STATE OF TEXAS §

COUNTY OF FORT BEND §

AMENDMENT TO AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES

This Amendment ("Amendment") is made and entered into by and between Fort Bend County, Texas ("County"), a political subdivision of the state of Texas, and HR Green, Inc. ("Consultant"), a Texas corporation. County and Consultant may be referred to individually as a "Party" or collectively as the "Parties."

WHEREAS, the Parties previously entered into that certain agreement on or about February 7, 2023 (the "Agreement") for roadway improvements for select side streets in Magnolia Place along Evergreen Street, California Street, and Post Oak Street under Mobility Bond Project No. 20225x pursuant to SOQ 14-025; and

WHEREAS, by execution of this Amendment, the Parties desire to amend the Agreement to provide for additional services and to increase the total Maximum Compensation for the completion of such services as set forth therein.

NOW, THEREFORE, in consideration of the foregoing, the Parties do mutually agree that the Agreement between the Parties is hereby amended as follows:

- 1. **Compensation**. County shall pay Consultant an additional Two Hundred Sixty-One Thousand Five Hundred Forty Seven and 00/100 Dollars (\$261,547.00) for the performance and completion of additional services as described in Consultant's Proposal dated December 4, 2023 (the "Services") attached hereto as "Exhibit A-1" and incorporated by reference for all intents and purposes.
- 2. **Limit of Appropriation.** Consultant understands and agrees that the Maximum Compensation payable to Consultant for Services rendered under this Agreement is hereby increased to an amount not to exceed One Million Five Hundred Three Thousand Nine Hundred Eighteen and 82/100 Dollars (\$1,503,918.82) authorized as follows:

\$1,242,371.82 under the Agreement \$ 261,547.00 under this First Amendment.

In no event shall the amount paid by County under this Agreement exceed the Maximum Compensation without a County approved change order. Consultant clearly understands and agrees, such understanding and agreement being of the absolute essence of this Agreement, that County shall have available the total maximum sum of One Million Five Hundred Three Thousand Nine Hundred Eighteen and 82/100 Dollars (\$1,503,918.82)

specifically allocated to fully discharge any and all liabilities County may incur under the Agreement.

Consultant does further understand and agree, said understanding and agreement also being of the absolute essence of the Agreement, that the total Maximum Compensation that Consultant may become entitled to and the total maximum sum that County may become liable to pay to Consultant under the Agreement shall not under any conditions, circumstances, or interpretations thereof exceed One Million Five Hundred Three Thousand Nine Hundred Eighteen and 82/100 Dollars (\$1,503,918.82).

- 3. **Recitals.** The recitals set forth above are incorporated herein by reference and made a part of the Agreement.
- 4. **Human Trafficking.** BY ACCEPTANCE OF THIS AGREEMENT, CONSULTANT ACKNOWLEDGES THAT FORT BEND 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.
- 5. **Modifications and Conflict.** Except as modified herein, the Agreement shall remain in full force and effect and has not been otherwise modified or amended. If there is a conflict among documents that make up the Agreement, this First Amendment shall prevail with regard to the conflict.

{Execution Page Follows}

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FORT BEND COUNTY, TEXAS	HR GREEN, INC.
KP George, County Judge	Stylin Spish Authorized Agent – Signature
4.9.2024	Stephen Sparks
Date	Authorized Agent- Printed Name
	Vice President
ATTEST:	Title
Jama Richard	3/7/2024
Laura Richard, County Clerk	Date
APPROVED: J. Milli	
J. Stacy Slawinski, P.E., County Engineer	

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$1,503,918.82 to accomplish and pay the obligation of Fort Bend County, Texas under this Agreement.

Robert E. Sturdivant, County Auditor

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EXHIBIT A-1

(Consultant's Proposal Follows Behind)



► 11011 Richmond Avenue | Suite 200 Houston, TX 77042 Main 713.965.9996 + Fax 713.965.0044

HRGREEN.COM

Mr. Gabriel Odreman, PE 1160 Dairy Ashford, Suite 500 Houston, TX 77079 December 4, 2023

RE: Proposal for Survey of Evergreen side streets in Magnolia Place in Fort Bend County.

Dear Mr. Odreman:

HR Green is pleased to submit this supplemental proposal for performing engineering services for the above referenced project. The proposal includes verification of control points set by Interland, limited topographic verification of existing survey performed by Interland, category 1A condition III land title survey, development of right-of-way and control sheets by MBCO, and coordination between HR Green, RPS, sub consultants, and adjacent projects. This proposal presents a general overview with preliminary construction cost estimate, scope of service, and proposed fee.

GENERAL OVERVIEW

The project limits are located within Magnolia Place Area in Unincorporated Fresno, Texas in Fort Bend County. The project area consists of 9 side streets tying into Evergreen St. The existing roadway(s) consists of gravel roads and asphalt roads of varying widths, open ditch areas, and variable width ROW that needs to be properly delineated.

PROPOSED FEE

The proposed fee for MBCO survey of the streets tying to Evergreen Street is \$261,547 (including HR Green fees).

SCOPE OF SERVICES

I. Preliminary Design Phase

- Project coordination with Fort Bend County and RPS and Surveyor (MBCO).
- Project Management and Coordination with Gradient and Cobb Fendley
- Coordinate with Surveyors to obtain Topographic Survey and ROW mapping on Evergreen side streets (MBCO)
- Perform QA/QC for PER phase

II. Final Design Phase Services

70% Submittal

- Prepare Survey Control Map sheets for Evergreen side streets (by MBCO).
- Prepare Right-of-Way Map sheets for Evergreen side streets (by MBCO)



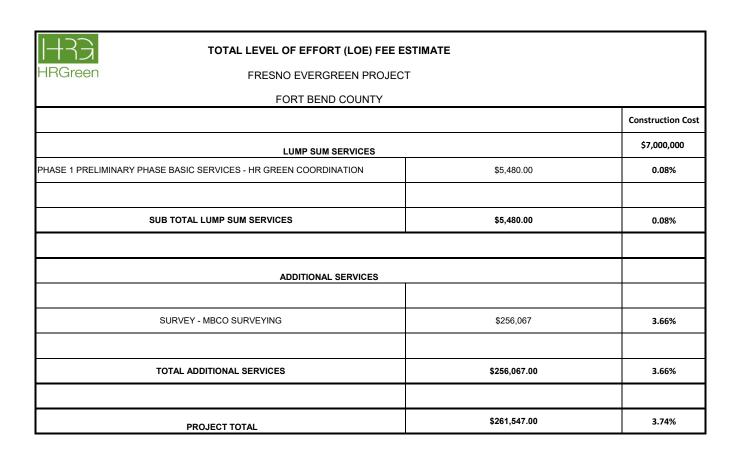
Phase 1: Preliminary Phase Services (Lump Sum Service)

Coordination and work by HRG	\$5,480.00
Total Services by HRG	\$5,480.00
Additional Services	
Topographic Survey by MBCO Surveying	\$256,067.00
Total Additional Services	\$256,067.00
Total Engineering Cost	\$261,547.00

HR Green appreciates the opportunity to submit this proposal and we look forward to working with you and your staff on this important project. Please call should you have any questions or comments.

Sincerely,

Jesus Olivas, P.E. Project Manager HR GREEN, INC.





PHASE 1: PRELIMINARY DESIGN PHASE LEVEL OF EFFORT (LOE) FEE ESTIMATE - MBCO SURVEY OF EVERGREEN STREETS FRESNO EVERGREEN PROJECT FORT BEND COUNTY

LUMP SUM SERVICE

DURATION FOR PRELIMINARY DESIGN PHASE BASIC SERVICES = 90 DAYS Principal / Project Senior Staff Senior CADD CADD Admin / Senior Project Managing Manager Technician Technician Clerical Engineer Director Engineer Engineer **Total Hours Total Cost** HOURLY RATE INCLUDING MULTIPLIER (3 X) 270 \$ 245 \$ 165 \$ 130 \$ 120 \$ 155 120 105 Total #of 1. Project Coordination sheets Hrs/Sht 1.1 Coordinate/Meetings with Fort Bend County and GEC to assist MBCO Surveyor 4 5 10 1.55 1.2 Coordinate with Regulatory Agencies/Utilities to assist MBCO 4 5 10 1,555 0 2 Subtotal Hours 0 8 10 0 0 0 20 \$ 3,110 490 1.320 1,300 3,110 Subtotal Fee #of Total 8. Prepare Drainage Study (Scott and Angela) sheets Hrs/Sht 8.1 Project Coordination/Meetings with Cobb Fendley and Gradient(original hours estimated: 6 hours) 820 8.2 Field Visit/Topographic Survey Verification 0 8.3 Data Gathering/Research 0 8.4 Existing DA Delineation/Runoff Characterization/XPSWMM Model Build 0 8.5 Proposed Runoff Characterization/XPSWMM Model Build 0 8.6 Proposed Mitigation Volume Requirement/XPSWMM Model 0 8.7 Determine Mitigation requirements and Alternatives/XPSWMM Model 0 8.8 Results and Alternatives Analysis 0 8.9 Develop drainage report with FBC Drainage District criteria 0 8.10 Report QA/QC (original hours estimated: 17 hours) 1 4 4 10 1,550 8.11 Response to Comments 0 \$ 3 0 2,370 0 3 4 0 4 0 14 Subtotal Hours 495 520 Subtotal Fee 735 620 2,37 TOTAL PHASE I BASIC SERVICES HOURS 0 11 14 0 34 1,225 1,815 \$ 1,820 TOTAL PHASE I BASIC SERVICES FEES 620



1505 Highway 6 South, Suite 180 Houston, Texas 77077 281.760.1656 MBCOEngineering.com SBE/WBE/DBE/HUB TBPELS Engineering Firm #F-16850 TBPELS Surveying Firm #10194810

PROPOSAL FOR LAND SURVEYING SERVICES

December 4, 2023

Jesus Olivas, P.E.

HR Green, Inc 11011 Richmond, Suite 200 Houston, TX 77042

Ref: Request for boundary surveys for 98 individual parcels, Magnolia Place, Fresno, TX in Fort

Bend County, Texas.

Mr. Olivas:

MBCO is pleased to submit this proposal for professional surveying services for the scope provided by HR Green and RPS, which will consist of up to 98 Category 1A, Condition III Boundary Surveys for acquisition as well as 9 metes & bounds descriptions and surveys of the final rights-of-way after takings. The proposal also includes limited Verification of the Category 6, Condition II topographic surveys of 9 individual streets provided by Interland Surveying as shown on Exhibit "A" attached.

CONTROL

- MBCO will verify coordinates of seventeen (17) primary GPS horizontal control points set by Interland Surveying based on the Texas Coordinate System of 1983, South Central Zone No. 4202, utilizing the vertical datum NAVD88 (2001 Adjustment) and Geoid18.
- Re-establish control at time of construction.
- Update control maps with new control or updates in distance ties at the time of construction

CATEGORY 1A, CONDITION III LAND TITLE SURVEY

- MBCO will perform up to 98 individual Category 1A, Condition III Land Title Surveys for right-of-way acquisition. The surveys will be accompanied by a metes & bounds description and survey of the 9 final street rights-of-way.
- MBCO will research and recover sufficient boundary/right-of-way information necessary to establish the existing boundary/right-of-way within the project area and create metes and bounds description for the areas to be acquired.
- The acquisition areas will be monumented at all new or missing right-of-way/acquisition parcel corners.
- MBCO will use a sub-contractor to supply an abstractors certificate for the parcels being surveyed.

LIMITED TOPOGRAPHIC SURVEY VERIFICATION

MBCO will collect limited survey data on the nine (9) individual streets to verify the horizontal and vertical information previously provided to HR Green by Interland Surveying. MBCO will collect data to verify elevations of asphalt roads, ditches, driveways, and culverts. This data will be collected at random areas within the project area and will not verify that the previously provided topographic survey is accurate in its entirety but rather that the areas surveyed are within the tolerance of a Category 6 Condition I topographic survey per the Manual of Practice for Land Surveying in the State of Texas.

MBCO ASSUMPTIONS:

- This proposal is based solely and exclusively on the best interpretation of the scope as provided by RPS and HR Green and as shown on Exhibits "A", attached. Any changes to the project location, area, or scope will significantly impact costs and fees and will require a new cost proposal.
- MBCO will not enter yards/properties over or through locked gates or fences.
- MBCO will not survey yards/properties with animals that are not restrained.
- MBCO cannot control the weather and cannot be held responsible for delays in schedule due to inclement weather.
- MBCO survey field crews must be given access to properties on a timely basis. This
 proposal makes no allowance for return trips because of access issues. MBCO will need
 access to parcels on the day of survey. Return trips will incur additional charges.
- The prices in this proposal are lump sum prices for the scope provided. If the amount of parcels or linear feet changes, MBCO reserves the right to adjust fees accordingly.
- MBCO will work tasks in the most efficient manner possible, requests to do tasks out of order may lengthen the schedule timeline and add additional cost.

DELIVERABLES:

Signed and sealed boundary surveys in .pdf format.

- Signed and sealed control maps of seventeen (17) primary control points.
- Signed and sealed metes and bounds description of acquisition parcel in .pdf format
- Metes and bounds description in .doc format for title purposes.
- MicroStation .dgn file of the boundary survey.
- Point File in the standard ASCII (P,N,E,Z,D) format.

SCHEDULE:

MBCO will complete the above-described scope of services within eighty-five (85) business days from receiving the signed notice-to-proceed.

LUMP SUM COMPENSATION:

Total Lump Sum Survey Fee \$ 256,067.00

- Control......\$13,190.00
- Topographic Verification... \$6,720.00
- Project Management......\$9,335.00
- Boundary..... \$226,822.00
 - 98 Acquisition parcel surveys \$2,039.00 per parcel including abstractors certificate. (\$1,664.00+\$375 abstracting fees \$199,822.00)
 - 9 final ROW maps \$3,000.00 per street (\$27,000.0)

The above-mentioned Surveying Services is a Lump Sum Fee, which will be billed at project completion or percent completion at the end of every month for the duration of the project, to be paid in full within 30 days of invoice date.

This cost proposal is valid for 30 days from the date of the proposal and may be re-evaluated after such time to account for any changes with the project scope, environmental factors and/or the general rate schedule. If this proposal is acceptable, please sign and return a copy. If you have any questions, you may reach me at Jeff.Ketchum@mbcoengineering.com.

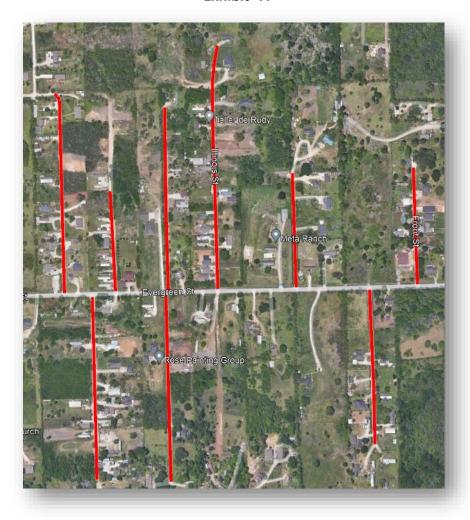
Thank you for the opportunity and we appreciate doing business with you.

Sincerely,

Jeff Ketchum

Survey Project Coordinator

Exhibit "A"



	Office Field			Sub							
ONTRACT RATE PER HOUR TASK DESCRIPTION	\$ 135.00 SURVEY	\$ 180.00	\$ 120.00 SURVEY	\$ 130.00 SR SURVEY	\$ 80.00 ADMIN/	\$ 165.00 1-MAN	\$ 175.00 2-MAN	\$ 195.00 3-Man	\$ 500.00	ļ	TOTAL
Par Description	PROJECT MANAGER	RPLS	TECHNICIAN	TECHNICIAN	CLERICAL	SURVEY	SURVEY CREW	SURVEY	ABSTRACTOR SET FEE	TOTAL HRS.	LABOR HRS & COSTS
CONTROL	MONTHOLIC					CHEN	CITEN	CITETA	GETTEE		400010
Static Sessions										0	s
Checking Benchmarks Setting Control										0	s
GPS Primary Control Primary Traverse										0	s
Control Checking Topo for control maps							10 8			10	\$ 1,75 \$ 1.40
Update Control at time of Construction							20			20	\$ 3,50
Control Elevation Loop Line Cutting										0	\$
Mobilization HELD CONTROL SUBTOTAL						0	38	0		0 38	\$ 6,656
ONUMENTATION Setting COH Monuments										0	
Tieing COH Monuments MONUMENTATION SUBTOTAL	0	0	0	0	0	0	0	0		0	0
FELD SUBTOTAL	ō	0	0	0	0	0	38	0		38	\$ 6,65
ONTROL DATA PROCESSING											
Field Package Meeting and Line Out Control Data Processing				1 2						2	\$ 13 \$ 26
DATA PROCESSING SUBTOTAL ONTROL MAPS			0	3						3	\$ 39
Control Maps Undate Control Maps at time of construction			32							32 16	\$ 3,84 \$ 1,92
CONTROL MAPS SUBTOTAL A/QC			16 48	0						48	\$ 5,76
CAD Support QAQC										0	s
QAQC SUBTOTAL			0	3						3	\$ 39
OFFICE SUBTOTAL			48	6						54	\$ 6.54
CONTROL TOTAL			48 48	6						92	\$ 6,54 \$ 13,19
Boundary											
ELD Boundary Traverse											s
Line Cutting Boundary Search							80			0 80	\$ \$ 14,00
Boundary Search with Calcs Set Boundary	-						20			20	\$ 3,50 \$ 12,25
Exterior Improvement Location Mobilization							70			0	\$ 12,25 \$
FIELD SUBTOTAL						0	170	0		0 170	\$ 29,75
FFICE OUNDARY DATA PROCESSING											
Field Package Meeting and Line Out				3						3 7	\$ 39 \$ 91
Data Processing DATA PROCESSING SUBTOTAL				20						7 20	\$ 2,60
OUNDARY RESEARCH AND ANALYSIS			0	30						30	3,90
Boundary Research Boundary Analysis				230 40						230 40	\$ 29,90 \$ 5,20
Notes (Table A) Title Reports		_							98	0	\$ 36,75
Title Review RESEARCH AND ANALYSIS SUBTOTAL			0	100					98	100	\$ 13,00
OUNDARY DRAWING			0	370					98	370	\$ 84,851
Boundary Drawing (Deeds, Subdivision, GIS) w Calcs Final ROW Map for each street after takings 9 x \$3000				100 207.6923						100 207.6923	\$ 13,000 \$ 27,000
Exhibit 98 Metes & Bounds 98				250 200.1692						250 200.1692	\$ 32,500 \$ 26,022
Redines Client Revisions										0	\$
DRAWING SUBTOTAL OUNDARY QA/QC			0	757.8615						757.8615	98,52
QA/QC		40								40	\$ 7,20
CAD Support Packaging and Delivery to Client				20						20 0	\$ 2,600 \$
QA/QC SUBTOTAL		40	0	20						60	9,80
OFFICE SUBTOTAL BOUNDARY TOTAL		40	0	1177.8615 1177.8615					98	1217.8615 1387.8615	\$ 197,073 \$ 226,823
				1111.0010						1007.0015	¥ 220,021
TOPO IELD											
Topo Verification Roadway											
							20			20	\$ 3,500
Roadway							20			0	\$ 3,500 \$ \$
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Roodowy First Location Live Carling On Service Cold Top 0 Cold Cold Cold Cold Top 0 C	5 5 8 25 25 25 25 25 25 25 25 25 25 25 25 25	70 \$ 180.00 \$12,600.00 0.0%	0 18 18 16 16 17 18 18 18 18 18 18 18 18 18 18 18 18 18	0 0 1193.8615 5 130.00 \$155.202.00	7 7 \$ 80.00 \$560.00 0.0%	\$ 165.00 \$0.00 0.0%	20 20 20 20 20 21 21 21 22 31 20 30 30 30 30 30	\$ 195.00 \$0.00 0.0%	9 0 0 0 8 9 8 8375 \$3.000 \$3.000	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	\$ 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5
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SUMMARY OF SURVEY TOTALS	г	
Total Basic Services	\$	256,067.00
Total Additional Services	\$	-
Total Platting Services		
Total Survey Fee	\$	256,067.00

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 count of business.	Certificate Number: 2024-1136973					
	HR Green, Inc.						
	Houston, TX United States		Date Filed:				
2	Name of governmental entity or state agency that is a party to the	03/20/2024					
	being filed.	iled.					
	Fort Bend County	Date Acknowledged: 04/09/2024					
3	Provide the identification number used by the governmental enti description of the services, goods, or other property to be provided in the services of the se		the co	ntract, and prov	ide a		
	20225x Roadway improvements for side streets in Magnolia Place alo	ong Evergreen Street, California Str	eet, ar	nd Post Oak Str	eet in Ft.		
	Bend County						
4				Nature of			
	Name of Interested Party	City, State, Country (place of busin	ess)	(check ap			
			\dashv	Controlling	Intermediary		
Po	oppen, Jason	Houston, TX United States					
W	hite, Richard	Cedar Rapids, IA United States	ds, IA United States X				
Ву	/ard, Michelle	Cedar Rapids, IA United States	d States X				
Uı	rbina, Francisco	McHenry, IL United States		X			
М	rowicki, Andrew	Aurora, IL United States		Х			
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)		tate)	(zip code)	(country)		
	I declare under penalty of perjury that the foregoing is true and correct	ct.					
	Executed inCounty	y, State of, on the	d	lay of	, 20		
				(month)	(year)		
		Signature of authorized agent of con	tracting	business entity			
ĺ		(Declarant)	Ū	•			