

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**THIRD AMENDMENT TO AGREEMENT FOR
 PROFESSIONAL SERVICES**

THIS THIRD 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, and amended again by document executed on August 11, 2020 (hereinafter "Amendment") which is incorporated by reference as if set forth herein verbatim; 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 thirty seven thousand one hundred dollars and 00/100 (\$37,100.00) to perform additional engineering services as described in Contractor's proposal dated May 25, 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 four hundred eighty-five thousand two hundred forty-three dollars and 33/100 (\$485,243.33), authorized as follows:
 - \$423,143.33 under the Agreement;
 - \$5,000.00 under the Amendment;
 - \$20,000.00 under the Second Amendment; and
 - \$37,100.00 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

OTHON, INC



KP George, County Judge
County Judge KP George



Authorized Agent – Signature

7.13.2021

Date

ATTEST:



Laura Richard, County Clerk



Daniel A. Davila

Authorized Agent – Printed Name

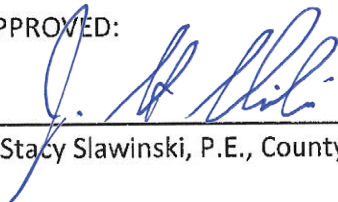
Senior Vice President

Title

6/28/2021

Date

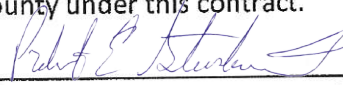
APPROVED:



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

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 485,243.33 to
accomplish and pay the obligation of Fort Bend County under this contract.



Robert Ed Sturdivant, County Auditor

i:\agreements\2021 agreements\engineering\road construction\madden\amend 3 - pro eng svcs.madden.othon (kej - 06.23.2021)

EXHIBIT A



OTHON, INC.
575 N. Dairy Ashford Rd, Ste. 650
Houston, TX 77079

CONSULTING ENGINEERS
Civil, Transportation, Environmental,
Construction Management

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

May 25, 2021

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. Also, part of this amendment will include the replenish of the Construction Phase Services funds that were previously used for the additional scope of works regarding the Drainage Easement.

Amendment Summary:

- Staking of the Proposed ROW and Drainage Easement. (\$2,100.00)
- Replenish of Construction Phase Services funds. (\$35,000.00)

Amendment fee is:	\$37,100.00
Original Total Basic Services fee is:	\$423,143.33
Previous Amendment Fees:	\$25,000.00
Total Adjusted Contract fee is:	<u>\$485,243.33</u>

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

Sincerely yours,

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

Daniel A. Davila, P.E
Senior Vice President

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:
2021-772589

Date Filed:
06/29/2021

Date Acknowledged:
07/13/2021

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

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.

SOQ 14-025
2017 Mobility Bond Project No. 17416

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Davila, Daniel	Houston, TX United States	X	
	Sangineni, Srinivas	Dallas, TX United States	X	
	Klotz, D. Wayne	Houston, TX United States	X	
	Othon, Gabriel	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)