

STATE OF TEXAS §
COUNTY OF FORT BEND §

KNOW ALL BY THESE PRESENTS:

**FOURTH AMENDMENT TO
AGREEMENT FOR PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES
FORT BEND COUNTY WESTPARK PARK AND RIDE
RFQ 19-020**

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 Huitt-Zollars, Inc. (hereinafter "Consultant"), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties have executed and accepted that certain Agreement for Professional Construction Management Services (the “Agreement”), on or about October 1, 2019, and as amended on October 22, 2019, September 1, 2020, and April 26, 2022; and

WHEREAS, the following changes are incorporated as if a part of the original Agreement, and incorporated by reference in the same as if fully set forth verbatim herein;

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

1. **Compensation and Payment.** Consultant's fees shall henceforth be paid in accordance with the schedule and rates described in the attached Exhibits B1, B2, and B3; Twenty-Nine Thousand Three Hundred Seventy-Seven and 37/100 dollars (\$29,377.37). Auditor's Certificate below shall reflect the amount in the Maximum Compensation section of this amendment.
2. **Maximum Compensation.** Contractor clearly understands and agrees, such understanding and agreement being of the absolute essence of the Agreement, that County shall have available the total maximum sum of Three Hundred Eighty-Six Thousand Three Hundred Fifty-Seven and 71/100 dollars (\$386,357.71), specifically allocated to fully discharge any and all liabilities County may incur under the Agreement. Contractor does further understand and agree, said understanding and agreement also being of the absolute essence of the Agreement, that the total maximum compensation that Contractor may become entitled to and the total maximum sum that County may become liable to pay to Contractor shall not under any conditions, circumstances, or interpretations thereof exceed Three Hundred Eighty-Six Thousand Three Hundred Fifty-Seven and 71/100 dollars (\$386,357.71).

Except as provided herein, all terms and conditions of the Agreement, including any addenda or amendments, not modified shall remain in full force and effect. If there is a conflict between this Fourth Amendment and the Agreement, the provisions of this Fourth Amendment shall prevail regarding the conflict.

{Execution Page Follows}

{Remainder Intentionally Left Blank}

IN WITNESS WHEREOF, the parties put their hands to this Amendment on the dates indicated below.

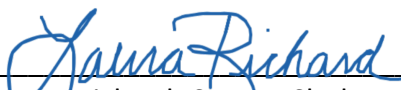
FORT BEND COUNTY



County Judge KP George
KP George, County Judge

November 22, 2022
Date

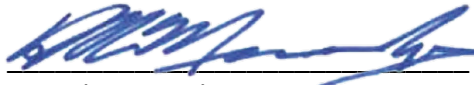
ATTEST:



Laura Richard, County Clerk



HUITT-ZOLLARS, INC.



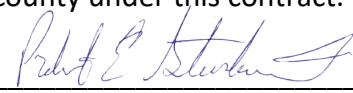
Daniel Menendez

Vice President
Title

11/8/2022
Date

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 386,357.71 to accomplish and pay the obligation of Fort Bend County under this contract.



Robert E. Sturdivant, County Auditor

EXHIBIT B-1

COST SCHEDULE	
DESCRIPTION	AMOUNT
Basic Construction Management Services	
Westpark Park & Ride	237673.81
<i>Subtotal Basic Construction Management Services</i>	237673.81
Other Professional Construction Management Services	
Constructability Review	12358.49
Special Pre-Bid and Bidding Services (CSP)	8366.49
Project Administration and Close-Out	67015.02
*Contingency/Coordination Services	60943.91
<i>Subtotal Other Services</i>	148683.91
<i>GRAND TOTAL</i>	386357.72

*Negotiated and paid only if needed.

EXHIBIT B-2

PAYMENT SCHEDULE		
DESCRIPTION	PAYMENT SCHEDULE	AMOUNT
Basic Construction Management Services		
Site Observation and Management Services	Incremental payments based on percentage of Construction Progress and contingent upon receipt of all required reports/documents with invoice(s).	178,255.36
Construction Completion	Lump Sum Paid following Construction Completion and approved acceptance of billing and ther documents required by funding sources.	59,418.45
Subtotal Basic Construction Management Services		237,673.81
Other Professional Construction Management Services		
Constructibility Review	Hourly	12,358.49
Special Pre-Bid and Bidding Services (CSP)	Hourly	8,366.49
Project Administration and Close-Out	Hourly	67,015.02
*Contingency/Coordination Services (Paid Only if Needed)	Hourly	60,943.91
Subtotal Other Professional Construction Management Services		148,683.91
GRAND TOTAL		386,357.72

**All Contingency and Coordination Services are subject to written pre-approval by Fort Bend County.*

EXHIBIT B-3

Personnel Hourly Rate

Personnel Title	Rates
Principal-In-Charge	\$376.16
Sr. Project Manager	\$296.64
QA Manager	\$227.92
Sr. Civil Engineer	\$227.91
Engineer Intern	\$114.83
Sr. Structural Engineer	\$201.14
Sr. Mechanical Engineer	\$201.11
Sr. Electrical Engineer	\$200.11
Sr. Architect	\$161.23
Sr. Landscape Architect	\$203.74
Sr. Cadd Technician	\$124.28
Construction Manager	\$154.51
Sr. Project Representative	\$144.90
Resident Project Representative (Inspector)	\$114.80
Project Support	\$70.23

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.**

Huitt-Zollars, Inc.
Dallas, TX United States

Certificate Number:
2022-953700

Date Filed:
11/09/2022

Date Acknowledged:
11/22/2022

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

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.

RFQ 19-020
Professional Construction Management Services

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Huitt, Larry	Dallas, TX United States	X	
	McDermott, Robert	Dallas, TX United States	X	
	Wall, Cliff	Dallas, TX United States	X	
	Twomey, James	Dallas, TX United States	X	
	Wine, Gregory	Dallas, 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)