

STATE OF TEXAS                   §  
    §  
 COUNTY OF FORT BEND       §

**AMENDMENT TO AGREEMENT FOR  
 CONSTRUCTION MATERIALS TESTING SERVICES**

**THIS 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 Ninyo & Moore Geotechnical and Environmental Consultants, (hereinafter "Consultant"), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Agreement for Construction Materials Testing Services on December 7, 2021, (hereinafter "Agreement") pursuant to SOQ 14-025; and

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

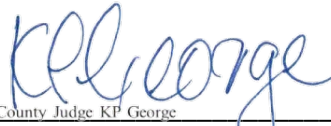
**NOW, THEREFORE**, the parties do mutually agree as follows:


1. County shall pay Consultant an additional seven thousand seventy dollars and 00/100 (\$7,070.00) for the additional construction materials testing services as described in Consultant's proposal dated October 14, 2022 attached hereto as Exhibit "A" and incorporated herein for all purposes.
2. The Maximum Compensation payable to Consultant for Services rendered is hereby increased to an amount not to exceed twenty-eight thousand thirty dollars and no/100 (\$28,030.00), authorized as follows:  
                   \$20,960.00 under the Agreement; and  
                   \$7,070.00 under this 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 further written agreement executed by the parties.
4. BY ACCEPTANCE OF AGREEMENT, CONSULTANT 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 shall remain unchanged.

Fort Bend County

Ninyo & Moore Geotechnical and  
Environmental Consultants

  
County Judge KP George  
KP George, County Judge

  
Authorized Agent – Signature

February 7, 2023  
Date

Jay Sunderwala  
Authorized Agent – Printed Name

ATTEST:



Managing Principal Engineer  
Title

  
Laura Richard, County Clerk

January 19, 2023  
Date

APPROVED:



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

#### AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 28,030.00 to  
accomplish and pay the obligation of Fort Bend County under this contract.

  
Robert Ed Sturdivant, County Auditor

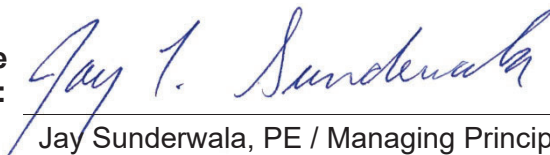
# EXHIBIT A

**NOTICE OF CHANGE****Project Name:** Cinco Ranch at SH 99 Turn Lanes**Project No.:** 701252001**Date:** October 14, 2022

This transmittal is to provide written authorization associated with additional fees related to the above referenced project. Based on our review of the testing reports, 13 additional trips, 11 additional sets of concrete cylinders and two additional cores were required to complete the required testing to meet Fort Bend County requirements as shown on the attached cost estimate.

We appreciate the opportunity to be of service to you on this project.

<b>Original Authorized Budget:</b>	\$20,960.00
<b>Previous Change:</b>	\$0.00
<b>Current Change:</b>	\$7,070.00
<b>New Authorized Budget:</b>	\$28,030.00

**Ninyo & Moore  
Representative:**

Jay Sunderwala, PE / Managing Principal Engineer

10/14/2022

Date

**Client  
Representative:**

Fort Bend County c/o Mark Dessens, PE

Date

## Table 1 - Breakdown of Estimated Fee

### Earthwork

Engineering Technician

Site Work	13 days	@	6	hours/day	@	\$ 60.00 /hour	\$ 4,680.00
Vehicle Usage Charge			13	trips	@	\$ 60.00 /trip	\$ 780.00
Nuclear Density Gauge			6	days	@	\$ 72.00 /day	\$ 432.00

**Subtotal \$ 5,892.00**

### Concrete

Compression Tests of Cylinders	11 sets	@	4	samples/set	@	\$ 68.00 /set	\$ 748.00
Roadway Cores			2	samples	@	\$ 215.00 /sample	\$ 430.00

**Subtotal \$ 1,178.00**

**TOTAL ESTIMATED FEE \$ 7,070.00**

# 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.**

Ninyo & Moore  
Houston, TX United States

**Certificate Number:**  
2023-973674

**Date Filed:**  
01/19/2023

**Date Acknowledged:**  
02/07/2023

**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.**

17314x  
Construction Materials Testing and Observation Services - Cinco Ranch Boulevard at SH 99 (Grand Parkway) Turn Lane Improvements

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Ninyo, Avram	San Diego, CA 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)