

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**THIRD AMENDMENT TO AGREEMENT FOR
 PROFESSIONAL ENGINEERING 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 Terra Associates, 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 May 1, 2018, (hereinafter "Agreement") pursuant to SOQ 14-025; as amended by documents executed on November 12, 2019, (hereinafter "Amendment"), and March 2, 2021, (hereinafter "Second 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.

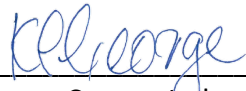
NOW, THEREFORE, the parties do mutually agree as follows:

1. County shall pay Contractor an additional eighty thousand seven hundred ten dollars and 00/100 (\$80,710.00), for the services as described in Contractor's proposal for additional services dated June 8, 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 five hundred seven thousand seven hundred sixty-five dollars and 00/100 (\$1,507,765.00), authorized as follows:
 - \$1,144,420.00 under the Agreement;
 - \$256,235.00 under the Amendment;
 - \$26,400.00 under the Second Amendment; and
 - \$80,710.00 under this Third 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. 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 amendment shall remain unchanged.

FORT BEND COUNTY



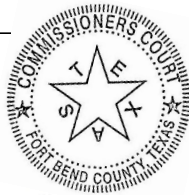
KP George, County Judge
County Judge KP George

8.3.2021
Date

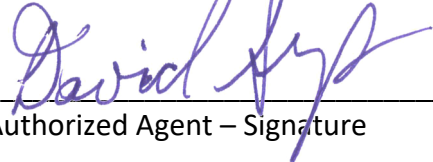
ATTEST:



Laura Richard, County Clerk



TERRA ASSOCIATES, INC



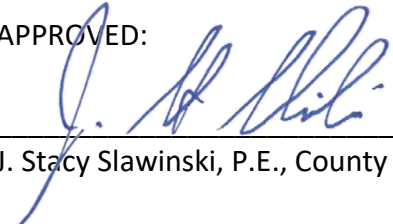
Authorized Agent – Signature

David A. Sepulveda, P.E.
Authorized Agent – Printed Name

Vice President
Title

July 18, 2021
Date

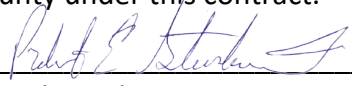
APPROVED:



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

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 1,507,765.00 to accomplish and pay the obligation of Fort Bend County under this contract.



Robert Ed Sturdivant, County Auditor

EXHIBIT A



June 8, 2021

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

Re: **Lake Olympia Boulevard Segment 2 from Chimney Rock Road to FM521
Change Order #3 Tasks X12-X17
2017 Mobility Bond Project #17201
Fort Bend County, Texas**

**TAI Project Number: 522-1802
TBPE Registration # F-003832**

Mr. Slawinski,

Terra Associates appreciates this opportunity to submit this proposal for additional services as required for the aforementioned project. The scope of the additional services is as follows:

Task X12 – Parcel 1 Revisions

We will provide abstracting services to research the current ownership of Parcel 1 and the adjacent parcels to properly identify the current ownership. This information will be used to update the ownership, deed information, legal description and exhibits for Parcel 1. This scope is based on only one parcel requiring an update on the assumption that the proposed ROW taking in Parcel 1 is still under one ownership. If the ownership with the ROW is divided among more than one entity, an additional fee will be required. **We propose to provide the services described under Task X12 for a fixed fee of \$10,300.**

Task X13 – Drainage and Access Easements North of Parcel 1

We will prepare legal descriptions and exhibits for the proposed drainage easement adjacent to the north ROW of Lake Olympia within the limits of Parcel 1. This description may be broken into two parcels. One parcel will be the drainage easement adjacent to the north ROW line. The second parcel will be within the limits of the proposed detention area between Lake Olympia and Mustang Bayou. We will prepare legal descriptions, exhibits and field staking of the proposed easements. **We propose to provide the services described under Task X13 for a fixed fee of \$13,600.**

Task X14 – Detention Area Topo Survey

We will prepare a topographic survey on a 200' grid for the approximately 13.5-acre area that will be utilized for detention of Lake Olympia between Chimney Rock and Mustang Bayou. The survey will include 2 cross sections of the outfall area at Mustang Bayou. **We propose to provide the services described under task X14 for a fixed fee of \$22,010.**

Task X15 – Live Oak Legal Descriptions

We will prepare legal descriptions and exhibits for the proposed partial ROW taking of Live Oak Street. The limits of the ROW taking is approximately 500' on either side of Mustang Bayou. There could be as many as 4 parcel descriptions required for the acquisition. This would include parcels for 2 property owners on the south side of Live Oak and 2 corresponding parcels for the adjacent tracts to the north. The fee is based on \$2,600 per parcel and includes 4 legal descriptions, 4 exhibits and field staking for each parcel. **We propose to provide the services described under Task X15 for a total fee of \$10,400.**

Task X16 – Off-Site Detention Design

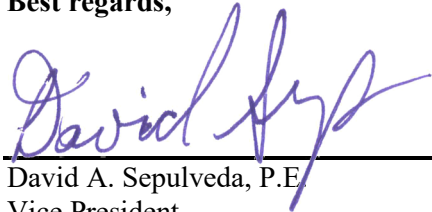
We will design a detention pond system within the future residential tract on the north side of Lake Olympia. We will design the pond and outfall into Mustang Bayou in accordance with Fort Bend County requirements based on the drainage study titled "Drainage Impact Analysis For 161-Acre Mustang Bayou Tract" prepared by RG Miller Engineers". We will review the profile of Lake Olympia within this section against the 100-year water surface elevation in the ultimate detention pond per the drainage study and adjust the roadway profile as needed to minimize ponding in the roadway during a 100-year event. Included in this scope of services includes updating the following: a) plan & profile drawings between Chimney Rock and Mustang Bayou, b) typical sections, cross-sections, earthwork calculations, and bid quantities. **We propose to provide the services described under Task X16 for a total fee of \$15,900.**

Task X17 – Drainage Calculation Revisions

We will revise the drainage areas between Chimney Rock and the Blue Ridge tract based on the future development for the subdivision north of Lake Olympia. We will update the acreages and flows associated with these areas. We will also update the detention calculations for Lake Olympia within this section. **We propose to provide the services described under Task X16 for a total fee of \$8,500.**

The total request for this change order is \$80,710. If you have any questions, or require additional information, please contact us at any time.

Best regards,



David A. Sepulveda, P.E.
Vice President

Accepted and Agreed to:

By: _____

Name: _____

Title: _____

Date: _____

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:
2021-779990

Date Filed:
07/18/2021

Date Acknowledged:
08/03/2021

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Terra Associates, 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, Texas

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#166798
2017 Mobility Bond Project #17201 (Engineering Services)

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)