

STATE OF TEXAS                   §  
    §  
 COUNTY OF FORT BEND       §

**AMENDMENT TO AGREEMENT FOR  
 PLAN, SPECIFICATION, AND ESTIMATE DESIGN SERVICES**

**THIS 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 Dannenbaum Engineering Corporation, (hereinafter "Contractor"), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Agreement for Plan, Specification, and Estimate Services on December 18, 2018 pursuant to SOQ 14-025, (hereinafter "Agreement"); and

WHEREAS, the parties desire to amend the Agreement to allow Contractor to provide additional Services under the Agreement.

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

1. County shall pay Contractor an additional amount not to exceed four hundred ninety-one thousand five hundred three dollars and no/100 (\$491,503.00) to perform the additional Services, as described in Contractor's Supplemental Scope and Fee Proposal attached hereto as Exhibit "A" and incorporated herein for all purposes.
2. The Maximum Compensation payable to Contractor for all Services rendered is hereby increased to an amount not to exceed five million three hundred sixty thousand three hundred ninety-one dollars and 00/100 (\$5,360,391.00), authorized as follows:  
                              \$4,868,888.00 under the Agreement; and  
                              \$491,503.00 under this 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 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 shall remain unchanged.

IN WITNESS WHEREOF, the parties hereto have signed or have caused their respective names to be signed to multiple counterparts to be effective on the date signed by the final party.

FORT BEND COUNTY

  
\_\_\_\_\_  
KP George, County Judge  
County Judge KP George

7.27.2021

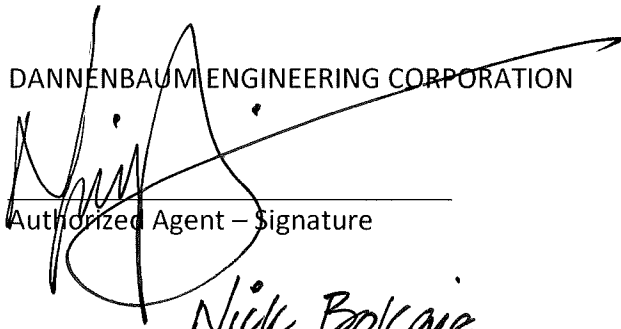
Date

ATTEST:

  
\_\_\_\_\_  
Laura Richard, County Clerk



DANNENBAUM ENGINEERING CORPORATION

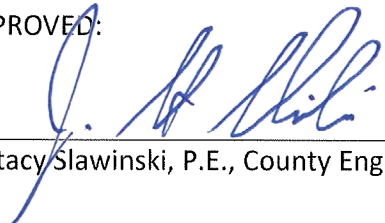
  
\_\_\_\_\_  
Authorized Agent – Signature

Nick Poolcane  
Authorized Agent – Printed Name

chief operating officer  
\_\_\_\_\_  
Title

7/8/2021  
\_\_\_\_\_  
Date

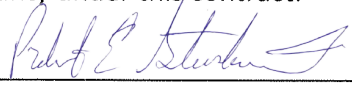
APPROVED:

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

#### AUDITOR'S CERTIFICATE

  
5,360,391.00 8/3/2021

I hereby certify that funds are available in the amount of \$ ~~5,630,391.00~~ to accomplish and pay the obligation of Fort Bend County under this contract.

  
\_\_\_\_\_  
Robert Ed Sturdivant, County Auditor

# EXHIBIT A

April 14, 2021

Mr. Stacy Slawinski, P.E.  
Fort Bend County Engineer  
301 Jackson Street, 4<sup>th</sup> Floor  
Richmond, Texas 77469

**SUBJECT: FM 521 from FM 2234 to SH 6 CSJ 0111-03-059**  
Supplemental Scope and Fee Proposal for PS&E Services

Dear Mr. Slawinski:

Dannenbaum Engineering Corporation (DEC) is pleased to submit for your approval a supplemental scope and fee proposal for Plan, Specification, and Estimate (PS&E) Design Services for the FM 521 expansion project from FM 2234 to SH 6 in Fort Bend County.

This supplemental proposal covers additional design effort and plan revisions to address design modifications as directed by TxDOT. The primary design changes, as further described in Attachment B Scope of Services Modifications, are as follows:

- 1) Bike Facility change from On-Street Bike Lanes to Sidepath (Shared Use Path)
- 2) Signal Warrant Analysis – Additional Warrant 9 Studies
- 3) Additional Traffic Signals at Evergreen Street and West Davis Road
- 4) Parcel 110 and Detention Pond N Modifications
- 5) Exhibits for USACE Permit
- 6) Utility SUE and Coordination

Attached you will find our Fee Proposal (Attachment A) and Scope of Services Modifications (Attachment B) for the Project. We ask for your approval and execution of this supplemental contract in the not-to-exceed amount of \$491,503 as supported by the attached documents.

DEC appreciates the opportunity to provide you with our services. If I can be of any assistance or answer any additional questions, please feel free to contact me at (713) 527-6420 or at Nick.Bokaie@dannenbaum.com. We look forward to working with you on this important Fort Bend County project.

Very truly yours,



Nick Bokaie, P.E.  
Principal, Houston Transportation Division  
Dannenbaum Engineering Corporation

Attachments

## ATTACHMENT A

FM 521 from FM 2234 to SH 6

APRIL 2021

WORK ELEMENT	Design Consultant	Engineering Fees
<b>Final PS&amp;E Engineering</b>		
Roadway Design	Dannenbaum	\$ 77,064
Drainage Design	Dannenbaum	\$ 58,377
Traffic - Signing & Pavement Marking	Infratech	\$ 14,629
Traffic - Signals	Infratech	\$ 69,456
Traffic - Illumination	Infratech	\$ -
Miscellaneous Roadway & TCP	Dannenbaum	\$ 90,294
Structural Design - Broadway Bridge	LJA	\$ -
Structural Design - Misc. Structures	Dannenbaum	\$ 60,850
Management	Dannenbaum	\$ 22,380
	LJA	\$ -
	Infratech	\$ -
<b>Extras</b>		
Survey	LJA	\$ 6,310
ROW Parcel Mapping	LJA	\$ 6,950
Geotechnical	Associated Testing Laboratories (ATL)	\$ -
Drainage Impact Study	LJA	\$ 11,080
Utility Coordination	Dannenbaum	\$ 26,708
SUE	LJA	\$ 46,717
		\$ -
		\$ -
Direct Expenses	Dannenbaum	\$ -
	LJA	\$ 650
	Infratech	\$ 37
<b>Bid/Construction Phase Services</b>		
Post Design Services	Dannenbaum	\$ -
	LJA	\$ -
	Infratech	\$ -
<b>Total Management &amp; Engineering Fees</b>		\$ 491,503

**1. Roadway Design and Typical Section Revision – Bike Facility revised from On-Street Bike Lanes to Sidepath (by DEC and infraTECH)**

**A. Background Information:**

- 1) The TxDOT approved schematic design from early 2018 included 15' wide Shared Use Lanes to accommodate bicyclists in accordance with standard TxDOT practices at that time.
- 2) During PS&E Scoping and the Design Concept Conference in July 2019, TxDOT indicated that the Shared Use Lanes were no longer utilized on TxDOT projects.
- 3) Dannenbaum (DEC) coordinated with TxDOT to complete TxDOT's new 'Bike Facilities: Designer's Documentation Checklist' in November through December 2019. As a result of this process, TxDOT's direction was to proceed with on-street bike lanes.
- 4) The on-street bike lanes were verified with the final typical sections included in the January 2020 TxDOT-approved Project Design Summary Report (DSR) as reviewed in the Design Concept Conference.
- 5) From January 2020 through October 2020, DEC prepared plans up to 60% PS&E.
- 6) Upon review of the plans in November 2020, the City of Pearland requested a change in the typical section to a shared or multi-use path (Sidepath) in lieu of the on-street bike lanes.
- 7) It was also noted at this time that the next section of FM 521 south of SH 6 was also recently directed to include the Sidepath in their proposed typical section. This direction from TxDOT was received by the County's design consultant on 10/29/2020.
- 8) DEC revised and resubmit the 'Bike Facilities: Designer's Documentation Checklist' to TxDOT in November/December 2020.
- 9) DEC received direction from TxDOT on 01/29/2021 to change the typical section to incorporate the Sidepath.

**B. Design Impacts:**

- 1) 60% PS&E, including all design plans, must be revised in conformance with the revised typical sections. This affects the following design elements and plan sheets:
  - a. Project Layouts
  - b. Existing and Proposed Typical Sections
  - c. Summary of Quantities
  - d. Traffic Control Plans and Typical Sections
  - e. Horizontal Alignment Data (Centerline Alignment shifted 4' west)
  - f. Roadway Plan & Profile
  - g. Intersecting and Side Street Plan & Profile
  - h. Driveway Detail & Summary
  - i. Retaining Wall Plan & Profile (walls along FM 521 adjacent to bridge crossings)
  - j. Drainage Area Maps
  - k. Hydraulic Calculations

- l. Drainage Plan & Profile
- m. Drainage Laterals
- n. Bridge Plans (Clear Creek N & S, FBC Ditch A, American Canal, and Mustang Bayou)
- o. Traffic Signal Layouts (Permanent and Temporary)
- p. Signing and Pavement Marking Layouts
- q. CTMS Layouts
- r. Exhibit A for UPRR

## **2. Signal Warrant Analysis – Additional Warrant 9 Studies (by infraTECH)**

### **A. Background Information:**

- 1) DEC originally submitted the Draft Signal Warrant Analysis for existing signals Broadway, Dallas, Palmetto/Trammel-Fresno, and Sycamore on 06/19/2019.
- 2) TxDOT provided comments on 07/11/2019.
- 3) DEC submitted the final Signal Warrant Analysis Report on 09/13/2019.
- 4) During the 02/27/2020 Diagnostic Inspection site visit with TxDOT and UPRR, there was a discussion about checking the Warrant 9 for UPRR crossings other than the signalized/gated intersections. We have already performed a Signal Warrant Analysis for the signalized intersections, but we did not run further analysis of other grade crossings.
- 5) DEC sent an email to TxDOT on 03/17/2020 requesting direction to proceed with additional traffic studies at the West Davis Road and Evergreen intersections.
- 6) On 10/27/2020, TxDOT directed DEC to proceed with studies for the additional two intersections.
- 7) Also on 10/27/2020, TxDOT (Samir Goel) provided several additional comments on the Signal Warrant Analysis Report submitted back on 09/13/2019. DEC and Infratech responded to the comments on 10/28/2020. Following additional comments and resubmit, the Signal Analysis Report was approved by TxDOT in February 2021.

### **B. Design Impacts:**

- 1) West David and Evergreen were warranted for signalized intersections via the updated Report and were approved by TxDOT for incorporation into the project on 02/12/2021.

## **3. New Traffic Signals at Evergreen Street and West Davis Road intersections (by infraTECH)**

### **A. Background Information:**

- 1) In accordance with the approved Traffic Signal Warrant Analysis, additional signals are warranted and West Davis and Evergreen. TxDOT approved implementation of the additional traffic signals on 02/12/2021. (See Item #2 above)

***B. Design Impacts:***

- 1) Additional Traffic Signal Layouts and associated design plans, details, and quantities at the two new signalized intersections.

**4. Parcel 110 and Detention Pond N Modification (by DEC and LJA)**

***A. Background Information:***

- 1) The Parcel 110 property owner requested changes to the pond configuration to provide more depth along Compton Street.
- 2) Upon further review of the drainage design, it was determined that that pond configuration could be adjusted as requested by the owner.

***B. Design Impacts:***

- 1) Detention Pond Layout and model revised to accommodate owner's requested configuration with fence along daycare property line
- 2) Detention Pond design in Drainage Study re-modeled with new configuration to verify required mitigation volume.
- 3) Parcel 110 ROW Maps, parcel plats, and metes and bounds description modified for revised proposed ROW limits.
- 4) Additional survey topo information obtained to update existing terrain file (\*.tin).

**5. USACE Permit – Exhibits for Permit (by DEC)**

***A. Background Information:***

- 1) DEC received a request from Berg-Oliver (TxDOT Consultant) on 01/24/2021 to provide cross-sectional and plan drawings for the WOTUS crossings.

***B. Design Impacts:***

- 1) Provided engineer's description of measures taken to minimize impacts to WOTUS
- 2) Created Cross Sections for Clear Creek & adjacent ditch, Fort Bend County Ditch A, and Mustang Bayou.
- 3) DEC completed the effort and submitted information to Berg-Oliver on 02/12/2021.



**6. Utility SUE and Coordination (by DEC and LJA)**

*A. Background Information:*

- 1) The City of Pearland is installing a new 24" transmission water line along Broadway. DEC is coordinating with the City, TxDOT, and Fort Bend County to identify potential design changes to avoid removing and replacing a newly installed water line.

*B. Design Impacts:*

- 1) DEC is coordinating with the County and TxDOT to execute an Interlocal Agreement to address maintenance of the new Broadway Overpass, Access Roads, Detention Pond, and Signals.
- 2) DEC is coordinating with the County and TxDOT to address the design change and resulting costs for the 24" transmission water line and existing 16" distribution water line
- 3) Additional Quality Level A SUE Test Holes are needed to identify additional water lines, pipelines and other utilities crossing FM 521.

# 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.**

Dannenbaum Engineering Corporation  
Houston, TX United States

**Certificate Number:**  
2021-775990

**Date Filed:**  
07/08/2021

**Date Acknowledged:**  
07/27/2021

**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.**

No 17113 (DEC 479701)  
Amendment to FM 521 Expansion Project from FM 2234 to SH 6 in Fort Bend County

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Maksoud, Michel	Houston, TX United States	X	
	Sallese, Christopher	Houston, TX United States	X	
	Bokaie, Nick	Houston, TX United States	X	
	Sheldon, Steve	Houston, TX United States	X	
	Petterson, Johan	Houston, TX United States	X	
	Ahrens, Wayne	Houston, TX United States	X	
	Carter, John	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)