

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**SECOND AMENDMENT TO PROJECT MANAGEMENT AGREEMENT FOR
 THE 2017 FORT BEND COUNTY MOBILITY BOND PROGRAM**

THIS SECOND 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 **SCHAUMBURG & POLK, INC.**, (hereinafter “Project Manager”), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Project Management Agreement for the 2017 Fort Bend County Mobility Bond Program on March 13, 2018, (hereinafter “Agreement”), as amended by document executed on August 3, 2021, (hereinafter “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 Project Manager an additional two hundred forty-two thousand twenty-eight dollars and no/100 (\$242,028.00), for the Services as described in Project Manager’s Proposal for Additional Services dated October 28, 2022, attached hereto as Exhibit “A” and incorporated herein for all purposes.
2. The Maximum Compensation payable to Project Manager for Services to be rendered is hereby increased to an amount not to exceed one million six hundred fifty-three thousand four hundred sixty dollars and no/100 (\$1,653,460.00), authorized as follows:

\$1,000,000.00 under the Agreement;
 \$411,432.00 under the Amendment and
 \$242,028.00 under this Second 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 written agreement executed by both parties.
4. BY ACCEPTANCE OF AGREEMENT, PROJECT MANAGER 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.

Second Amendment to Project Management Agreement for the
 2017 Fort Bend County Mobility Bond Program

Page 1 of 2

Except as provided herein, all terms and conditions of the Agreement and any subsequently executed amendment shall remain unchanged.

IN WITNESS WHEREOF, the County and the Project Manager have caused their respective duly authorized representatives to execute, seal and deliver this Amendment, all as of the date signed by the last party hereto.

FORT BEND COUNTY

KP George
County Judge KP George
KP George, County Judge

SCHAUMBURG & POLK, INC.

Mark C. Dessens
Authorized Representative – Signature

January 24, 2023
Date

Mark C. Dessens
Authorized Representative – Name

Vice President
Title

1/9/2023
Date



ATTEST:

Laura Richard
Laura Richard, County Clerk

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 \$ 1,653,460.00 to accomplish and pay the obligation of Fort Bend County under this contract.

Robert Ed Sturdivant
Robert Ed Sturdivant, County Auditor

EXHIBIT A

October 28, 2022

Mr. Ike Akinwande, P.E.
Fort Bend County
301 Jackson, 4th Floor
Richmond, Texas 77469

Re: SPI 2017 Mobility Bond Project Management Agreement

Dear Mr. Akinwande:

We respectfully request an amendment to the referenced agreement to increase our fee in the amount of \$242,028.00. This second amendment would increase the amended maximum compensation amount of \$1,411,432.00 to \$1,653,460.00. In accordance with the original agreement, time will be billed hourly at previously approved rates.

The need for added funds comes from ongoing efforts to complete the design and construction of numerous 2017 projects, shown in the attached level of effort estimate. This estimate shows how we anticipate our time to be distributed among the active projects.

We very much appreciate the opportunity to serve the County, and will continue to make every effort to efficiently move projects through design and construction. Please contact me if you have any questions.

Sincerely,



Mark C. Dessens, P.E.
Vice President

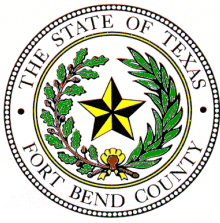
MCD:md
Enclosure

**Fort Bend County 2017 Bond Program
Project Management Amendment 2 Basis of Request
October 2022**

| Project | Hours | | | | | Cost |
|---------------------------------|---------------|---------------|---------------|---------------|---------------|----------|
| | MD @ \$292/hr | DM @ \$220/hr | JS @ \$193/hr | ED @ \$171/hr | JH @ \$127/hr | |
| 17310 Brandt Road | 40 | 60 | 0 | 40 | 24 | \$34,768 |
| 17313x McCrary Road | 40 | 60 | 8 | 40 | 24 | \$36,312 |
| 17307 Peek Road | 40 | 40 | 8 | 60 | 24 | \$35,332 |
| 17312 Fulshear Gaston Road | 120 | 40 | 160 | 40 | 24 | \$84,608 |
| 17314x Cinco Ranch Blvd Turn Ln | 16 | 0 | 8 | 0 | 0 | \$6,216 |
| BR19301 Pecan Creek Rd Bridge | 60 | 60 | 24 | 16 | 0 | \$38,088 |
| 17320x Fry Rd RTL | 4 | 0 | 4 | 4 | 0 | \$2,624 |
| 17322x Pin Oak Rd RTL | 4 | 0 | 8 | 8 | 0 | \$4,080 |

| | |
|--------|-----------|
| Total: | \$242,028 |
|--------|-----------|

MD = Mark Dessens (coordination w/ County, other agencies, consultants, CM, CMT contractor)
DM = Deborah Meroniuc (plan reviews, coordination w/ consultants, Masterworks initiation/upkeep)
JS = Joe Schwieterman (coordination w/ MUDs, consultants, drainage coordination)
ED = Elise Dillow (coordination between utility companies and consultants)
JH = Jace Hyden (assistance in utility coordination and other tasks)



Fort Bend County Engineering
FORT BEND COUNTY, TEXAS

J. Stacy Slawinski, P.E.
County Engineer

MEMORANDUM

January 13, 2023

TO: Members of the Commissioners Court

**RE: Schaumburg & Polk 2nd Amendment
Project Management, 2017 Mobility**

The total cost of the Amendment is \$242,028. The funding will be transferred from the following projects:

| Project No. | Project Name | Amount |
|-------------|-------------------|-----------|
| 17307 | Peek Road, Seg. 1 | \$35,332 |
| 17310 | Brandt | \$34,768 |
| 17313x | McCrary | \$36,312 |
| 17312 | Fulshear Gaston | \$84,608 |
| 17312 | Fulshear Gaston | \$51,008* |

Total \$242,028

*This amount will be used to cover PM costs associated with project numbers 17314x, BR19301, 17320x and 17322x. Each of these projects has a funding source other than Mobility Bonds.

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.**

Schaumburg & Polk, Inc.
Houston, TX United States

Certificate Number:
2023-970167

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.

2017 Mobility Bond Amendment 2
Program Management

| 4 | Name of Interested Party | City, State, Country (place of business) | Nature of interest (check applicable) | |
|---|--------------------------|--|--|--------------|
| | | | Controlling | Intermediary |
| | Beaver, Jeff | Beaumont, TX United States | X | |
| | Ross , Allen | Tyler, TX United States | X | |
| | Buechter, Jeremy | Tyler, TX United States | X | |
| | Dessens, Mark | Houston, TX United States | X | |
| | Beaver, Jr. , Jeff | Beaumont, TX United States | X | |
| | Jordan, Steve | Beaumont, 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)