

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

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

THIS THIRD AMENDMENT TO AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES (the “Third 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 Gradient Group, LLC (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 August 24, 2021 (hereinafter “Agreement”) pursuant to SOQ 14-025, as amended by documents executed on May 24, 2022 (hereinafter “Amendment”), and May 9, 2023 (hereinafter “Second 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 Contractor an additional amount not to exceed one hundred sixteen thousand eight hundred thirty-six dollars and 20/100 (\$116,836.20) to perform the additional Services, as described in Contractor’s proposal dated March 28, 2024, attached hereto as Exhibit “A” and incorporated herein for all purposes.
2. The Maximum Compensation payable to Contractor for all Services rendered is hereby increased to an amount not to exceed one million one hundred seventy-six thousand two hundred eighty-three dollars and 60/100 (\$1,176,283.60), authorized as follows:
 - \$279,791.60 under the Agreement;
 - \$ 53,260.20 under the Amendment;
 - \$726,395.60 under the Second Amendment; and
 - \$116,836.20 under this Third Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement and this Third Amendment exceed the Maximum Compensation without an agreement executed by the parties.

4. 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 shall remain unchanged.

IN WITNESS WHEREOF, the parties hereto have signed or have caused their respective names to be signed to multiple counterparts to be effective on the date signed by the final party.

FORT BEND COUNTY

GRADIENT GROUP, LLC



KP George, County Judge

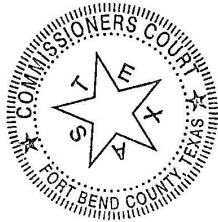


Authorized Agent – Signature

August 13, 2024
Date

Stephanie Anderson, PE
Authorized Agent – Printed Name

ATTEST:



President
Title



Laura Richard, County Clerk

22 July 2024
Date

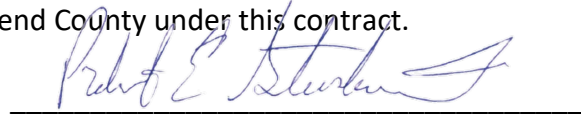
APPROVED:



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

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 1,176,283.60 to accomplish and pay the obligation of Fort Bend County under this contract.



Robert Ed Sturdivant, County Auditor

Exhibit A: Contractor's Proposal, dated March 28, 2024

EXHIBIT A



GRADIENT GROUP, LLC
3151 Briarpark
Suite 225
Houston, Texas 77042

March 28, 2024

Mr. Kevin Mineo, P.E.
Senior Project Manager
Binkley & Barfield, Inc.
1710 Seamist Drive
Sent Via Email: kmineo@binkleybarfield.com

Reference: Proposal for Professional Engineering Services for Reading Road
FBC Project Number 20109
GG Job No: 20300-0004
Addendum #3 – 2 Lane Section

Dear Mr. Mineo:

Gradient Group respectfully submits this Addendum in reference to the approved scope of work dated August 24, 2021, for the preparation of the revised scope to include professional engineering and traffic services for a section of the existing Reading Rd. The proposed improvement limits of Reading Road is approximately 6,500 linear feet starting at the existing concrete curb and gutter of Reading Road and Berdette with a traffic signal design at Reading Rd and FM 762. The proposed improvement will revise the proposed boulevard section of Reading Rd to a 24-foot wide (2-12-foot lanes) asphalt 2-lane road with roadside ditch section within a 100-foot ROW from the beginning of the project to Berdette Rd. The boulevard section will be maintained from Berdette to FM 762 with the 100-foot ROW, no updates are expected for this section of the project. We have assumed the proposed Reading Rd connection at FM 762 will not require any revision.

The scope as outline below will update the PER and supporting documents, provide the Traffic Signal Design at Reading Rd and Berdette with associated survey needed for the signal design. The scope will include updating the geometric layout in the PER. We did not include any updates to the storm sewer design as the current design is for the ultimate project build out for a boulevard section.

1.P – Pre-Design Study (2-Lane Road Section)

With the effort described above Gradient will provide an updated PER report to include the following exhibits:

- a) Site Triangles:
 - a. 4 UVE's at Bridlewood/Misty Meadows Oaks (Shift in alignment, ultimate condition)
 - b. *NO Update at Rustling Oaks Rd
 - c. *NO Update at Rustling Oaks Rd @ Bridlewood Dr
 - d. *NO Update at Reading Rd & Berdette Rd

**We have assumed that ROW taking for the UVE's provided with the boulevard section for the ultimate roadway width will remain needed.*

- b) ROW Exhibit – We expect 12 parcels to be updated due to alignment shift requested by Client.
- c) Utility Conflict Table – To be updated with revised roadway section and traffic signal on FM 762
- d) Schematic Plan Sheets for 30% deliverable to include plan view only of the improvements. Plans will include sidewalk layout and driveway layouts revising the existing connections.

The proposed road will be provided based on Fort Bend County engineering standards and will provide a schematic layout with the associated geometric design.

1.T - Traffic Signal Warrant Analysis

This task includes one (1) traffic signal warrant analysis, client to select which option to move forward with, fee will be the same for either option.

- a) Option 1 includes the traffic signal warrant analysis at the proposed intersection of FM 762 and Reading Road. Analysis considerations include the existing traffic signal at the intersection of FM 762 and Berdett Road still being operated as is.

OR

- b) Option 2 includes the traffic signal warrant analysis at the proposed intersection of FM 762 and Reading Road. Analysis considerations include the existing traffic signal at the intersection of FM 762 and Berdett Road being removed, as well as the removal of Berdett Road from FM 762 to the intersection of Reading Road and Berdett Road.

Data Collection

The Client shall provide the following information requested by the Consultant during the project, if available:

1. Any traffic data or traffic studies conducted along the project corridor. If needed traffic data will be supplement with field data collection
2. Fort Bend County Traffic Signal Design Standards and Specifications (via Fort Bend County website).

Gradient will obtain the following:

1. 24-hour turning movement counts at the intersection of FM 762 at Berdett Road.
2. 24-hour turning movement counts at the intersection of Berdett Road and Reading Road.

Traffic Signal Warrant Analysis

The basic scope of services for the traffic signal warrant analysis for the intersection of FM 762 at Berdett Road is as follows:

1. Three field visits to the site, one during the AM Peak Hour, one during the off-peak hours, and one during the PM Peak Hour to assess existing traffic conditions.
2. Develop projected traffic volumes based upon the extension of Reading Road from Berdett Road to FM 762.
3. Conduct traffic signal warrant analysis for the proposed intersection of FM 762 at Reading Road.
4. Preparation of technical memorandum report, including schematic graphics (suitable for TxDOT and Fort Bend County review).

1.D – Drainage

We have assumed that updating the modeling for Drainage Impact Analysis (DIA) is not required. The DIA accounts for the full 100-foot ROW as impervious. Therefore, the detention volume design accounts for the ultimate road development. We will include a clarification to note the design revision from a boulevard section to a 2-lane road within the DIA as a paragraph within the report.

1.S – Surveying

Scope attached from Weisser Surveying for additional survey needed at FM 762 Signal.

2.T – Traffic Signal Plans

Gradient will provide design services for traffic signal design for the intersection of FM 762 and Reading Road. Design will include the following and will adhere to TxDOT standards. The design plans will include existing condition layout, signal layout, signal elevation layout, ramp/ADA detail sheet, pavement marking and signing layout, and standard detail sheets.

The design will feature:

1. Mast-arm installation.
2. Signal heads and luminaires will be LED-type.
3. Vehicular detection.
4. Audible pedestrian actuation (APS) and pedestrian signal heads (LED countdown type).

Existing Conditions

Gradient will develop an existing conditions layout that includes all identifiable utilities, drainage, roadway, and both existing roadway and any proposed ROW.

Ramp/ADA Detail Sheet

Gradient will develop a detail sheet identifying pedestrian ramps on all four corners of the intersection with 5'X5' pads as per ADA requirements and in accordance with TxDOT standards.

Mr. Kevin Mineo, P.E.

March 28, 2024

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Proposed Signal Layout Sheet

Gradient will develop a traffic signal design layout that includes traffic signal poles and pedestrian poles (type and placement), mast arm lengths, luminaires, cabinet location, vehicle detection, vehicle and pedestrian head (type and placement), accessible pedestrian push buttons (APS) (placement), ramp and crosswalks (type and placement), and meter pole (type and location).

Signal Detail Layout Sheet

Gradient will develop the signal detail layout that includes electrical chart, meter and service information, signal details, pedestrian signal details, pedestrian pushbutton details, sign details, and pole and controller cabinet location table.

Traffic Signal Elevation Layout Sheet

Gradient will develop a signal elevation layout for the subject intersection which will include all approaches to the intersection. Mounting elevations of signal heads and other signal-related items shall conform to the Texas MUTCD and TxDOT standards.

Traffic Control Plan

It is not anticipated that a site-specific TCP will be required for this traffic signal design. TxDOT TCP standards will apply for this installation.

Quantities and Estimates

Quantities and estimates for traffic signal items will be prepared for Contractor and submitted to Fort Bend County and TxDOT for review as per the design submittals.

Traffic Sheet will include the following:

1. TxDOT Signal General Notes
2. Traffic Signal Summary of Quantities
3. Existing Conditions and Removal Sheet
4. Proposed Traffic Signal Layout Sheet
5. Proposed Traffic Signal Legend Sheet
6. Proposed Traffic Signal Elevation Sheet
7. Proposed TCP – TxDOT Standard Detail
8. Proposed TxDOT Traffic Signal Standard Details

Traffic Signal Deliverables

Project deliverables will include a 70%, 95% and 100% plan sheets included with the full roadway submittal for review and approval by the TxDOT Houston District and Ft Bend County as required. Gradient will develop all necessary bid documents as needed for the bidding of the project.

Mr. Kevin Mineo, P.E.

March 28, 2024

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Fee Summary

The proposed detailed lump sum fee is shown in the attached Level-of-Effort. Reference total contract fee summary below.

| Contract | Fee |
|-------------------|------------------------|
| Original Contract | \$ 279,791.60 |
| Amendment #1 | \$ 53,260.20 |
| Amendment #2 | \$ 726,395.60 |
| Amendment #3 | \$ 116,836.20 |
| | \$ 1,176,283.60 |

Engineering services will be billed monthly based on the percentage of work completed. Optional Services will be billed as defined by authorization for such optional services.

We appreciate the opportunity to present this Addendum #3. If you need additional information in support of this proposal, please contact me at 832-779-5700 or on my mobile at 979-574-5173.

Respectfully Submitted,
GRADIENT GROUP, LLC



Stephanie Anderson, PE
Project Manager



Reading Road - Amendment #3

20300-0004

Project Manager: Stephanie Anderson, PE

3/28/2024

| | | | |
|-------------------------------------|---------------------------------------|-----------|-------------------|
| BASIC SERVICES | | \$ | 83,836.20 |
| PHASE 1 | Preliminary Engineering Report | \$ | 45,004.80 |
| | 1P - Pre-Design Study | \$ | 29,121.60 |
| | 1T - Traffic | \$ | 8,621.20 |
| | 1D - Drainage | \$ | 816.00 |
| | 1S - Survey | \$ | 6,446.00 |
| Phase 2 | Engineering Design Services | \$ | 38,831.40 |
| | 2T - Traffic Signal Design | \$ | 38,831.40 |
| OPTIONAL ADDITIONAL SERVICES | | \$ | 33,000.00 |
| PHASE 1 | Preliminary Engineering Report | \$ | 33,000.00 |
| | Proposed Acquisition Parcel Survey | \$ | 33,000.00 |
| TOTAL PROJECT COST | | \$ | 116,836.20 |

PRODUCTION MANHOUR LEVEL OF EFFORT - PHASE 1 PRELIMINARY ENGINEERING

Project: **Reading Road - Amendment #3**

Project #: 20300-0004

Date: 3/28/2024

Revised:



Project Manager: **Stephanie Anderson, PE**

| SHEET NO. | DESCRIPTION | QA/QC Manager | Sr. Project Manager | Roadway Engineer | Drainage Engineer | Traffic Engineer | Engineer-In-Training | Senior CADD Designer | CADD Designer | Administrative | TOTAL HOURS | COST |
|---|--|---------------|---------------------|------------------|-------------------|------------------|----------------------|----------------------|---------------|----------------|-------------|------------------|
| | | \$374.00 | \$323.00 | \$272.00 | \$272.00 | \$272.00 | \$160.00 | \$159.80 | \$108.80 | \$102.00 | | |
| BASIC SERVICES - PHASE 1 PRELIMINARY ENGINEERING REPORT | | | | | | | | | | | | |
| 1P - Pre-Design Study | | | | | | | | | | | | |
| | Bi-Weekly 30 Minute Progress Meetings (6 Months) | | 9.0 | 9.0 | | | | | | | 18.0 | \$ 5,355.00 |
| | Bridlewood and Misty Meadow.- Sight Triangle Evaluation (4 Approaches) | | 1.0 | | | 1.0 | 2.0 | 2.0 | 10.0 | | 16.0 | \$ 2,322.60 |
| | ROW Exhibit | | | 1.0 | | | 4.0 | 4.0 | 12.0 | | 21.0 | \$ 2,856.80 |
| | Identify Existing Utilities and Create Utility Conflict Table | | | 1.0 | | | 4.0 | | | | 5.0 | \$ 912.00 |
| | Schematic Plan Sheets Layout of Roadway and Detention - Proposed Conditions Evaluation | 2.0 | 2.0 | 4.0 | 4.0 | 4.0 | 8.0 | 12.0 | 24.0 | | 60.0 | \$ 10,466.80 |
| | Draft PER Report | 2.0 | 2.0 | 2.0 | 2.0 | 2.0 | 2.0 | 8.0 | 20.0 | 4.0 | 44.0 | \$ 7,208.40 |
| 1P - Pre-Design Study Total | | | | | | | | | | | \$ | 29,121.60 |
| 1.1T - Traffic | | | | | | | | | | | | |
| | 24 Hour Traffic Data Collection - Turning Movement Counts (2) | 2.0 | Locations @ | \$ 1,300.00 | per location | | | | | | | \$ 2,600.00 |
| | Develop Projected Traffic Volumes | | | | | 2.0 | 2.0 | 2.0 | | | | \$ 1,183.60 |
| | Traffic Signal Warrant Analysis - Option 1 | | | | | 2.0 | 2.0 | 2.0 | | | | \$ 1,183.60 |
| | Traffic Signal Warrant Report Preparation | | 2.0 | | | 4.0 | 12.0 | | | | | \$ 3,654.00 |
| 1.1T - Traffic Total | | | | | | | | | | | \$ | 8,621.20 |
| 1D - Drainage | | | | | | | | | | | | |
| | Scope clarification paragraph added to DIA | | 1.0 | | 3.0 | | | | | | | \$ 816.00 |
| 1D - Drainage Total | | | | | | | | | | | \$ | 816.00 |
| 1S - Survey | | | | | | | | | | | | |
| | Control and ROW at FM 762 south of proposed Reading Rd Connection | | | | | | | | | | | \$ 2,765.00 |
| | Topographic Survey at FM 762 south of proposed Reading Rd connection | | | | | | | | | | | \$ 3,095.00 |
| | Coordination & Management | | | | | | | | | | | \$ 586.00 |
| 1S - Survey Total | | | | | | | | | | | \$ | 6,446.00 |
| BASIC SERVICES - PHASE 1 PRELIMINARY ENGINEERING REPORT COST | | | | | | | | | | | \$ | 45,004.80 |
| OPTIONAL / ADDITIONAL SERVICES - PHASE 1 PRELIMINARY ENGINEERING REPORT | | | | | | | | | | | | |
| 1.1S - Survey | | | | | | | | | | | | |
| | Proposed Acquisition Parcel Survey | 12.0 | Parcels @ | \$ 2,500.00 | per Parcel | | | | | | | \$ 30,000.00 |
| | Coordination & Management | | | | | | | | | | | \$ 3,000.00 |
| 1.1S - Survey Total | | | | | | | | | | | \$ | 33,000.00 |
| OPTIONAL / ADDITIONAL SERVICES - PHASE 1 PRELIMINARY ENGINEERING REPORT COST | | | | | | | | | | | \$ | 33,000.00 |
| TOTAL - PHASE 1 PRELIMINARY ENGINEERING REPORT COST | | | | | | | | | | | \$ | 78,004.80 |

PRODUCTION MANHOUR LEVEL OF EFFORT - PHASE 2 ENGINEERING DESIGN

Project: **Reading Road - Amendment #3**
 Project #: 20300-0004
 Date: 3/28/2024
 Revised:



Project Manager: Stephanie Anderson, PE

| SHEET NO. | DESCRIPTION | Sr. Project Manager | Traffic Engineer | Project Engineer | Senior CADD Designer | CADD Designer | Administrative | TOTAL HOURS | Number Sheets | Hours per Sheet | COST |
|--|--|---------------------|------------------|------------------|----------------------|---------------|----------------|-------------|---------------|-----------------|---------------------|
| | | \$323.00 | \$272.00 | \$187.00 | \$159.80 | \$108.80 | \$102.00 | | | | |
| BASIC SERVICES - PHASE 2 ENGINEERING DESIGN PHASE | | | | | | | | | | | |
| 2T - Traffic Signal Design | | | | | | | | | | | |
| | GENERAL SHEETS | | | | | | | | | | |
| | TxDOT Signal General Notes | | 1.0 | 1.0 | 2.0 | | | 4.0 | 1.0 | 4.0 | \$ 778.60 |
| | Traffic Signal Summary of Quantities | | 2.0 | 4.0 | 4.0 | 12.0 | | 22.0 | 1.0 | 22.0 | \$ 3,236.80 |
| | Existing Conditions and Removed Sheets | | 2.0 | 6.0 | 16.0 | 16.0 | | 40.0 | 2.0 | 20.0 | \$ 5,963.60 |
| | Proposed Traffic Signal Layout Sheet | | 4.0 | 18.0 | 16.0 | 24.0 | | 62.0 | 2.0 | 31.0 | \$ 9,622.00 |
| | Proposed Traffic Signal Legend Sheet | | 2.0 | 12.0 | 12.0 | 8.0 | | 34.0 | 1.0 | 34.0 | \$ 5,576.00 |
| | Proposed Traffic Signal Elevation Sheet | | 2.0 | 4.0 | 8.0 | 12.0 | | 26.0 | 1.0 | 26.0 | \$ 3,876.00 |
| | Traffic Signal Design Standards | | 1.0 | 4.0 | | 8.0 | | 13.0 | 8.0 | 1.6 | \$ 1,890.40 |
| | 2T - Traffic Signal Design TOTAL | | | | | | | | | | \$ 30,943.40 |
| 2P - Project Management (Meetings & Coordination) | | | | | | | | | | | |
| | Traffic Signal Warrant Analysis Field Work | | 6.0 | 6.0 | | | | 12.0 | | | \$ 2,754.00 |
| | Centerpoint SOLS Meeting & Coordination | | 4.0 | 4.0 | | | 8.0 | 16.0 | | | \$ 2,652.00 |
| | Project Management | 2.0 | 4.0 | 4.0 | | | | 10.0 | | | \$ 2,482.00 |
| | 2P - Project Management (Meetings & Coordination) Total | | | | | | | | | | \$ 7,888.00 |
| TOTAL - PHASE 2 DESIGN PHASE | | | | | | | | | | | \$ 38,831.40 |

CHANGE ORDER REQUEST

Additional Service Compensation Request By:

| | |
|--------------------------|------------------------|
| WES Representative Name | John W. Harvill |
| WES Representative Title | Director of Surveying |
| Date of Request | 3/12/24 |
| WES Job No. | IG085 |
| Job Location | Reading Road Expansion |

Client Information

| | |
|-----------------------------|---|
| Client Name. | Gradient Group |
| Client Address | 2107 CityWest Boulevard, Suite 450 Houston, TX 77042 |
| Client Representative Name | Stephanie Anderson |
| Client PO/Reference Job No. | IG085 |

| | |
|---|---|
| Additional Services Requested/Performed | Additional 500 Linear Feet South of Proposed Intersection of FM 762. Control and ROW = \$5.53/ft = \$2,765.00 TOPO = \$6.19/ft = \$3,095.00 Parcels = \$2,500.00/parcel. 12 Parcels = \$30,000 |
|---|---|

| | |
|---------------------------|---------------------------|
| Deliverables Included | Same as Previous Contract |
| Estimated Completion Date | TBD |

Compensation for Additional Services: \$35,860.00


TERMS AND CONDITIONS

This Change Order is entered into (1) pursuant to the terms of the Agreement and the Terms and Conditions herein, or (2) if an Agreement is not currently in effect, then in accordance with the Terms and Conditions herein, by and between Weisser Engineering Company, Inc. DBA Weisser Engineering & Surveying, a Texas corporation ("WES") and the Client named above. WES agrees to perform the Additional Services for Client pursuant to the terms, conditions and provisions of the Agreement, if applicable, and this Change Order. Client promises to pay each of WES's invoices based on MSA dated 08/30/2021.

By signing below, Client affirms that the individual signing below has the requisite authority to authorize the commitment described herein, agrees to be legally bound by the terms herein, and that this Change Order is by reference hereby made part of the Agreement, if applicable. **WES'S LIABILITY TO CLIENT FOR CLAIMS OF ANY KIND, WHETHER**

BASED ON CONTRACT OR TORT OR OTHERWISE RELATING TO THIS CHANGE ORDER, SHALL NOT EXCEED THE COMPENSATION PAID OR OWED TO WES FOR SERVICES UNDER THIS CHANGE ORDER. In no event shall WES be liable to Client for any unrealized costs, anticipated profits, or any other consequential damages.

This Change Order Is Agreed To & Accepted By:

| | |
|------------------------|--|
| Authorizing Contractor | Weisser Engineering & Surveying |
| Company Name: |  |
| Signature: | Printed Name: Taylor R. Sass |
| Printed Name: | Title: President & CEO |
| Title: | |
| Contact Email: | |
| Phone Number: | |

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:
2024-1190484

Date Filed:
07/22/2024

Date Acknowledged:
08/13/2024

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Gradient Group, LLC
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.

SOQ 14-025
Reading Road Intersections under 2020 Mobility Bond Project No. 20109 pursuant to SOQ 14-025

| 4 | Name of Interested Party | City, State, Country (place of business) | Nature of interest (check applicable) | |
|---|--------------------------|--|---------------------------------------|--------------|
| | | | Controlling | Intermediary |
| | Anderson, Stephanie | Houston, TX United States | X | |
| | Holcombe, T Wayne | Houston, 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)