

STATE OF TEXAS           §  
   §  
 COUNTY OF FORT BEND §

**FOURTH AMENDMENT TO AGREEMENT FOR  
 PROFESSIONAL ENGINEERING SERVICES**

**THIS FOURTH 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 22, 2018, (hereinafter "Agreement") pursuant to SOQ 14-025, as amended by documents dated February 2, 2019 (hereinafter the "Amendment"), July 9, 2019 (hereinafter the "Second Amendment"), and June 2, 2020 (hereinafter "Third Amendment"); and

WHEREAS, the parties desire to further amend the Agreement for additional engineering services to be provided and increase the total Maximum Compensation for such additional services.

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

1. County shall pay Contractor an additional sixty-two thousand six hundred dollars and 00/100 (\$62,600.00) for the additional engineering services as described in Contractor's proposal dated October 13, 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 three hundred thousand and nine hundred eighty dollars and 00/100 (\$1,300,980.00), authorized as follows:
  - \$1,045,280.00 under the Agreement;
  - \$132,000.00 under the Amendment;
  - \$15,800.00 under the Second Amendment;
  - \$45,300.00 under the Third Amendment; and
  - \$62,600.00 under the Fourth 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 further written 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 and any subsequent amendment shall remain unchanged.

IN WITNESS WHEREOF, this Fourth Amendment is signed, accepted, and agreed to by all parties by and through the parties or their agents or authorized representatives. All parties acknowledge that they have executed this legal document voluntarily and of their own free will.

FORT BEND COUNTY



County Judge KP George

KP George, County Judge

February 22, 2022

Date

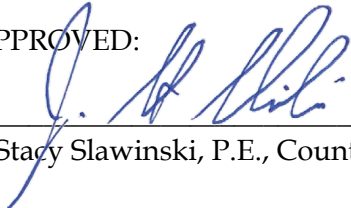


ATTEST:



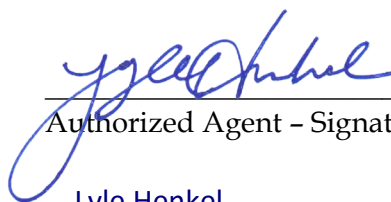
Laura Richard, County Clerk

APPROVED:



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

TERRA ASSOCIATES, INC



Authorized Agent - Signature

Lyle Henkel

Authorized Agent - Printed Name

Principal

Title

February 10, 2022

Date

#### AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 1,300,980.00 to accomplish and pay the obligation of Fort Bend County under this contract.



Robert Ed Sturdivant, County Auditor

# EXHIBIT A



October 13, 2021

Mr. Stacy Slawinski, P.E.  
Fort Bend County Engineering  
301 Jackson Street  
Richmond, TX 77469

Re: **Brandt Road from Mason Road to McCrary Road  
Fort Bend County Project No. 17310, Precinct No. 3 (2017 Mobility Bonds)**

**Fort Bend County Project No.: 17310  
TAI Project No.: 0522-1801  
TBPE Registration No.: F-003832**

Mr. Slawinski:

In accordance with the request of Fort Bend County, we are pleased to submit this request for additional authorization related to the above referenced project. This request is intended to confirm our **Scope of Services** and your authorization. Services will be provided in conformance to our Agreement / Proposal for Civil Engineering Services, and the Scope of additional Services includes the following:

- Our geotechnical consultant, Murillo, will perform a 20-foot bore near the bridge. An analysis will be performed to provide recommendations for a MSE retaining wall.
- Our structural consultant, IEA World, will design a MSE retaining wall based on the above geotechnical report.
- Our surveying consultant, JNS, will prepare the final 2 parcel M&B, perform additional field work on the Yan and Dujka properties, locate the Energy Transfer line near Skinner and James Long roundabout, recover parcel corners throughout the site, update topo at the west end of the project, and locate the probes from Energy Transfer
- We will update the segment 2 drawings to incorporate design updates including: 9-inch curbs, retaining wall shift, revised ditches, box culvert shifts at the east end, revised typical sections, revised cross sections, and any other affected sheets.

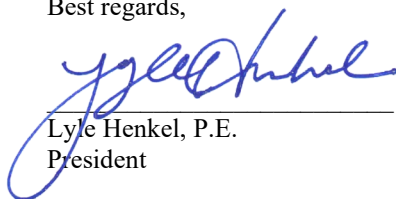
We propose that our compensation for the above-described extra services be provided on a fixed fee basis. According to our herein described understanding of the scope of services involved, the total cost of our extra services is as follows:

Geotechnical MSE Recommendations	\$ 11,000
MSE Retaining Wall Design Revision	\$ 8,700
Surveying Revisions	\$ 24,100
Update/Redesign Segment 2 Drawings	<u>\$ 18,800</u>

**TOTAL \$ 62,600**

Please let us know if you need additional information concerning this request.

Best regards,



\_\_\_\_\_  
Lyle Henkel, P.E.  
President

Cc: Mark Dessens, SPI

# 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.**  
Terra Associates Inc.  
Houston, TX United States

**Certificate Number:**  
2022-850234

**Date Filed:**  
02/14/2022

**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

**Date Acknowledged:**  
02/22/2022

**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.**  
17310  
Brandt Road project - Amendment 4

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)