

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**THIRD AMENDMENT TO AGREEMENT FOR
 PROFESSIONAL PROPERTY ACQUISITION 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 Property Acquisition Services, 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 Property Acquisition Services Services on July 10, 2018, (hereinafter "Agreement"), as amended by documents executed on April 28, 2020, (hereinafter "Amendment"), and May 25, 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 four hundred seventy-eight thousand one hundred fifty dollars and 00/100 (\$478,150.00) for additional countywide right of way acquisition services, as described in Contractor's proposal for additional services dated February 21, 2022, 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 seven hundred forty-eight thousand six hundred fifty dollars and 00/100 (\$1,748,650.00), authorized as follows:
 - \$754,550.00 under the Agreement;
 - \$189,600.00 under the Amendment;
 - \$326,350.00 under the Second Amendment; and
 - \$478,150.00 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 agreement executed by both parties.
4. The parties hereby agree to extend the Time of Performance under the Agreement to end no later than December 31, 2024.

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.

FORT BEND COUNTY

KP George
County Judge KP George
KP George, County Judge

PROPERTY ACQUISITION SERVICES, LLC

Mark Herdaker
Authorized Agent – Signature

March 8, 2022
Date

ATTEST:



Laura Richard
Laura Richard, County Clerk

Mark Herdaker
Authorized Agent – Printed Name
President
Title

02/23/2022
Date

APPROVED:

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

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 1,748,650.00 to accomplish and pay the obligation of Fort Bend County under this contract.

Robert Ed Sturdivant
Robert Ed Sturdivant, County Auditor

EXHIBIT A



Right-of-Way
and
Acquisition Services
Proposal

for

Fort Bend County

FM 521, Sycamore Road, John Sharp
Road and Harlem Road Projects

Property Acquisition Services, LLC.
19855 Southwest Freeway, Suite 200
Sugar Land, TX 77479
281-343-7171 office
281-343-8181 fax



February 21, 2022

Mr. Guy Matula
Fort Bend County
301 Jackson St., 4th Floor
Richmond, TX 77469

Re: Proposal to provide Right-of-Way Acquisition Services

Property Acquisition Services, LLC. (PAS) hereby submits this proposal per your request for the purpose of providing land and right-of-way acquisition services to Fort Bend County under the terms of a Professional Services Agreement. In conjunction with the FM 521, Sycamore Road, John Sharp Road and Harlem Road Projects, we submit the following pricing:

FM 521 Project (Mobility Projects 17111/17113)

Acquire 27 parcels

<u>Management</u>	\$ 18,900.00
Includes part-time Manager for the duration of the project	

<u>Negotiations</u>	\$ 51,300.00
Includes right of way agent that is TREC licensed and condemnation support	

<u>Appraisals</u>	\$102,600.00
\$3,800 per parcel, updates for ED parcels will require additional fees	

<u>Appraisal Review Services</u>	\$ 47,250.00
\$1,750 per parcel, updates for ED parcels will require additional fees	

<u>TxDOT Reimbursement Agreements</u>	\$ 13,500.00
Includes Title Agent, Title Review and Title	

<u>Title</u>	\$ 17,550.00
Includes Title Agent, Title Review and Title	

<u>Administrative Support</u>	\$ 40,500.00
Includes Document Specialist for preparation of legal documents, database support for tracking status reports and general project support	

Subtotal	\$291,600.00
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Harlem Road Project (Mobility Project 17402)

Acquire 4 parcels

Management

\$ 2,800.00

Includes part-time Manager for the duration of the project

Negotiations

\$ 7,600.00

Includes right of way agent that is TREC licensed and condemnation support

Appraisals

\$ 15,200.00

\$3,800 per parcel, updates for ED parcels will require additional fees

Appraisal Review Services

\$ 7,000.00

\$1,750 per parcel, updates for ED parcels will require additional fees

Title

\$ 2,600.00

Includes Title Agent, Title Review and Title

Administrative Support

\$ 6,000.00

Includes Document Specialist for preparation of legal documents, database support for tracking status reports and general project support

Subtotal

\$ 41,200.00



John Sharp Road Project (Mobility Project 17421x (20421))

Acquire 3 parcels

Management

\$ 2,100.00

Includes part-time Manager for the duration of the project

Negotiations

\$ 5,700.00

Includes right of way agent that is TREC licensed and condemnation support

Appraisals

\$ 11,400.00

\$3,800 per parcel, updates for ED parcels will require additional fees

Title

\$ 1,950.00

Includes Title Agent, Title Review and Title

Administrative Support

\$ 4,500.00

Includes Document Specialist for preparation of legal documents, database support for tracking status reports and general project support

Subtotal

\$ 25,650.00



Sycamore Road Project (Mobility Project Nos. 17121x/17122x, 17123x)

Acquire 14 parcels

Management

\$ 9,800.00

Includes part-time Manager for the duration of the project

Negotiations

\$ 26,600.00

Includes right of way agent that is TREC licensed and condemnation support

Appraisals

\$ 53,200.00

\$3,800 per parcel, updates for ED parcels will require additional fees

Title

\$ 9,100.00

Includes Title Agent, Title Review and Title

Administrative Support

\$ 21,000.00

Includes Document Specialist for preparation of legal documents, database support for tracking status reports and general project support

Subtotal

\$ 119,700.00

Grand Total

\$ 478,150.00



Hourly Rates

Principal.....	\$175.00/hr
Sr. Project Manager.....	\$150.00/hr
Right of Way Agent.....	\$115.00/hr
Relocation Agent.....	\$115.00/hr
Data Analyst.....	\$80.00/hr
Title Coordinator/Examiner.....	\$80.00/hr
Clerical.....	\$60.00/hr

Thank you for allowing PAS the opportunity to submit this proposal to assist you with your right of way needs. Please contact us at (281) 343-7171 if we can answer any questions or be of further assistance.

Sincerely,

A handwritten signature in blue ink that reads 'Mark Heidaker'. The signature is written in a cursive, flowing style.

Mark Heidaker
President

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.

Property Acquisition Services
Sugar Land, TX United States

Certificate Number:
2022-851979

Date Filed:
02/17/2022

Date Acknowledged:
03/08/2022

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, 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.

Fort Bend County 2017 Mobility
Right of Way Acquisition

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Heidaker, Mark	Sugar Land, 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)