

STATE OF TEXAS                   §  
    §  
 COUNTY OF FORT BEND       §

**FIFTH AMENDMENT TO AGREEMENT FOR  
 PROFESSIONAL ENGINEERING SERVICES**

**THIS FIFTH 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., (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 April 23, 2019, pursuant to SOQ 14-025 regarding Trammel Fresno, Mobility Bond Project No. 746, as subsequently amended by documents executed on May 5, 2020, (hereinafter “Amendment”), September 22, 2020, (hereinafter “Second Amendment”) and February 2, 2021 (hereinafter “Third Amendment”) and September 7, 2021 (hereinafter “Fourth Amendment”), (hereinafter collectively referred to as the “Agreement”); and

WHEREAS, the parties desire to further amend the Agreement to provide for continued services, to extend the contract term and to increase the total Maximum Compensation for the completion of such additional services.

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

**Compensation and Payment.**

1. County shall pay Contractor an additional fifty thousand eight hundred dollars and 00/100 cents (\$50,800.00), for additional on-call construction phase and project management services as described in Contractor’s proposal dated January 26, 2023, attached hereto as Exhibit “A” and incorporated herein for all purposes.
2. The Maximum Compensation payable to Contractor for Services rendered is hereby increased to an amount not to exceed six hundred twenty-three thousand six hundred forty dollars and 00/100 cents (\$623,640.00), authorized as follows:
  - \$200,000.00 under the Agreement;
  - \$100,000.00 under the Amendment;
  - \$69,400.00 under the Second Amendment;
  - \$102,650.00 under the Third Amendment; and
  - \$100,790.00 under the Fourth Amendment; and
  - \$50,800.00 under this Fifth 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.

**Time of Performance.**

4. The time of performance of the Scope of Services under this Agreement shall be extended to end no later than December 31, 2023. Contractor shall complete the task described in the additional Scope of Services within this time or within such additional time as may be extended by the County.

**Human Trafficking Statement.**

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 subsequently executed amendment shall remain unchanged.

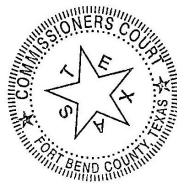
**FORT BEND COUNTY**

  
County Judge KP George  
\_\_\_\_\_  
KP George, County Judge


\_\_\_\_\_  
June 27, 2023  
Date

ATTEST:

  
\_\_\_\_\_  
Laura Richard, County Clerk



APPROVED:

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

**RPS INFRASTRUCTURE, INC.**

  
\_\_\_\_\_  
Authorized Agent – Signature

\_\_\_\_\_  
Lynn Pipkin, PE  
Authorized Agent – Printed Name

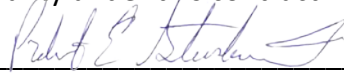
\_\_\_\_\_  
Transport Leader Houston  
Title

\_\_\_\_\_  
June 7, 2023  
Date

{AUDITOR'S CERTIFICATION FOLLOWS}

### AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 623,640.00 to accomplish and pay the obligation of Fort Bend County under this contract.



Robert Ed Sturdivant, County Auditor

I:\AGREEMENTS\2023 Agreements\Engineering\RPS Infrastructure (18-Eng-500023-A4)\Amend 5 - Pro Eng Svcs.Tramm Fres.RPS.docx LSL5/31/2023

# EXHIBIT A

**Our ref: 007846**

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

Date: January 26, 2023

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

Attention: Mr. Ike Akinwande, P.E.

**RE: Proposal for Fifth Supplemental Services on the On-Call Construction Phase  
Services for Trammel Fresno (007846) (PO #177298)**

Dear Mr. Akinwande:

We appreciate the opportunity to work with the County as a Project Manager on the On-Call Construction Phase Services and Project Management for the Trammel Fresno project. We have worked hard to provide exceptional service and to be responsive to your needs. We have expended the fees allocated to us previously and would like to request an additional fee be added to our contract.

We propose adding **\$50,800** to our contract on a time and materials basis. We anticipate the following breakdown of additional project management effort to redesign due to new utilities found in the area.

**Trammel Fresno Redesign at Hurricane Ln (21,800) Utility/ROW Coordination (\$20,000)  
and Construction Phase Services (\$9,000) \$ 50,800**

- |                                   |                              |
|-----------------------------------|------------------------------|
| • Project Manager (design)        | 100 hrs. x \$210 = \$ 21,000 |
| • Project Manager (utilities/ROW) | 80 hrs. x \$210 = \$ 16,800  |
| • Associate Engineer              | 100 hrs. x \$130 = \$ 13,000 |

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

Yours sincerely,  
for RPS Infrastructure, Inc.



Gabriel Odreman, PE, PMP  
Senior Project Manager – Roadway  
Gabriel.Odreman@rpsgroup.com  
+1 (281) 902-3501

# 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.**

RPS Infrastructure, Inc.  
Houston, TX United States

**Certificate Number:**  
2023-1031187

**Date Filed:**  
06/07/2023

**Date Acknowledged:**  
06/27/2023

**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.**

PO #177298  
5th Amendment for On-Call Construction Phase Services for Trammel Fresno

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)