

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 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 1, 2018, (hereinafter "Agreement") pursuant to SOQ 14-025; as amended by document executed on November 12, 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 under the Agreement for the completion of such additional services.

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

1. County shall pay Contractor an additional twenty-six thousand four hundred dollars and 00/100 (\$26,400.00), for the services as described in Contractor's proposal for additional services dated November 18, 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 four hundred twenty-seven thousand fifty-five dollars and 00/100 (\$1,427,055.00), authorized as follows:
  - \$1,144,420.00 under the Agreement;
  - \$256,235.00 under the Amendment; and
  - \$26,400.00 under this Second Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement and any amendment thereof 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.

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Second Amendment to Agreement for Professional Engineering Services  
 2013 and 2017 Mobility Bond Programs - Project Nos. 13217x and 17201

Page 1 of 2

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

FORT BEND COUNTY



County Judge KP George

KP George, County Judge

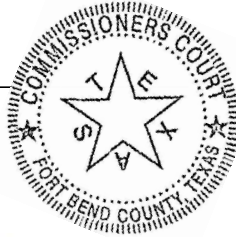
TERRA ASSOCIATES, INC



Authorized Agent – Signature

3-2-2021

Date



ATTEST:



Laura Richard, County Clerk

David A. Sepulveda, P.E.

Authorized Agent – Printed Name

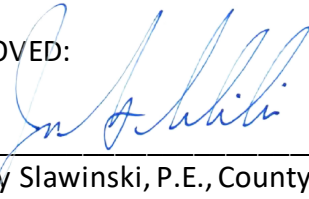
Vice President

Title

01-28-2021

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 \$ 1,427,055.00 to accomplish and pay the obligation of Fort Bend County under this contract.



Robert Ed Sturdivant, County Auditor

# EXHIBIT A



November 18, 2020

Mr. Stacy Slawinski, PE  
Fort Bend County Engineering  
301 Jackson Street  
Richmond, Texas 77469

Re: **Lake Olympia Boulevard Segment 2 from Chimney Rock Road to FM521  
2017 Mobility Bond Project #17201  
Fort Bend County, Texas**

**TAI Project Number: 522-1802  
TBPE Registration # F-003832**

Mr. Slawinski,

Terra Associates appreciates this opportunity to submit this proposal for additional services as required for the aforementioned project. The scope of the additional services is as follows:

**Task X10 – Spite Strip Legal Description**

We will provide a legal description and exhibit for the existing spite strip south of Parcel 1 to the common boundary line shared by Skymark Development and the landfill. The spite strip will consist of the area between the southern boundary of the Skymark tract and the northern boundary of the various parcels to the south. An exhibit of the spite strip is attached.

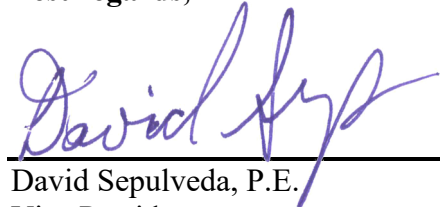
**We propose to provide the services described under Task X10 for a fixed fee of \$6,800.**

**Task X11 – Parcel Map Reconciliation**

The original proposal for this project was based on Fort Bend County acquiring ROW for up to 10 parcels. These were based on various sized tracts and consisted of 6 small parcels (parent tract less than 1 acre) at \$2,500 each, 2 medium parcels at \$4,900 each and 2 large parcels (parent tract over 5 acres) at \$6,800 each. The total original budget allocated to this work was \$38,400. During the course of the project it was determined the distribution of tracts was different than originally estimated. The final distribution of tract sizes is as follows: 1 small parcels at \$2,500 each, 3 medium parcels at \$4,900 each and 6 large parcels at \$6,800 each for a total cost of \$58,000. This request is to reconcile the cost between the original estimate and the final parcel distribution. **We propose to provide the services described under Task X11 for a fixed fee of \$19,600.**

**The total request for this change order is \$26,400.** If you have any questions, or require additional information, please contact us at any time.

**Best regards,**

  
\_\_\_\_\_  
David Sepulveda, P.E.  
Vice President

**Accepted and Agreed to:**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

# 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.**

Terra Associates Inc.  
Houston, TX United States

**Certificate Number:**  
2021-711937

**Date Filed:**  
02/01/2021

**Date Acknowledged:**  
03/02/2021

**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, 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.**

PO#166798  
2017 Mobility Bond Project #17201 (Engineering Services)

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)