

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 Terra 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, as amended by documents dated February 2, 2019 (hereinafter the "Amendment") and July 9, 2019 (hereinafter the "Second Amendment"); and

WHEREAS, the parties desire to further 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 forty-five thousand three hundred dollars and 00/100 (\$45,300.00) for the additional engineering services as described in Contractor's proposal dated April 13, 2020, 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 one million two hundred thirty-eight thousand and three hundred eighty dollars and 00/100 (\$1,238,380.00), authorized as follows:
 - \$1,045,280.00 under the Agreement
 - \$132,000.00 under the Amendment
 - \$15,800.00 under the Second Amendment; and
 - \$45,300.00 under this Third 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.
4. BY ACCEPTANCE OF AGREEMENT, CONTRACTOR ACKNOWLEDGES THAT THE COUNTY IS OPPOSED TO HUMAN TRAFFICKING AND THAT NO COUNTY FUNDS WILL BE USED IN SUPPORT OF SERVICES OR ACTIVITIES THAT VIOLATE HUMAN TRAFFICKING LAWS.

Third Amendment to Agreement for Professional Engineering Services
 2017 Mobility Bond Program - Project No. 17310

Page 1 of 2

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

IN WITNESS WHEREOF, this Third Amendment is signed, accepted, and agreed to by all parties by and through the parties or their agents or authorized representatives. All parties acknowledge that they have executed this legal document voluntarily and of their own free will.

FORT BEND COUNTY

KP George
County Judge KP George

KP George, County Judge

6-2-2020

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

TERRA ASSOCIATES, INC

Lyle Henkel

Authorized Agent - Signature

Lyle Henkel, P.E.

Authorized Agent - Printed Name

President

Title

05.19.2020

Date

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 1,238,380.00 to accomplish and pay the obligation of Fort Bend County under this contract.

Robert Ed Sturdivant

Robert Ed Sturdivant, County Auditor

EXHIBIT A



April 13, 2020

Mr. Stacy Slawinski, P.E.
Fort Bend County Engineering
301 Jackson Street
Richmond, TX 77469

Re: **Brandt Road from Mason Road to McCrary Road
Fort Bend County Project No. 17310, Precinct No. 3 (2017 Mobility Bonds)**

**Fort Bend County Project No.: 17310
TAI Project No.: 0522-1801
TBPE Registration No.: F-003832**

Mr. Slawinski:

In accordance with the request of Fort Bend County, we are pleased to submit this request for additional authorization related to the above referenced project. This request is intended to confirm our **Scope of Services** and your authorization. Services will be provided in conformance to our Agreement / Proposal for Civil Engineering Services, and the Scope of additional Services includes the following:

We will take the existing plans and bid documents and prepare 2 separate plan sets for construction, two separate bid packages, and two cost estimates. We will attend 2 prebid meetings, 2 preconstruction meetings, address both sets of RFIs, attend both substantial completion walkthrough's, and prepare 2 record drawing sets.


We propose that our compensation for the above described extra services be provided on a fixed fee basis. According to our herein described understanding of the scope of services involved, the total cost of our extra services is as follows:

Create 2 Separate Plan Sets	\$ 12,500
Revise Storm Sewer	\$ 4,500
Additional Bid Phase Services	\$ 4,500
Prepare Additional Record Drawing Set	\$ 1,800
Additional Construction Phase Services	\$ 13,500
Construction Control Surveying	\$ <u>8,500</u>

TOTAL \$ 45,300

Please let us know if you need additional information concerning this request.

Best regards,



Lyle Henkel, P.E.
President

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:
2020-621331

Date Filed:
05/19/2020

Date Acknowledged:
06/02/2020

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
Terra Associates, Inc.
Houston, 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.
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.
17310
Civil Engineering Services for Brandt Road from Mason Road to McCrary Road

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)