

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

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

THIS SECOND 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 Paradigm Consultants, 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 July 24, 2018, (hereinafter "Agreement") for Services to be provided under the Fort Bend County 2013 Mobility Bond Program – Gaston Road Segment 1 – Project No. 13311, pursuant to SOQ 14-025, as amended by document dated October 22, 2019, (hereinafter "Amendment"); and

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

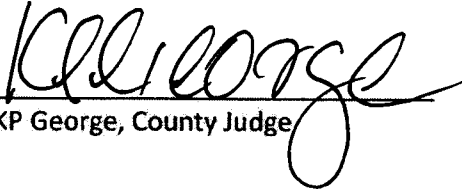
NOW, THEREFORE, the parties do mutually agree as follows:

1. County shall pay Contractor an additional sixty-six thousand six hundred fifty dollars and no/100 (\$66,650.00) to render additional Services to County as described in the proposal dated December 12, 2019, attached as Exhibit "A" hereto and incorporated herein for all purposes; and
2. The Maximum Compensation payable to Contractor for all Services rendered under the Agreement and this Amendment is hereby increased to an amount not to exceed three hundred thirty-seven thousand seven hundred sixty-six dollars and no/100 (\$337,766.00), authorized as follows:
 - \$175,006.00 under the Agreement;
 - \$96,110.00 under the Amendment; and
 - \$66,650.00 under this Second 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 written amendment executed by the parties.

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

FORT BEND COUNTY

PARADIGM CONSULTANTS, INC

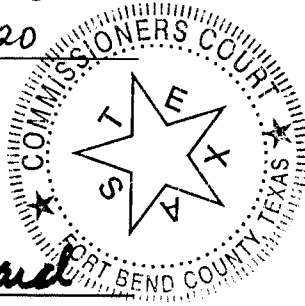

KP George, County Judge


Authorized Agent – Signature

2-25-2020
Date

J. Ray Meyer
Authorized Agent – Printed Name

ATTEST:

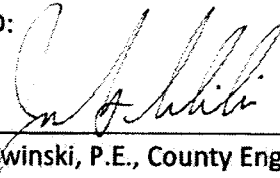



Laura Richard, County Clerk

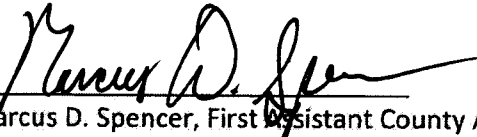
V.P.
Title

1/29/20
Date

APPROVED:


J. Stacy Slawinski, 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 \$ 337,766.⁰⁰ to accomplish and pay the obligation of Fort Bend County under this contract.

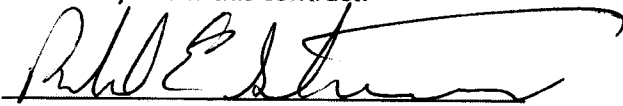

Robert Ed Sturdivant, County Auditor

EXHIBIT A

December 12, 2019

Fort Bend County Engineering Department
C/O Mr. Huy Ton with AECOM
19219 Katy Freeway, Suite 100
Houston, TX 77094-1009

**Cost Overrun Explanation Letter for
Fort Bend County Mobility Bond Project #13311, Precinct 3
Gaston Road from Katy Flewellen Road to Greenbusch Road
Katy, Texas 77494**



Paradigm
Consultants, Inc.

9980 W. Sam Houston Pkwy S.
Suite 500
Houston, Texas 77099

Tel 713-686-6771
Fax 713-686-6795
paradigmconsultants.com
TBPE Reg. No. F-001478

Mr. Ton:

Paradigm Consultants, Inc. has been asked to provide explanation of the cost overrun for the Gaston Road project. This is the second additional funds request that Paradigm has made for this project. Listed below are reasons the budget was exceeded a second time:

- We estimated zero overtime charges when developing our original additional funds request. From June 2019 to November 2019 we have invoiced a total of \$31,922.01 in overtime charges. There were no overtime charges estimated in the first additional funds request.
- In our previous additional funds request we anticipated work being complete on this project in mid-October 2019. The estimated work completion date has been extended twice since that estimation was given.
- There have been numerous instances of our tech being on standby for testing during this same time period.
- From June 2019 to November 2019 there have been a total of 5 cancellation trips due to weather, rescheduling, etc. where we were not notified prior to arriving on site, resulting in a cancellation charge of approximately \$500 per trip.

We used the following assumptions when developing the second Additional Funds Request, totaling \$66,650:

- We based our estimations on 100 working days to complete the project (October 2019 through January 2020).
- We estimated approximately half of our remaining work to be earthwork and the other half to be concrete sampling, along with the additional PM hours.

Closing

If there is any additional information needed to resolve this matter please feel free to contact me.

Sincerely,

Paradigm Consultants, Inc.

A handwritten signature in black ink, appearing to read "Phillip Nowak", written in a cursive style.

Phillip Nowak, CET
Senior Project Manager

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.
 Paradigm Consultants, Inc
 Houston, TX United States

Certificate Number:
 2020-583770

Date Filed:
 02/03/2020

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:
 02/25/2020

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.
 Mobility Bond Project 13311
 Geotechnical Engineering and Construction Materials Testing

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)