

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**SECOND AMENDMENT TO AGREEMENT FOR
 PROFESSIONAL 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 Othon, 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 10, 2018, (hereinafter "Agreement") pursuant to SOQ 14-025, as amended by document executed on September 3, 2019, (hereinafter "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 twenty thousand dollars and 00/100 (\$20,000.00) to perform additional engineering services as described in Contractor's proposal dated June 24, 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 four hundred forty-eight thousand one hundred forty-three dollars and 33/100 (\$448,143.33), authorized as follows:
 - \$423,143.33 under the Agreement;
 - \$5,000.00 under the Amendment; and
 - \$20,000.00 under this Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement and any subsequently executed amendment exceed the Maximum Compensation without written agreement executed by both 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.

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

FORT BEND COUNTY

KP George

KP George, County Judge

8/11/2020

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

OTHON, INC

Charles A. Othon

Authorized Agent – Signature

Charles A. Othon

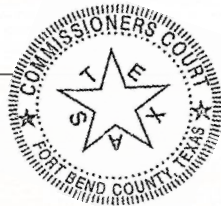
Authorized Agent – Printed Name

President

Title

July 28, 2020

Date



AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 448,143.33 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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Second Amendment to Agreement for Professional Engineering Services
2017 Mobility Bond Project No. 17416

EXHIBIT A



OTHON, INC.
11111 Wilcrest Green Drive, Suite 128
Houston, TX 77042

CONSULTING ENGINEERS
Civil, Transportation, Environmental,
Construction Management

713 975 8555 TEL
713 975 9068 FAX
www.othon.com WEBSITE

June 24, 2020

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

**RE: Madden Road
Fort Bend County Precinct 4
Project No. 4-16**

Dear Mr. Barnett,

Othon has been requested to submit an amendment for the additional engineering services for Madden Road from north of West Bellfort Avenue to Clodine Road in Fort Bend County Precinct 4. The additional services include the following items:

- Resubmit 95% Plans with the following changes:
 - A. New Proposed Pavement Section
 - Update Roadway Typical Sections
 - Update Roadway Plan Elements
 - Update Roadway Cross Sections
 - Geotech Analysis and Recommendations
 - B. New Proposed Drainage design at FM 1464 and Madden Rd

Amendment fee is:	\$20,000.00
Original Total Basic Services fee is:	\$423,143.33
Previous Amendment Fee:	\$5,000.00
Total Adjusted Contract fee is:	<u>\$448,143.33</u>

Should you have any questions, feel free to contact me.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Daniel A. Davila", written over a horizontal line.

Daniel A. Davila, P.E.
Senior Project Manager
OTHON, Inc. Consulting Engineers

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.
Othon, Inc.
Houston, TX United States

Certificate Number:
2020-649705

Date Filed:
07/28/2020

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:
08/11/2020

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.
17416
Additional engineering services for Madden Rd north of West Bellfort Ave to Clodine Rd in Fort Bend County

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Sangineni, Srinivas	Dallas, TX United States	X	
	Baker, Robert	Houston, TX United States	X	
	Othon, Charles	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)