

**SUPPLEMENTAL AGREEMENT NO. 3
TO
ENGINEERING SERVICES AGREEMENT OF
OCTOBER 1, 2019
FOR
FORT BEND COUNTY TOLL ROAD AUTHORITY**

This Supplemental Agreement is signed in multiple counterparts to be effective on the date approved by the Fort Bend County Commissioners Court, and modifies the ENGINEERING SERVICES AGREEMENT dated October 1, 2019 (the "Agreement") between the Fort Bend County Toll Road Authority, a Texas Local Government Corporation (the "Authority"), and RPS Infrastructure, Inc. (the "Engineer").

The Agreement is hereby modified as follows:

1. The first sentence in Section 1 is replaced with the following sentence:

"The Engineer shall render professional services to FBCTRA related to the Project as defined in the Scope of Services in Attachments A, A-1, A-2 & A-3."

2. Section 2.a is replaced with the following paragraphs:

"The Maximum Compensation under this Agreement is \$1,103,410.00. The amount paid under this Agreement may not exceed the Maximum Compensation without an approved supplemental agreement.

Compensation for the performance of services within the Scope of Services described in Attachment A will be paid as a lump sum amount not to exceed \$1,045,000.00, as shown in Attachment B.

Compensation for the performance of services within the Scope of Services described in Attachment A-1 will be paid as a lump sum amount not to exceed \$6,000.00, as shown in Attachment B-1.

Compensation for the performance of services within the Scope of Services described in Attachment A-2 will be paid as a lump sum amount not to exceed \$22,410.00, as shown in Attachment B-2.

Compensation for the performance of services within the Scope of Services described in Attachment A-3 will be paid as hourly labor rates, and material and labor expenses not to exceed \$30,000.00, as shown in Attachment B-3.

The Engineer shall furnish satisfactory documentation of such work (e.g. timesheets, billing rates, classifications, invoices, etc.) as may be required by FBCTRA."

This Supplemental Agreement does not alter, modify, or otherwise change any part of the Agreement, except as specifically stated in this Supplemental Agreement.

Supplemental Agreement No. 3
To Agreement of October 1, 2019

IN WITNESS WHEREOF, this Supplemental Agreement is hereby executed as of August 18, 2021

FORT BEND COUNTY TOLL ROAD AUTHORITY, a
Texas local government corporation

By: Bobbie Tallas

Name: Bobbie Tallas

Title: Vice Chairman

RPS Infrastructure, Inc.
ENGINEER

By: Lynn A. Pipkin

Name: Lynn A. Pipkin, P.E.

Title: Office Leader - Transport

EFFECTIVE DATE

THIS AGREEMENT IS EFFECTIVE ON THE DATE IT IS APPROVED BY THE FORT BEND COUNTY COMMISSIONERS COURT, AND IF NOT SO APPROVED SHALL BE NULL AND VOID.

DATE OF COMMISSIONERS COURT APPROVAL: _____

AGENDA ITEM NO.: _____

**ATTACHMENT A-3
SCOPE OF SERVICES
Supplemental Agreement No. 3**

Construction Phase Services

During the construction of the project, the Engineer will provide construction phase services, as requested by FBCTRA, associated with the construction of the project.

The below tasks may be required during the project duration:

Pre-Construction Meeting

Attend pre-construction meeting and prepare meeting minutes.

Construction Meeting(s)

Attend via phone (virtual) or in person, construction update meetings held with the Contractor to monitor and update project status and review outstanding construction issues associated with the project.

Construction Engineering

Review shop drawings and change orders, respond to RFI's, and provide engineering design support.

Other

The above is a list of anticipated work tasks and may not be inclusive of all tasks. Other tasks may be required to be performed which are involved with construction phase services.

ATTACHMENT B-3

Rate Schedule 2021

Hourly labor expenses not to exceed \$30,000.00 (including rates in page 1 and 2 from RPS Infrastructure Inc., and its subconsultant MBCO Engineering Surveying).

| <u>Labor Category</u> | <u>Hourly Rate</u> |
|------------------------------|---------------------------|
| Team Leader PM | \$285.00 |
| Structural Leader | \$245.00 |
| Project Manager | \$205.00 |
| Senior Structural Engineer | \$215.00 |
| Senior Project Engineer | \$185.00 |
| Project Engineer | \$155.00 |
| CADD Manager | \$150.00 |
| Associate Engineer | \$135.00 |
| Senior Engineering Tech | \$115.00 |
| Admin/Clerical | \$105.00 |

Expenses: To be approved prior to use, including mileage, reproduction, delivery, etc.



WBE | DBE
SBE | HUB
CERTIFIED

June 3, 2021

Fort Bend Parkway Toll Road, Section B2A
Attention: RPS Infrastructure, Inc.
Mr. Gabriel Odreman, P.E.
575 N. Dairy Ashford, Suite 700
Houston, TX 77079

RE: Construction Phase Services, Fort Bend Parkway Toll Road, Section B2A

Dear Mr. Odreman,

MBCO Engineering, LLC (MBCO) is pleased to have the opportunity to submit this rate sheet to provide construction phase services for the construction of Fort Bend Parkway Toll Road, Section B-2A.

Job Classification

Project Manager
E.I.T.
Administration

Rate

\$180/hour
\$100/hour
\$75/hour

Again, MBCO is pleased to have the opportunity to submit this rate sheet. Please feel free to contact me at 832.563.7999 or by email at callie.bletsch@mbcoengineering.com.

Sincerely,

A handwritten signature in blue ink that reads 'Callie Bletsch'.

Callie Bletsch, PE
Sr. Vice President

Expenses: To be approved prior to use, including mileage, reproduction, delivery, etc.

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.**

RPS Infrastructure, Inc.
Houston, TX United States

Certificate Number:
2021-776153

Date Filed:
07/08/2021

Date Acknowledged:
08/18/2021

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 Toll Road Authority

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.

Ft. Bend TRA Seg B-2 Sec A
Ft. Bend TRA Seg B-2 Sec A Supplemental Agreement No. 3 Civil Engineering Consulting Services Construction Phase Services

| 4 | Name of Interested Party | City, State, Country (place of business) | Nature of interest (check applicable) | |
|---|--------------------------|--|--|--------------|
| | | | Controlling | Intermediary |
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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)