

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**FIFTH AMENDMENT TO AGREEMENT FOR
 PROFESSIONAL ENGINEERING SERVICES**

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 Huitt-Zollars, 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 October 13, 2015, (hereinafter "Agreement"), as amended by documents executed on June 7, 2016, (hereinafter the "Amendment"), April 24, 2018, (hereinafter the "Second Amendment"), August 27, 2019 (hereinafter the "Third Amendment"); and August 4, 2020 (hereinafter the "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 Contractor an additional twenty-two thousand six hundred dollars and no/100 (\$22,600.00) for the additional scope for Construction phase services, as described in the proposal dated May 6, 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 eight hundred ninety-seven thousand seven hundred eighty-six dollars and 40/100 (\$897,786.40), authorized as follows:
 - \$650,576.40 under the Agreement;
 - \$51,550.00 under the Amendment;
 - \$133,060.00 under the Second Amendment;
 - \$25,000.00 under the Third Amendment;
 - \$15,000.00 under the Fourth Amendment; and
 - \$22,600.00 under this Fifth Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement, and any subsequently executed amendment thereof exceed the Maximum Compensation without an 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.

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

FORT BEND COUNTY



KP George, County Judge
County Judge KP George


6.22.2021

Date

ATTEST:



Laura Richard, County Clerk

APPROVED:


J. Stacy Slawinski, P.E., County Engineer

APPROVED AS TO LEGAL FORM:



Marcus D. Spencer, First Assistant County Attorney



HUITT-ZOLLARS, INC.



Authorized Agent – Signature

Daniel Menendez, P.E., PWLF

Authorized Agent – Printed Name

Vice President

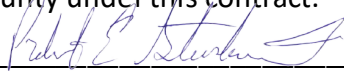
Title

6/7/2021

Date

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 897,786.40 to accomplish and pay the obligation of Fort Bend County under this contract.



Robert Ed Sturdivant, County Auditor

EXHIBIT A

May 6, 2021

Robert W. Barnett, P.E.
C/O Fort Bend County Engineering
Vice President
LJA Engineering, Inc.
2929 Briarpark Drive Suite 600
Houston, Texas 77042-3703

Reference: Old Needville Fairchild Road
Fort Bend County 2013 Mobility Bond Program

Subject: Proposal –Increase in fee for Bid & Construction phase services

Dear Mr. Barnett,

Huitt-Zollars, Inc. (Huitt-Zollars) appreciates the opportunity to provide our proposal for professional services to the Fort Bend County for the Old Needville Fairchild Road project. We request an additional fee of \$22,600.00 to assist the county with the construction phase services as detailed below. Part of the original budget allocated for CA phase services was utilized by HZ to assist the contractor with the making revisions due to the flooding and the changes in design as well as providing ditch regrading based on county decision. Enclosed are Huitt-Zollars, Inc.'s proposed budget, manpower and direct expense breakdown and for the increase in construction phase services for the above referenced project to provide record drawing documents to the client for the closeout of the project and provide Metes & bounds along with an exhibit for the county to dedicate a 5' easement to CenterPoint. Attached is the proposal from Kaluza, Inc for the boundary survey for 5' CNP easement to be located adjacent to and within the new ROW from the city limits of City of Needville to F.M 361.

Phase 3 – Bid & Construction (hourly)	
Survey M&B	\$16,100.00
Record drawings	\$ 6,500.00
Total Basic Services Fee	\$ 22,600.00

COMPENSATION:

Fee Budget - Our estimated fee budget for the Construction Phase Services is as \$22,600.00. This amount shall not be exceeded without written authorization. Invoices will be submitted monthly.

SCHEDULE:

To be followed per the original contract

Should this proposal meet with your approval, please return a notice to proceed and we will schedule the services. If you have any questions, please call

Very Respectfully,
Huitt-Zollars, Inc.



Chaitanya Kasturi, P.E., PMP, ENV SP
Vice President



Daniel Menendez, P.E., PWLF
Vice President



Houston

2021

HOURLY RATE SHEET

Engineering/Architecture

Principal	\$ 255.00
Design Principal	\$ 235.00
Sr. Project Manager	\$ 235.00
QA Manager	\$ 230.00
Project Manager	\$ 205.00
Sr. Civil Engineer	\$ 205.00
Sr. Structural Engineer	\$ 205.00
Sr. Mechanical Engineer	\$ 190.00
Sr. Electrical Engineer	\$ 190.00
Civil Engineer	\$ 185.00
Structural Engineer	\$ 185.00
Mechanical Engineer	\$ 165.00
Electrical Engineer	\$ 165.00
Plumbing Engineer	\$ 150.00
Engineer Intern	\$ 140.00
Sr. Architect	\$ 195.00
Architect	\$ 160.00
Architect Intern 1	\$ 100.00
Architect Intern 2	\$ 120.00
Architect Intern 3	\$ 150.00
Sr. Landscape Architect	\$ 185.00
Landscape Architect	\$ 155.00
Landscape Architect Intern	\$ 110.00
Sr. Planner	\$ 250.00
Planner	\$ 160.00
Planner Intern	\$ 100.00
Sr. Designer	\$ 155.00
Designer	\$ 130.00
Sr. CADD Technician	\$ 140.00
CADD Technician	\$ 100.00

Interior Design

Sr. Interior Designer	\$ 150.00
Interior Designer	\$ 120.00
Interior Designer Intern	\$ 90.00

Survey

Survey Manager	\$ 210.00
Sr. Project Surveyor	\$ 190.00
Project Surveyor	\$ 150.00
Survey Technician	\$ 120.00

Survey Crews

1-Person Survey Crew	\$ 100.00
2-Person Survey Crew	\$ 160.00
3-Person Survey Crew	\$ 180.00

Construction

Construction Manager	\$ 190.00
Resident Engineer	\$ 185.00
Sr. Project Representative	\$ 135.00
Representative	\$ 100.00

Administrative

Sr. Project Support	\$ 100.00
Project Support	\$ 80.00

Reimbursable Expenses

Consultants	Cost + 10%
Other Direct Costs	Cost + 10%
Mileage	IRS Standard Business Mileage Rate

KALUZA
INC
Consulting Engineers & Surveyors
Engineering Firm No. F-1339
Texas Licensed Surveying Firm No. 10010000
3014 Avenue I, Rosenberg, Texas 77471
(281) 341-0808 ■ FAX (281) 341-6333

April 28, 2021

Huitt-Zollars, Inc.
10350 Richmond Avenue, Suite 300
Houston, TX 77042
Attn: Chaitanya Kasturi, P.E., PMP, ENV SP
Vice President
ckasturi@huitt-zollars.com

RE: Proposal for Boundary Survey work for five foot wide (5') Centerpoint Energy easement for the relocation of Transmission Structures to be located adjacent to and within the new right-of-way of Old Needville-Fairchilds Road (Fort Bend County 2013 Mobility Project 13109) from the City Limits of the City of Needville to State Farm Market Highway No. 361 (approximate project length 18,000 linear feet), Fort Bend County, Texas.

Dear Ms. Kasturi,

We propose to render professional surveying services in connection with the above referenced project (hereinafter referred to as the "Project"). It is our understanding that you will furnish us with full information as to your requirements of land use, including any special services needed, and also to make available pertinent existing data.

Kaluza, Inc. proposes to provide the necessary surveying services to complete the Project in accordance with the following scope of work:

Centerpoint Energy Easement Survey

Research in the County Clerk's Office to obtain Deed Record description of the overall tract and adjoining tracts; On-the-ground survey by field crew of the described boundary lines and monuments; Setting or flagging boundary corner monumentation; Preparation of survey exhibits to meet current Centerpoint Energy requirements for easement acquisition.

Estimated Fee for Easement Survey Work = \$ 16,100.00

It is noted that these costs do not include sales tax.

The work on the survey can commence within five (5) days of the receipt of a copy of this proposal signed by Owner. The estimated time for completion of the scope of work as described is six to eight weeks. Total fees are based on estimated time for completion of all work described above and are **not to exceed** the specified amounts, provided that the Owner does not change or increase the scope of work. Additional services beyond those items described will be based and billed on actual hours of work that have been completed at the hourly rates as shown on the attached Exhibit "A."

Huitt-Zollars
April 28, 2021
Page Two

Billings for services rendered will be made monthly, and payment is requested within fifteen (15) days from receipt of invoice. Unless special arrangements are made, a finance charge of 1.5% per month will be added to unpaid balances more than thirty (30) days old.

Kaluza, Inc. makes no warranty, either express or implied, as to its services, including preparation of surveys, or professional advice, except that they are prepared, issued, and performed in accordance with generally accepted professional engineering and surveying practices. Additionally, it is the desire of our firm to comply with other applicable Federal, State, County and local laws during the execution of this contract.

This proposal and Exhibit "A" attached, represent the entire understanding between you and this firm in respect to the Project, and may only be modified in writing signed by both of us. If this proposal satisfactorily sets forth your understanding of the arrangement between us, we would appreciate your signing this proposal in the space provided below and returning the signed copy to us.

Thank you for this opportunity to be of assistance to you. We look forward to working with you on this project.

Cordially,

KALUZA, INC.



Brad L. Schodek, R.P.L.S.
Associate

Accepted - Title

Date

Exhibit "A"

SCHEDULE OF HOURLY CHARGES BY PERSONNEL CLASSIFICATION

Effective June, 2013

**KALUZA, INC.
CONSULTING ENGINEERS, SURVEYORS, AND PLANNERS**

The charges for professional Engineering, Surveying, and Drafting services are based on the following daily or hourly rates:

ENGINEERING, SURVEYING, AND DRAFTING

Principal.....	\$ 175.00/Hour
Sr. Project Manager.....	\$ 150.00/Hour
Project Manager.....	\$ 145.00/Hour
Survey Manager.....	\$ 140.00/Hour
Project Engineer.....	\$ 110.00/Hour
Project Surveyor.....	\$ 90.00/Hour
Sr. Designer.....	\$ 90.00/Hour
Designer.....	\$ 80.00/Hour
CAD Technician.....	\$ 70.00/Hour
Contract Coordinator.....	\$ 65.00/Hour
Secretarial.....	\$ 60.00/Hour
Field Party (2 Men).....	\$ 120.00/Hour
Field Party (3 Men).....	\$ 140.00/Hour
Field Party (4 Men).....	\$ 150.00/Hour
Construction Observation.....	\$ 750.00/Day

ADDITIONAL EXPENSES

1. Reproduction Work - At prevailing commercial rate.
2. Field Note Descriptions - \$70.00/Set.
3. ATV Rental - \$115.00/Day.
4. Other Consultants - At cost plus 10% for handling.
5. All Other Expenses - At cost plus 10% for handling.
6. Global Positioning System (GPS) Surveying an additional charge of \$25.00 per hour will be charged for equipment.

**Charges are due and payable within thirty (30) days after receipt of invoice.
Interest will be charged at the rate of 1.5% per month for late payments.**



Consulting Engineers & Surveyors

Engineering Firm No. F-1339 Surveying Firm No. 10010000

3014 Avenue I, Rosenberg, Texas 77471

Phone: (281) 341-0808

Fax: (281) 341-6333

Rates Subject to Change

06/13
Rev.01/02/19

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.**

Huitt-Zollars, Inc.
Dallas, TX United States

Certificate Number:
2021-762161

Date Filed:
06/04/2021

Date Acknowledged:
06/23/2021

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

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.

13109-17109
Professional Engineering Services

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Huitt, Larry	Dallas, TX United States	X	
	McDermott, Robert	Dallas, TX United States	X	
	Wall, Cliff	Dallas, TX United States	X	
	Twomey, James	Dallas, TX United States	X	
	Wine, Gregory	Dallas, 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)