estimate (PS&E) package.
2. Additional H&H modeling to mitigate any adverse impacts downstream to the Red Gulley and upstream to Aliana subdivision lower lake detention pond.
3. Investigated the W. Belfort intersection drainage and provided a solution, prepared design drawings, quantity take-off, and incorporated them into the Clodine Road widening improvements construction plans, Specifications, and Estimate (PS&E) package.

It is important to note that abovementioned design changes resulted in increase of the negotiated probable construction cost of \$1.2 M to current estimated engineer's cost of \$1.7 M. CobbFendley is requesting the total contract amount to be amended by \$14,382.67 on lump-sum basis for professional engineering design services performed, see attached Exhibit "A" for the level of efforts.

This authorization will increase the overall compensations in this contract from \$321,403.00 to a total not to exceed amount of \$335,785.67.

SPECIAL PROVISIONS

Cobb Fendley will perform only such Additional Services, as are specifically agreed to in writing by Client and Cobb Fendley. Charges for additional services will be in accordance with the attached rate schedule. A copy of the *General Terms and Conditions of the Authorization for Professional Services* is attached and constitutes a part of this agreement.

SCHEDULE OF SERVICES

Cobb Fendley has completed the design work to date however; any/all comments related to the design and constructability of the work will be performed as part of the deliverables as soon we receive comments from the Fort Bend County Engineering and the managing consultant team.

PROPOSAL ACCEPTANCE

If this proposal is agreeable to you, please indicate your acceptance by signing in the space provided below and return one copy to us for our file. This proposal is void if not accepted within thirty days of the date hereon. The opportunity to propose professional engineering services to your firm is appreciated and we look forward to serving you on this project.

We appreciate the opportunity to submit this proposal and look forward to working with Fort Bend County throughout the remainder of this project. If you have any questions or require any additional information, I can be reached at 713-462-3242.

This proposal accepted by:

COBBFENDLEY



Mahmoud Salehi, P.E.

**FORT BEND COUNTY
ENGINEERING DEPARTMENT**

_____ Principal
Signature

_____ Print Name

_____ Title

_____ Date of Authorization

Attachments

Exhibit "A"

Fort Bend County Project No. 17417
Clodine Road from Denver Miller to W. Belfort

Manhour Estimate													
Task	Principal	Project Manager	Senior Hydrologist Engineer	Project Engineer III	Project Engineer I	Senior Technician	CAD Operator	RPLS	3-Man Crew	Survey Tech I	Utility Specialist	Clerical	Total Hours
Tasks Performed													
Project coordination & meetings	0	2	0	0	0	0	0	0	0	0	0	0	2
Data collection & Field visit	0	1	0	0	1	0	0	0	0	0	0	0	2
Meetings/Coordination with FBC Drainage District and affiliated managing consultants	0	1	1	0	0	0	0	0	0	0	0	0	2
Analyze conveyance capacity of existing condition roadside ditches and culverts to determine existing Proposed Condition Analysis	0	1	1	4	4	0	0	0	0	0	0	0	10
Create dynamic models to verify flows and computed water surface elevations for complex drainage	0	0	1	1	4	0	0	0	0	0	0	0	6
Determine/Locate potential areas for detention to mitigate impacts (if necessary)	0	0	1	2	2	0	0	0	0	0	0	0	5
Refine horz/vert alignments	0	1	0	0	2	4	4	0	0	0	0	0	11
Clodine storm sewer drainage design	0	1	0	2	4	0	0	0	0	0	0	0	7
W. Belfort intersection drainage design	0	1	0	1	2	0	8	0	0	0	0	0	12
Cross sections/Earthwork calculations	0	1	0	0	0	8	0	0	0	0	0	0	9
Misc.Details	0	1	0	0	1	0	4	0	0	0	0	0	6
Quantities	0	0	0	0	2	2	0	0	0	0	0	0	4
Cost Estimates	0	1	0	0	2	0	0	0	0	0	0	0	3
QA/QC	1	0	0	0	0	0	0	0	0	0	0	0	1
TOTAL HOURS PER & FINAL DESIGN	1	11	6	14	28	14	16	0	0	0	0	0	90

ADDITIONAL BASIC SERVICES

Classification	Hours	Rate	Labor Cost
Principal	1	\$91.67	\$91.67
Project Manager	11	\$75.00	\$825.00
Senior Hydrologist Engineer	6	\$70.00	\$420.00
Project Engineer III	14	\$53.33	\$746.67
Project Engineer I	28	\$41.67	\$1,166.67
Senior Technician	14	\$45.00	\$630.00
CAD Operator	16	\$36.67	\$586.67
RPLS	0	\$55.00	\$0.00
3-Man Crew	0	\$53.33	\$0.00
Survey Tech I	0	\$36.67	\$0.00
Utility Specialist	0	\$46.67	\$0.00
Clerical	0	\$25.00	\$0.00
Total Labor	90		\$4,466.67
OVERHEAD	180.00%		\$8,040.00
OPERATING MARGIN	15%		\$1,876.00
TOTAL BASIC SERVICES PHASES I&II			\$14,382.67

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.
Cobb, Fendley & Associates, Inc.
Houston, TX United States

Certificate Number:
2019-502435

Date Filed:
06/10/2019

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:
06/13/2019

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.
#17417
Clodine Road widening from Denver Miller to W. Belfort

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Bostwick, John	Frisco, TX United States	X	
	Warth, Daniel	Austin, TX United States	X	
	Silver, Monica	Houston, TX United States	X	
	Conger, Dale	Houston, TX United States	X	

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)