

STATE OF TEXAS           §  
   §  
 COUNTY OF FORT BEND    §

**SECOND AMENDMENT TO AGREEMENT FOR  
 PROFESSIONAL PROPERTY ACQUISITION 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 Property Acquisition Services, LLC, (hereinafter “Contractor”), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Agreement for Professional Property Acquisition Services Services on July 10, 2018, (hereinafter “Agreement”), as amended by document executed on April 28, 2020, (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 three hundred twenty-six thousand three hundred fifty dollars and 00/100 (\$326,350.00) for additional right of way acquisition services, as described in Contractor’s proposal for additional services dated April 13, 2021, 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 seventy thousand five hundred dollars and 00/100 (\$1,270,500.00), authorized as follows:
  - \$754,550.00 under the Agreement;
  - \$189,600.00 under the Amendment; and
  - \$326,350.00 under this Second 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 written agreement executed by both parties.
4. The parties hereby agree to extend the Time of Performance under the Agreement to end no later than December 31, 2022.

5. 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 shall remain unchanged.

FORT BEND COUNTY

*KP George*

County Judge KP George

KP George, County Judge

PROPERTY ACQUISITION SERVICES, LLC

*Mark Heider*

Authorized Agent – Signature

5.25.2021

Date



ATTEST:

*Laura Richard*

Laura Richard, County Clerk

*Mark Heider*

Authorized Agent – Printed Name

*President*

Title

*5/10/21*

Date

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 \$ 1,270,500.00 to accomplish and pay the obligation of Fort Bend County under this contract.

*Robert Ed Sturdivant*

Robert Ed Sturdivant, County Auditor

\\Marcus\Agreements\Engineering\ROW Acq Services\2017 Mobility Projects\Precincts 1 and 4\Amend 2 - Prop Acq Svs.2017 MBPPcts 1&4PAS.v2.docx.5/18/2021.17 Eng.500021.A2

Second Amendment to Agreement for Professional Property Acquisition Services  
2017 Mobility Bond Program – Precincts 1 and 4

# EXHIBIT A



Right-of-Way  
and  
Acquisition Services  
Amendment

for

Fort Bend County

2017 Mobility Bond Projects

Property Acquisition Services, LLC.  
19855 Southwest Freeway, Suite 200  
Sugar Land, TX 77479  
281-343-7171 office  
281-343-8181 fax



April 13, 2021

Ms. Sandy Garza  
Fort Bend County  
301 Jackson St., 4<sup>th</sup> Floor  
Richmond, TX 77469

**Re: Proposal to provide Right-of-Way Acquisition Services**

Property Acquisition Services, Inc. (PAS) hereby submits this proposal per your request for the purpose of continuing to provide land and right-of-way acquisition services to Fort Bend County under the terms of a Professional Services Agreement. In conjunction with the Fort Bend County 2017 Mobility Bond Projects, we submit the following estimates to complete:

<b><u>Rohan Road</u></b> 17114 (Intersection Improvements)	<b>\$52,750.00</b>
<b><u>John Sharp Road</u></b> 17407 (John Sharp Dr. Seg. 2)	<b>\$42,750.00</b>
<b><u>Reading Road</u></b> 13117x	<b>\$230,850.00</b>
<b><u>Total Funds Needed to Complete</u></b>	<b>\$326,350.00</b>

\*Some projects may require additional fees for relocation once the routes have been reviewed.



Please find below the hourly rates listed for the 2021 calendar year billing cycle. Depending on the complexity of the project and the staff needed, not all hourly rates may apply for said projects.

**Hourly Rates**

Principal.....	\$175.00/hr
Sr. Project Manager.....	\$150.00/hr
Right of Way Agent.....	\$115.00/hr
Relocation Agent.....	\$115.00/hr
Data Analyst.....	\$80.00/hr
Title Coordinator/Examiner.....	\$80.00/hr
Clerical.....	\$60.00/hr

Thank you for allowing PAS the opportunity to submit this proposal to assist you with your right of way needs. Please contact us at (281) 343-7171 if we can answer any questions or be of further assistance.

Sincerely,

A handwritten signature in blue ink that reads 'Mark Heidaker'. The signature is written in a cursive style with a large, stylized 'M'.

Mark Heidaker  
President



**Rohan Road Project**

Acquire 5 parcels

Management \$ 3,500.00  
Includes part-time Manager for the duration of the project

Negotiations \$ 9,500.00  
Includes right of way agent that is TREC licensed and condemnation support

Temporary Construction Easements \$10,000.00  
Includes right of way agent that is TREC licensed and condemnation support

Appraisals \$19,000.00  
\$3,800 per parcel, updates for ED parcels will require additional fees

Title \$ 3,250.00  
Includes Title Agent, Title Review and Title

Administrative Support \$ 7,500.00  
Includes Document Specialist for preparation of legal documents, database support for tracking status reports and general project support

**Total** \$ 52,750.00



### **John Sharp Road Project**

Acquire 5 parcels

**Management**

Includes part-time Manager for the duration of the project

\$ 3,500.00

**Negotiations**

Includes right of way agent that is TREC licensed and condemnation support

\$ 9,500.00

**Appraisals**

\$3,800 per parcel, updates for ED parcels will require additional fees

\$19,000.00

**Title**

Includes Title Agent, Title Review and Title

\$ 3,250.00

**Administrative Support**

Includes Document Specialist for preparation of legal documents, database support for tracking status reports and general project support

\$ 7,500.00

**Total**

\_\_\_\_\_

\$ 42,750.00



**Reading Road Project**

Acquire 27 parcels

Management

\$ 18,900.00

Includes part-time Manager for the duration of the project

Negotiations

\$ 51,300.00

Includes right of way agent that is TREC licensed and condemnation support

Appraisals

\$102,600.00

\$3,800 per parcel, updates for ED parcels will require additional fees

Title

\$ 17,550.00

Includes Title Agent, Title Review and Title

Administrative Support

\$ 40,500.00

Includes Document Specialist for preparation of legal documents, database support for tracking status reports and general project support

**Total**

\_\_\_\_\_

\$230,850.00

# 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.**  
Property Acquisition Services  
Sugar Land, TX United States

**Certificate Number:**  
2021-737747

**Date Filed:**  
04/13/2021

**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

**Date Acknowledged:**  
05/25/2021

**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.**  
Fort Bend County 2017 Mobility  
Right of Way Services

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Heidaker, Mark	Sugar Land, 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)