

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

ELEVENTH AMENDMENT TO PROJECT MANAGEMENT AGREEMENT

THIS ELEVENTH 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 RPS Infrastructure, Inc., formerly known as Klotz Associates, Inc., (hereinafter “Contractor”), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Project Management Agreement on September 2, 2014, (hereinafter “Agreement”) for certain management and administrative support services for the 2013 Mobility Bond Project pursuant to SOQ 14-025; as amended by documents dated May 26, 2015, (hereinafter “Amendment”), August 9, 2016 (hereinafter the “Second Amendment”), November 14, 2017, (hereinafter the “Third Amendment”), April 24, 2018, (hereinafter the “Fourth Amendment”), December 11, 2018, (hereinafter “Fifth Amendment”), March 27, 2020, (hereinafter the “Sixth Amendment”), October 6, 2020, (hereinafter “Seventh Amendment”), June 22, 2021, (hereinafter “Eighth Amendment”), March 1, 2022 (hereinafter “Ninth Amendment”); and December 6, 2022 (hereinafter “Tenth Amendment”); and

WHEREAS, the parties desire to further amend the Agreement to include additional project management services.

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

1. Services to be rendered under the Agreement shall be amended to add additional project management services, as described in the Proposal for Eleventh Supplemental Services on the 2013 Mobility Bond Program, dated January 27, 2023, attached hereto as Exhibit A, and incorporated herein for all purposes.
2. County shall pay Contractor an additional sixty-seven thousand dollars and no/100 (\$67,000.00), on a time and material basis, for the additional project management services to be rendered under this Eleventh Amendment.
3. The Maximum Compensation payable to Contractor for Services rendered is hereby increased to an amount not to exceed two million forty-nine thousand seventy-five dollars and no/100 (\$2,049,075.00), allocated as follows:
 - A. \$630,000.00 under the Agreement
 - B. \$82,875.00 under the Amendment;

- C. \$295,000.00 under the Second Amendment;
 - D. \$250,000.00 under the Third Amendment;
 - E. \$150,000.00 under the Fourth Amendment;
 - F. \$200,000.00 under the Fifth Amendment;
 - G. \$100,000.00 under the Sixth Amendment;
 - H. \$90,000.00 under the Seventh Amendment;
 - I. \$100,000.00 under the Eighth Amendment;
 - J. \$84,200.00 under this Ninth Amendment; and
 - K. \$67,000.00 under this Eleventh Amendment.
4. In no case shall the amount paid by County for all Services under the Agreement, any previous amendments and this Eleventh Amendment exceed the Maximum Compensation without a written agreement signed by the parties.
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 the subsequent amendments shall remain unchanged.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.]

FORT BEND COUNTY

RPS INFRASTRUCTURE, INC.,
Formerly known as Klotz Associates, Inc.



County Judge KP George
KP George, County Judge



Authorized Agent – Signature

June 13, 2023
Date

Lynn Pipkin, P.E.
Authorized Agent – Printed Name

ATTEST:



Transport Leader, Houston
Title



Laura Richard, County Clerk

May 11, 2023
Date

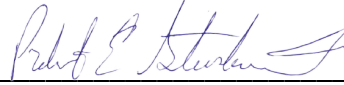
APPROVED:



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

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 2,049,075.00 to accomplish and pay the obligation of Fort Bend County under this contract.



Robert Ed Sturdivant, County Auditor

Exhibit A: Contractor's Proposal for Eleventh Supplemental Services on the 2013 Mobility Bond Program, dated January 27, 2023.

EXHIBIT A

Our ref: 006696

Date: January 27, 2023

575 N. Dairy Ashford
Suite 700
Houston, Texas 77079
T +1 281 589 7257

Mr. Stacy Slawinski, PE
Fort Bend County Engineering
301 Jackson Street
Richmond, Texas 77469

Attention: Ike Akinwande, PE

Re: Proposal for 11th Supplemental Services on the 2013 Mobility Bond Program (PO #117762)

Dear Mr. Akinwande,

We appreciate the opportunity to work with the County as a Project Manager on the 2013 Mobility Bond Program. We have worked hard to provide exceptional service and to be responsive to your needs. We have nearly expended the fees allocated to us previously and request that additional fee be added to our contract.

We propose adding **\$67,000** to our contract on a time and materials basis. We anticipate the following breakdown of additional project management effort:

- **13207 Lake Olympia Segment 1** (Project close-out) **\$10,000**
 - Project Manager 50 hrs. x \$200 = \$10,000
- **13219x Packer Lane Lift Station** (Construction coordination and project close-out) **\$15,000**
 - Project Manager 75 hrs. x \$200 = \$15,000
- **13218x Sugar Land Howell Trail** (Project close-out) **\$6,000**
 - Project Manager 30 hrs. x \$200 = \$6,000
- **13409 US 90A at SH 99** (Finalizing design, construction and project close-out) **\$20,000**
 - Department Manager 100 hrs. x \$200 = \$20,000
- **000200 Utility Coord. & Relocation/ Encroachment Agreements (All Projects)** **\$16,000**
 - Project Manager 80 hrs. x \$200 = \$16,000

Breakdown:

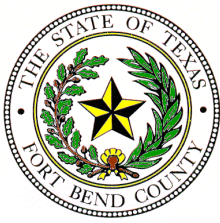
 - 13219x (\$8,000): Coordination with Missouri City and WCID#2 for abandonment of lift Station, on call for unexpected utility issues.
 - 13409 (\$8,000): Coordination with utility companies for relocation.

RPS appreciates the opportunity to prepare this proposal for Fort Bend County Engineering and trusts that it meets with your approval. If you have any questions concerning this proposal, please feel free to contact me directly. RPS looks forward to successful projects.

Yours sincerely,
for RPS Infrastructure, Inc.



Gabriel Odreman, PE
Project Manager – Transport
Gabriel.Odreman@rpsgroup.com



Fort Bend County Engineering
FORT BEND COUNTY, TEXAS

J. Stacy Slawinski, P.E.
County Engineer

MEMORANDUM

April 26, 2023

TO: Members of the Commissioners Court

**RE: RPS – Eleventh Amendment
2013 Mobility**

The total cost of the Amendment is \$67,000. The funding will be transferred from the following projects:

Project No.	Project Name	Amount
13218x	Sugarland-Howell at WKBID Trail	\$39,000
13409	US 90a at Sh 99	\$28,000
Project Management Fee		\$67,000

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**

Certificate Number:
2023-1019016

Date Filed:
05/10/2023

Date Acknowledged:
06/13/2023

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
RPS Infrastructure, Inc.
Houston, TX United States

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.
PO #117762
11th Amendment for 2013 Mobility Bond Program

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

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)