

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 S&B Infrastructure, Ltd., (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 July 24, 2018 pursuant to SOQ 14-025, (hereinafter "Agreement"), as amended by documents dated December 17, 2019, (hereinafter "Amendment") and March 2, 2021, (hereinafter "Second Amendment"); and

WHEREAS, the parties desire to further amend the Agreement to allow Contractor to provide additional Services and extend the Time of Performance under the Agreement.

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

1. County shall pay Contractor an additional amount not to exceed twenty-five thousand thirty-two dollars and no/100 (\$25,032.00) to perform the additional Services, as described in Contractor's Proposal dated December 8, 2022, attached hereto as Exhibit "A" and incorporated herein for all purposes.
2. The Maximum Compensation payable to Contractor for all Services rendered is hereby increased to an amount not to exceed two hundred fifty-six thousand five hundred seventy dollars and 00/100 (\$256,570.00), authorized as follows:
 - \$188,771.00 under the Agreement;
 - \$34,928.00 under the Amendment;
 - \$7,839.00 under the Second Amendment; and
 - \$25,032.00 under this Third 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 an agreement executed by the parties.
4. The parties hereby agree the terms and conditions of the Agreement have remained in effect to date and the Time of Performance shall be extended to end no later than December 31, 2026.

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 by the final party.


FORT BEND COUNTY



County Judge KP George
KP George, County Judge

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S&B INFRASTRUCTURE, LTD



Authorized Agent – Signature

January 24, 2023
Date



ATTEST:




Laura Richard, County Clerk

James G. Rodriguez
Authorized Agent – Printed Name

Vice President of Public Works
Title

January 10, 2022
Date


APPROVED:



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

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 256,570.00 to accomplish and pay the obligation of Fort Bend County under this contract.



Robert Ed Sturdivant, County Auditor

EXHIBIT A



S&B INFRASTRUCTURE
713.845.5401
15150 Memorial Drive
Houston, TX 77079
sbinfra.com

December 8, 2022
(Revised 12/12/2022)

Binkley & Barfield | DCCM
Kevin Mineo, PE,
Manager Director
1710 Seamist Drive,
Houston, Texas 77008
Via e-mail: kmineo@binkleybarfield.com

RE: *Old Needville-Fairchild Roadway Reconstruction Project No. 17108*
 Fort Bend County – 2017 Mobility Bond Program
 Proposed Supplemental Scope, and Budget Change

S&B Infrastructure, Ltd. (S&B) is pleased to submit this proposed revision to the scope and budget for the contract in reference with Fort Bend County (FBC).

The final signed and sealed Plans Specifications and Cost Estimate (PS&E) package requires electrical design and specifications for the lift station that were not considered in the initial scope and additional design modifications are needed to address the request from the City of Needville to reroute the sanitary forcemain line. Additionally, the contractual Construction Phase presented to the County in June 2018 includes only 2 meetings for the entire construction period and just a few hours for shop drawings review and to resolve RFI's during construction. Other important activities that are included below in the proposed supplemental were not considered in the original scope. We also are proposing a revised hourly rate to bring the cost from 2018 to 2023 when the construction is planned to be executed.

Supplemental Scope of Work

Sanitary Lift Station design:

- Electrical engineering to provide electrical site plan and electrical specifications.
- Review lift station hydraulic calculations for longer forcemain.
- Revise engineering drawings for the revised forcemain alignment.

Construction Phase:

- Pre-Construction Meeting / Progress Meetings (Minimum one monthly and as needed)
- Construction Site Observation Visits (Minimum one monthly and as needed)
- Review and Respond to Submittals / RFI's / RFP's / Change Orders / In-Field Investigations
- Monthly Construction Activity or Non-Activity Reports (format approved by PM) until completion
- Substantial / Final Completion Walk Through
- Record Drawings (Review / Verify / Incorporate As-Built)



S&B INFRASTRUCTURE
713.845.5401
15150 Memorial Drive
Houston, TX 77079
sbinfra.com

Schedule

Upon receipt of the Work Authorization (WA) or Notice to Proceed (NTP) S&B will execute in 10 calendar days the engineering work and submit the PS&E package ready for Bid process.

S&B estimate the construction for this project to be executed in twelve months and one month for the contract closing process and record drawings revision/production.

Proposed Supplemental Cost

S&B has tabulated the cost to execute the supplemental scope for the Construction Phase Services as Time and Material at \$16,566.00 and the Lift Station at a lump sum fee of \$8,466.00, for a total supplemental fee of \$25,032.00. Please refer to the attached Level of Effort (LOE) and the Proposal presented by our sub-consultant Pacheco Koch for detailed information.

If you have any questions, please do not hesitate to contact me.

With best regards,

JAMES G. RODRIGUEZ

Vice President of Public Works

○ 713.845.4304

● 832.588.7392



FORT BEND COUNTY
OLD NEEDVILLE-FAIRCHILD ROADWAY IMPROVEMENTS
(PROJECT NO. 17108)

S&B INFRASTRUTURE, LTD.			Program Manager	Assistant Program Manager	Senior/Supervising Engineer	Project Manager	Professional Engineer	Graduate Engineer EIT	Senior Designer	CADD Technician	Administrati ve Assistant	Sub-total Man-hours	Subtotal (cost \$)
Date: December 12, 2022													
Task No.	Description	DIRECT LABOR COST	\$126.00	\$94.50	\$59.00	\$73.50	\$67.75	\$48.30	\$50.40	\$36.75	\$44.29		
		HOURLY RATE INCLUDING MULTIPLIER (2.5X)	\$315.00	\$236.00	\$148.00	\$184.00	\$169.00	\$121.00	\$126.00	\$92.00	\$111.00		
D. Time and Material - Bidding and Construction Phase Services													
	Estimated 12 Months Construction Duration												
	Bid Package					2	2				1	5	\$817.00
	Respond to Bidder Questions					4				2	1	7	\$1,031.00
	Bid Evaluation / Bid Tabulation					4					1	5	\$847.00
	Recommendation of Award											0	\$0.00
	Const. Contract Preparation / As-Bid Document Preparation											0	\$0.00
	Pre-Construction Meeting					2	2				2	6	\$928.00
	Construction Site Observation Visits (Minimum one monthly and as needed)					6	16	16				38	\$5,744.00
	Review and Respond to Submittals / RFI's / RFP's / Change Orders / In-Field Investigations					6	20	20	10		2	58	\$8,386.00
	Monthly Construction Activity or Non-Activity Reports (format approved by PM) until completion											0	\$0.00
	Substantial / Final Completion Walk Through					2	4	4				10	\$1,528.00
	Record Drawings (Review / Verify / Incorporate As-Built)					2	5	10	20	10	2	49	\$6,085.00
TOTALS													
TOTAL HOURS			0	0	0	28	49	50	30	12	9	178	
TOTAL FEES			\$0.00	\$0.00	\$0.00	\$5,152.00	\$8,281.00	\$6,050.00	\$3,780.00	\$1,104.00	\$999.00		
									Labor			\$ 25,366.00	
									Expenses (Mileage, Reproductions, Deliveries)			\$ 850.00	
									Amount Approved as Today			\$ (9,650.00)	
									S&B COST-CONSTRUCTION SERVICES SERVICES SUPPLEMENTAL			\$ 16,566.00	
E. Lump-Sum - Lift Station													
	Pacheco Koch - Sanitary Lift Station												\$7,780.00
	Managing Sub-consultant		Total Hours			1	1				3	5	\$686.00
	Total Fees		\$0.00	\$0.00	\$0.00	\$184.00	\$169.00	\$0.00	\$0.00	\$0.00	\$333.00		
									Total Lift Station Services			\$8,466.00	
									TOTAL SUPPLEMENTAL REQUESTED			\$ 25,032.00	

November 8, 2022
PK No.: 4660-20.292

Mr. Guillermo Benavides, P.E.
Senior Project Manager
S&B INFRASTRUCTURE, LTD.
15150 Memorial Drive
Houston, Texas 77079

Re: Additional Services
NEEDVILLE SANITARY LIFT STATION
Electrical Engineering Forcemain Extension
Needville, Fort Bend County, Texas

Dear Mr. Benavides:

As you are aware, Pacheco Koch Consulting Engineers, LLC (successor-in-interest to Pacheco Koch Consulting Engineers, Inc.), has been requested to provide services on the referenced site that we believe are outside the Scope of Work of our revised proposal dated October 27, 2020, and subsequent additional services proposals as applicable. It is our understanding Fort Bend County requires electrical specifications for the lift station which requires retaining an electrical engineer. As our original contract specifically omits electrical engineering, this proposal provides for hiring one. We also understand that the forcemain which was approved on our final sealed drawings is to be modified to discharge to a different manhole. This proposal includes additional fee to change our drawings and check the lift station calculations for the different forcemain. These services are as follows:

ENGINEERING SERVICES: Below is a list of items included in the scope of work. Items listed as not included are not anticipated to be required, but can be provided at additional fee, either lump sum or in accordance with our standard rate sheet, attached as Exhibit "A".

Included in this item:

- Electrical engineering to provide electrical site plan and electrical specifications.
- Review lift station hydraulic calculations for longer forcemain.
- Revise engineering drawings for the revised forcemain alignment.

Not included in this item:

- Structural Engineering sub-consultants. Assume package plant.
- Coordination of electrical service with local power provider.
- Owner to provide current detailed topographic survey.
- Owner to provide geotechnical report for station site.
- Design for additional buffer capacity in the event emergency storage cannot be contained within a reasonably sized wet well.
- Design or specification for an emergency power generator.
- Design for an odor control system.
- Offsite drainage or detention design or analysis, or onsite pumped detention system.
- Construction Phase Services.
- Other design or analysis not listed in Scope.

Mr. Guillermo Benavides, P.E.
November 8, 2022
Page 2

We propose that the total fee of our current contract be *increased by a lump sum amount of \$7,780.00* to cover personnel expenses involved in these changes. Terms and conditions shall be the same as per our original agreement.

If this request is acceptable to you as presented, please sign where indicated below and return to our office for our mutual agreement. If you have any questions or need any additional information, please call me at your earliest convenience.

Sincerely,



Brian D. O'Neill, P.E., CFM

ACCEPTED BY: **S&B Infrastructure, LTD.**

SIGNATURE

DATE

PRINTED NAME AND TITLE

JCR/jmc
4660-20.292_Add Serve1

		PERSONNEL:	PROF. ENGINEER		CADD DESIGNER		TOTAL	
			Hours	Fee	Hours	Fee	Hours	Fee
		RATE (\$/HR):		200		115		
NO.		SCOPE ITEMS						
A		CIVIL DESIGN						
	1	PMP, Coordinate Subconsultant	3.0	600		0	3.0	600
	2	Electrical Engineer PM (Proposal)	2.4	470		0	2.4	470
	3	Electrical 1. Electrical Site Layout w/Drop, Conduit	4.0	800	4.0	460	8.0	1,260
	4	Electrical 2. Electrical Details & Specs	4.0	800	4.0	460	8.0	1,260
	5	Electrical 3. Electrical Schematics, One-Line, Panel	4.0	800	4.0	460	8.0	1,260
	6	Revise Site Layout	2.0	400	3.0	340	5.0	740
	7	Check Lift Station Calculations w/Revised FM	4.0	800	2.0	230	6.0	1,030
	8	Revise Forcemain P&P	3.5	700	4.0	460	7.5	1,160
		Total						7,780



ROBERT W. YOUNG & ASSOCIATES, INC.

P.O. BOX 711207

HOUSTON, TX 77271-1207

(713) 981-4746

Consulting Engineers

September 12, 2022

Mr. Jim Roberts, PE CFM
Pacheco Koch Consulting Engineers, Inc
20329 TX-249, Suite 350
Houston, Texas 77070

RE: Needville Lift Station

Jim, we can provide Electrical Engineering and Design and prepare the necessary drawings and specifications, plus shop drawing review for an amount not to exceed \$4,250 plus reimbursable expenses, assuming ladder diagrams are not required.

This budget includes all electrical power, lighting and controls for a new Duplex Lift Station complete with 2 @ 3HP and Manual Transfer Switch with Portable Generator Lugs. Construction administration or other field work, as required, can be provided per our fee schedule for repeat clients as outlined below:

Licensed Professional Engineer:	\$149.00/hour
Designer/CAD Operator:	\$76.00/hour
Administrative Assistant:	\$41.00/hour
Reimbursable Expenses:	actual out-of-pocket expense documented with receipts

We will coordinate with you and the design team as necessary to obtain essential data to facilitate the project. The deliverables will sent via e-mail. We can also send and receive e-mail files as necessary to expedite the process.

We look forward to working with you and your team on this project. Should there be any questions, do not hesitate to call me at (713) 981-4746.

Sincerely,

Robert W. Young P.E.
President

RWY/msa

[roberts2201/09122022proposal.doc]

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.

S&B Infrastructure, Ltd.
Houston, TX United States

Certificate Number:
2023-970271

Date Filed:
01/09/2023

Date Acknowledged:
01/24/2023

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.

SOQ 14-025
Third Amendment to Agreement for Professional Services

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Rodriguez, James	Houston, 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)