

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**FIFTH AMENDMENT TO PROJECT MANAGEMENT AGREEMENT FOR
 THE 2017 FORT BEND COUNTY MOBILITY BOND PROGRAM**

THIS FIFTH 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 **RPS INFRASTRUCTURE, INC.**, (hereinafter "Project Manager"), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Project Management Agreement for the 2017 Fort Bend County Mobility Bond Program on March 13, 2018, (hereinafter "Agreement"), as amended by documents executed on November 5, 2019, (hereinafter "Amendment"), May 27, 2020, (hereinafter "Second Amendment"), October 6, 2020, (hereinafter "Third Amendment"), and February 2, 2021, (hereinafter "Fourth 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 Project Manager an additional three hundred ninety-nine thousand nine hundred ninety-five dollars and no/100 (\$399,995.00), for the Services as described in Project Manager's Proposal for Supplemental Services dated April 20, 2021, attached hereto as Exhibit "A" and incorporated herein for all purposes.
2. The Maximum Compensation payable to Project Manager for Services to be rendered is hereby increased to an amount not to exceed two million four hundred ninety-one thousand four hundred ninety-five dollars and no/100 (\$2,491,495.00), authorized as follows:
 - \$1,000,000.00 under the Agreement
 - \$187,000.00 under the Amendment;
 - \$310,000.00 under the Second Amendment;
 - \$300,750.00; under the Third Amendment;
 - \$293,750.00 under the Fourth Amendment; and
 - \$399,995.00 under this Fifth 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. The parties hereby agree to extend the Term of the Agreement to terminate on December 31, 2025, unless terminated or extended upon further mutual agreement of the parties.
5. BY ACCEPTANCE OF AGREEMENT, PROJECT MANAGER 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 any subsequently executed amendment shall remain unchanged.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the County and the Project Manager have caused their respective duly authorized representatives to execute, seal and deliver this Fifth Amendment, all as of the date signed by the last party hereto.

FORT BEND COUNTY

RPS INFRASTRUCTURE, INC

KP George
KP George, County Judge
County Judge KP George

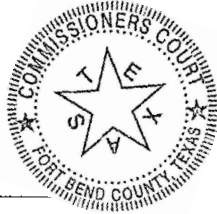
DocuSigned by:
David Balmos
BEEF9E3216374A7
Authorized Agent – Signature

6.8.2021
Date

David Balmos, P.E.
Authorized Agent – Printed Name

5/26/2021
Date

ATTEST:



Title
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

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 2,491,495.00 to accomplish and pay the obligation of Fort Bend County under this contract.

Robert Ed Sturdivant
Robert Ed Sturdivant, County Auditor

EXHIBIT A



Our ref: 007677

575 N. Dairy Ashford
Suite 700
Houston, Texas 77079
T +1 281 589 7257

Date: April 20, 2021

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

Attention: Ike Akinwande, PE

**Re: Proposal for Amendment #5 Supplemental Services on the
2017 Mobility Bond Program (PO #163936)**

Dear Mr. Akinwande,

We appreciate the opportunity to work with the County as a Project Manager on the 2017 Mobility Bond Program. We have worked hard to provide exceptional service and to be responsive to your needs. We have expended the fees allocated to us previously and request that additional fee be added to our contract.

We propose adding **\$399,995.00** to our contract on a time and materials basis. We anticipate the following breakdown of additional project management effort:

- **000200 Utility Coord. & Relocation/ Encroachment Agreements (All Projects) \$175,000**
 - Project Manager 600 hrs. x \$200 = \$120,000
 - Senior Project Engineer 183.33 hrs. x \$180 = \$33,000
 - Associate Engineer 176 hrs. x \$125 = \$22,000
- **17201 Lake Olympia Segment 2 \$50,000**
 - Department Manager 25 hrs. x \$280 = \$7,000
 - Project Manager 125 hrs. x \$200 = \$25,000
 - Senior Project Engineer 75 hrs. x \$180 = \$13,500
 - Associate Engineer 36 hrs. x \$125 = \$4,500
- **17202 Chimney Rock \$15,000**
 - Department Manager 7.5 hrs. x \$280 = \$2,100
 - Project Manager 37.5 hrs. x \$200 = \$7,500
 - Senior Project Engineer 22.5 hrs. x \$180 = \$4,050
 - Associate Engineer 10.8 hrs. x \$125 = \$1,350
- **17206 Sidewalk Safety Program \$15,000**
 - Department Manager 7.5 hrs. x \$280 = \$2,100
 - Project Manager 37.5 hrs. x \$200 = \$7,500
 - Senior Project Engineer 22.5 hrs. x \$180 = \$4,050
 - Associate Engineer 10.8 hrs. x \$125 = \$1,350

Our ref: 007677

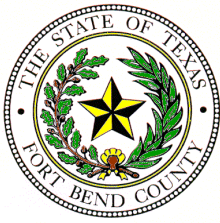
•	17207 Burney-Old Richmond		\$50,000
-	Department Manager	25 hrs. x \$280 = \$7,000	
-	Project Manager	125 hrs. x \$200 = \$25,000	
-	Senior Project Engineer	75 hrs. x \$180 = \$13,500	
-	Associate Engineer	36 hrs. x \$125 = \$4,500	
•	17208 Old Richmond Road		\$15,000
-	Department Manager	7.5 hrs. x \$280 = \$2,100	
-	Project Manager	37.5 hrs. x \$200 = \$7,500	
-	Senior Project Engineer	22.5 hrs. x \$180 = \$4,050	
-	Associate Engineer	10.8 hrs. x \$125 = \$1,350	
•	17211 Belknap Road		\$29,995
-	Department Manager	15 hrs. x \$280 = \$4,200	
-	Project Manager	74.97 hrs. x \$200 = \$14,995	
-	Senior Project Engineer	45 hrs. x \$180 = \$8,100	
-	Associate Engineer	21.6 hrs. x \$125 = \$2,700	
•	17218x Moore		\$50,000
-	Department Manager	25 hrs. x \$280 = \$7,000	
-	Project Manager	125 hrs. x \$200 = \$25,000	
-	Senior Project Engineer	75 hrs. x \$180 = \$13,500	
-	Associate Engineer	36 hrs. x \$125 = \$4,500	

RPS appreciates the opportunity to prepare this proposal for Fort Bend County Engineering and trusts that it meets with your approval. If you have any questions concerning this proposal, please feel free to contact me directly. RPS looks forward to successful projects.

Yours sincerely,
for RPS Infrastructure, Inc.



Gabriel Odreman, PE
Project Manager – Transport
Gabriel.Odreman@rpsgroup.com



Fort Bend County Engineering
FORT BEND COUNTY, TEXAS

J. Stacy Slawinski, P.E.
County Engineer

MEMORANDUM

June 1, 2021

TO: Members of the Commissioners Court

**RE: RPS Infrastructure, Inc. – Project Management,
2017 Mobility
5th Amendment**

The total cost of the Amendment is \$399,995. The funding will be transferred from the following projects:

Project No.	Project Name	Amount
17201	Lake Olympia Parkway Seg. 2	\$75,000
17202	Chimney Rock Road	\$40,000
17206	Sidewalk Safety Program	\$40,000
17207	Burney-Old Richmond	\$75,000
17208	Old Richmond Road	\$40,000
17211	Belknap Road	\$54,995
17218x	Moore	\$75,000

Project Management Fee \$399,995

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:
 2021-758224

Date Filed:
 05/26/2021

Date Acknowledged:
 06/08/2021

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
 RPS Infrastructure, 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.
 PO #163936
 5th Amendment for 2017 Fort Bend County Mobility Bond Program - RPS #007677

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)