

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 CivilCorp, LLC, (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 September 22, 2015, (hereinafter "Agreement"), as amended by documents dated September 26, 2017 (hereinafter "Amendment") and January 28, 2020, (hereinafter "Second Amendment") for Services to be provided under the Fort Bend County 2013 Mobility Bond Program – Katy Flewellen Road Improvements – Project No. 13316, pursuant to SOQ 14-025; and

WHEREAS, the parties desire to further amend the Agreement for additional design Services to be provided, increase the total Maximum Compensation available to perform the Services, and extend the Time of Performance under the Agreement to perform such Services.

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

1. County shall pay Contractor an additional eighteen thousand nine hundred fifty dollars and 92/100 (\$18,950.92) to render the additional Services to County as described in the Proposal dated May 6, 2021 attached as Exhibit "A" hereto and incorporated herein for all purposes; and
2. The Maximum Compensation payable to Contractor for all Services rendered under the Agreement and this Amendment is hereby increased to an amount not to exceed six hundred nineteen thousand six hundred thirty-nine dollars and 98/100 (\$619,639.98), authorized as follows:
 

\$535,212.42 under the Agreement;  
 \$47,175.56 under the Amendment;  
 \$18,301.08 under the Second Amendment; and  
 \$18,950.92 under this Third 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 written amendment executed by the parties.

4. The parties hereby agree the Agreement remains in effect and the Time of Performance under the Agreement is hereby extended to end no later than December 31, 2022.
5. 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.

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

FORT BEND COUNTY

KP George  
County Judge KP George

8.10.2021  
Date

ATTEST:

Laura Richard  
Laura Richard, County Clerk

APPROVED:

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



CIVILCORP, LLC

Thomas C Kuykendall Jr  
Authorized Agent – Signature

Thomas C. Kuykendall, Jr., PE  
Authorized Agent – Printed Name

Vice President  
Title

07/19/2021  
Date

#### AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 619,639.98 to accomplish and pay the obligation of Fort Bend County under this contract.

Robert E Sturdivant  
Robert Ed Sturdivant, County Auditor

I:\Marcus\Agreements\Engineering\Road Construction\Katy Flewellen\Amend 1 - Pro Eng Svcs.CivilCorp.docx.9/14/2017

# EXHIBIT A

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May 6, 2021

Mr. Mark Dessens, P.E.  
Schaumburg & Polk, Inc.  
11767 Katy Freeway; Suite 900  
Houston, TX 77079

**Re: Widening and Reconstruction of Katy-Flewellen Road  
Professional Civil Engineering and Surveying Services Proposal – Supplemental**

Dear Mr. Dessens:

CivilCorp, LLC. would like to thank Fort Bend County for the opportunity to work and partner with the County and Schaumburg & Polk on this project. In accordance with the scoping meeting and our subsequent discussions, CivilCorp submits this proposal to Fort Bend County for supplemental services as described below.

**SUPPLEMENTAL SERVICES DESCRIPTION**

Construction Phase Services to support ongoing construction related activities including reviewing request for information, shop drawing submittal reviews, coordination with the contractor to review and evaluate utility conflicts and providing any needed design revisions to facilitate construction.

Payment and compensation for the above Supplemental Services for Construction Phase Services is to be on a time-and-material basis. CivilCorp will prepare monthly invoices for services rendered. A budget in the amount of **\$18,950.92** is established for this supplemental agreement and will not be exceeded without prior authorization by Fort Bend County. **Exhibit "E"** provides a summary of the fee estimate and a detailed fee estimate calculation for all items of CivilCorp's work.

All work will be closely coordinated with Fort Bend County. Thank you for the opportunity to submit this supplemental proposal. If you are in agreement with the services and related fee contained in this proposal and wish to proceed, please sign on the space provided and return an executed copy to my attention that will serve as the Notice to Proceed.

If you have any questions or require additional information, please don't hesitate to call me.

Very truly yours,

**CivilCorp, LLC**



Thomas C. Kuykendall, Jr., PE  
Vice President

**Fort Bend County**

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**EXHIBIT E - FEE SCHEDULE**

**PROJECT NAME: KATY FLEWELLEN ROAD**

**LIMITS: FROM 100' SOUTH OF WILLOW LANE TO 500' NORTHEAST OF GASTON ROAD (0.597 MI)**

**& KATY-GASTON FROM 600' WEST TO 100' EAST OF KATY-FLEWELLEN (0.133 MI)**

**PROJECT LENGTH: 3,850' (ROADWAY)**

**FORT BEND COUNTY PROJECT NO.: 13316**

**METHOD OF PAY: LUMP SUM**

**PRIME PROVIDER NAME: CIVILCORP, LLC**

5/6/21

<b>FEE SUMMARY</b>		
<b>KATY FLEWELLEN ROAD</b>		
<b>FBC PROJECT NO. 13316</b>		
<b>TASKS</b>	<b>CIVILCORP, LLC</b>	
<b>FC 110</b>	\$ -	
<b>FC 120</b>	\$ -	
<b>FC 130</b>	\$ -	
<b>FC 150</b>	\$ -	
<b>FC 160</b>	\$ -	
<b>FC 161</b>	\$ -	
<b>FC 162</b>	\$ -	
<b>FC 163</b>	\$ -	
<b>FC 164</b>	\$ -	
<b>FC 351</b>	\$ 18,950.92	
<b>Direct Expenses</b>	\$ -	
<b>TOTALS</b>	<b>\$18,950.92</b>	

**EXHIBIT E - FEE SCHEDULE**

**PROJECT NAME: KATY FLEWELLEN ROAD**

**LIMITS: FROM 100' SOUTH OF WILLOW LANE TO 500' NORTHEAST OF GASTON ROAD (0.597 MI)**

**FORT BEND COUNTY PROJECT NO.: 13316**

**METHOD OF PAY: LUMP SUM**

**PRIME PROVIDER NAME: CIVILCORP, LLC**

TASK DESCRIPTION	SENIOR PROJECT MANAGER	SENIOR ENGINEER	PROJECT ENGINEER	DESIGN ENGINEER	EIT	SENIOR CADD OPERATOR	ADMIN/ CLERICAL	TOTAL HRS. & COSTS	COST PER TASK	NO OF DWGS	HRS PER SHEET
CONTRACT RATE PER HOUR	\$ 188.51	\$ 126.93	\$ 111.85	\$ 97.14	\$ 79.80	\$ 72.26	\$ 59.72				
<b>BIDDING AND CONSTRUCTION PHASE SERVICES (FC 309)</b>											
REVIEW AND RESPOND TO REQUESTS FOR INFORMATION	10	12	18		40			80	\$ 8,613.56	N/A	N/A
REVIEW CONTRACTOR SUBMITTALS	8	12	20					40	\$ 5,268.24	N/A	N/A
UTILITY CONFLICT COORDINATION	4	8	2	2	6	2		24	\$ 2,810.78	N/A	N/A
CONSTRUCTION SUPPORT	2	4	8		6			20	\$ 2,258.34	N/A	N/A
HOURS SUB-TOTALS	24	36	48	2	52	2	0	164		0	
<b>SUBTOTAL (FC 309)</b>	\$4,524.24	\$4,569.48	\$5,368.80	\$194.28	\$4,149.60	\$144.52	\$0.00	<b>\$18,950.92</b>	<b>\$ 18,950.92</b>		
CONTRACT RATE PER HOUR	\$ 188.51	\$ 126.93	\$ 111.85	\$ 97.14	\$ 79.80	\$ 72.26	\$ 59.72				
TOTAL HOURS	24	36	48	2	52	2	0	164			
TOTAL LABOR EXPENSES	\$4,524.24	\$4,569.48	\$5,368.80	\$194.28	\$4,149.60	\$144.52	\$0.00	\$18,950.92			

DIRECT EXPENSES	QUANTITY	UNIT	RATE					TOTAL
LODGING/HOTEL (TAXES/FEES NOT INCLUDED)		day/person	\$ 83.00					\$ -
LODGING/HOTEL (TAXES/FEES)		day/person	\$ 30.00					\$ -
MEALS (OVERNIGHT STAY REQUIRED)		day/person	\$ 41.00					\$ -
MILEAGE		mile	\$ 0.560					\$ -
OVERNIGHT MAIL - OVERSIZED BOX		each	\$ 30.00					\$ -
PHOTOCOPIES B/W (8.5" X 11")		each	\$ 0.10					\$ -
PHOTOCOPIES B/W (11" X 17")		each	\$ 0.20					\$ -
PHOTOCOPIES B/W (22" X 34")		each	\$ 2.50					\$ -
SUBTOTAL DIRECT EXPENSES								\$ -
<b>TOTAL</b>								<b>\$ 18,950.92</b>

# 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.**

CivilCorp, LLC  
Fulshear, TX United States

**Certificate Number:**  
2021-784447

**Date Filed:**  
07/29/2021

**Date Acknowledged:**  
08/10/2021

**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.**

13316  
Professional civil engineering, surveying services, and construction phase services provided under the Fort Bend County 2013 Mobility Bond Program - Katy Flewellen Rd. Improvements

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	CivilCorp, LLC	Fulshear, 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)