

**FIRST AMENDMENT TO THE AGREEMENT BETWEEN HARRIS COUNTY
AND HARRIS COUNTY PRECINCT TWO FOR PARKWOOD ESTATES WATER
DISTRIBUTION SYSTEMS PHASE II**

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This First Amendment to the Agreement is entered into by and between Harris County, a body corporate and politic under the laws of the State of Texas (the “Grantee”) and Harris County Precinct Two (the “Sponsor”). The Grantee and Sponsor may each be referred to herein individually as a “Party” or collectively as the “Parties”.

Recitals

On or about February 8, 2022, Grantee entered into an Agreement (the “Master Agreement”) for Services with Sponsor under which the Sponsor would provide infrastructure improvements to construct approximately 1,025 linear feet of 6” waterlines and 1,114 linear feet of 12” waterlines and service connections for Harris County Precinct Two Parkwood Estates Water Distribution Systems Phase II.

The Parties now desire to enter into a First Amendment to the Agreement (“First Amendment”) to revise Exhibit B, Budget and to increase the project allocation by \$242,738.09 in Community Development Block Grant (the “CDBG”) funds. The total project allocation is increased from \$1,146,624.00 to \$1,389,362.09.

Terms

I.

This First Amendment shall be governed by the Master Agreement, incorporated herein by reference as if set forth word for word.

II.

Exhibit B of the Master Agreement is replaced entirely. The amended Exhibit, Budget is attached hereto and shall be known as Exhibit B, Budget for the First Amendment to the Agreement.

III.

In the event of any conflict between the term and provisions of this First Amendment, or any portion thereof, and the terms and provisions of any other part or portion of the Master Agreement, this First Amendment shall control.

IV.

All other terms and provisions of the Master Agreement shall remain in full force and effect as originally written and subsequently amended.

V.

Multiple Counterparts: This First Amendment may be executed in several counterparts. Each counterpart is deemed an original. All counterparts together constitute one and the same instrument. Each Party warrants that the undersigned is a duly authorized representative with the power to execute this First Amendment.

HARRIS COUNTY

By: _____
Lina Hidalgo
County Judge

APPROVED AS TO FORM:

CHRISTIAN D. MENEFEE
County Attorney

By: An Le
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Assistant County Attorney
CAO File No.: 22GEN3572

HARRIS COUNTY PRECINCT TWO

DocuSigned by:
By: Faustino Benavidez
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ATTEST

By: _____
Secretary

Exhibit B, BUDGET for the First Amendment to the Agreement

**Harris County Precinct Two
Parkwood Estates Water Distribution Systems Phase II Project**

Maximum Amount to be Paid Under this Agreement

It is expressly agreed and understood that the total amount to be paid by the Grantee under this Agreement shall not exceed ONE MILLION THREE HUNDRED EIGHTY-NINE THOUSAND THREE HUNDRED SIXTY-TWO DOLLARS AND 09/100 (\$1,389,362.09) as certified available by the Harris County Auditor and as evidenced by the issuance of a Purchase Order from the Harris County Purchasing Agent.

PROJECT SUMMARY

DESCRIPTION		CSD (CDBG)	LEVERAGE	TOTAL
Project Costs				
I.	Acquisition	\$0.00	\$0.00	\$0.00
II.	Architectural/Engineering Design		\$163,500.00	\$163,500.00
III.	Construction	\$1,363,611.09	\$295,463.00	\$1,659,074.09
IV.	HCED	\$25,751.00		\$25,751.00
Project Budget Total		\$1,389,362.09	\$458,963.00	\$1,848,325.09

CDBG PY: PY(21) \$80,681.50, PY(20) \$1,065,942.50, PY(19) \$155,386.60, PY(18) \$80,000.00, PY(17) \$7,351.49

PROJECT DETAIL

Project Costs		CSD (CDBG)	LEVERAGE	TOTAL
I.	Acquisition			
	Acquisition			\$0.00
	Legal, Title Recording, etc.			\$0.00
	Appraisal, Survey			\$0.00
	Environmental Study			\$0.00
	Subtotal	\$0.00	\$0.00	\$0.00
II.	Architectural/Engineering Design			
	Schematic/Preliminary Design			\$0.00
	Design Development		138,500	\$138,500.00
	Construction Documentation			\$0.00
	Bidding and Negotiations		10,000	\$10,000.00
	Construction Administration		15,000	\$15,000.00
	Additional Services (may include, surveying, testing, etc.)			\$0.00
	Subtotal	\$0.00	\$163,500.00	\$163,500.00
III.	Construction			
	Construction (new construction, rehabilitation, renovation)	\$1,298,677.09	\$263,393.00	\$1,562,070.09
	Contingency (@ 5% of construction)	\$64,934.00	\$14,070.00	\$79,004.00
	Surveying			\$0.00
	Testing		\$18,000.00	\$18,000.00
	Inspection			\$0.00
	Subtotal	\$1,363,611.09	\$295,463.00	\$1,659,074.09
Project Detail Total		\$1,363,611.09	\$458,963.00	\$1,822,574.09

PID ALLOCATION

CATEGORIES		CSD (CDBG)	LEVERAGE	TOTAL
IV.	HCED			
	A/E Administration and Inspection	\$25,751.00		\$25,751.00
	Testing			\$0.00
	Subtotal	\$25,751.00	\$0.00	\$25,751.00

TOTAL PROJECT ALLOCATION

Total Project Allocation		\$1,389,362.09	\$458,963.00	\$1,848,325.09
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ORDER OF COMMISSIONERS COURT

Authorizing Execution of an Amendment

The Commissioners Court of Harris County, Texas, convened at a meeting of said Court at the Harris County Administration Building in the City of Houston, Texas, on the ____ day of _____, 2022, with all members present except_____.

A quorum was present. Among other business, the following was transacted:

**ORDER AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO THE
AGREEMENT BETWEEN HARRIS COUNTY AND HARRIS COUNTY PRECINCT 2
FOR INFRASTRUCTURE IMPROVEMENTS TO PARKWOOD ESTATES WATER
DISTRIBUTION SYSTEMS PHASE II**

Commissioner _____ introduced an order and moved that Commissioners Court adopt the order. Commissioner _____ seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

	Yes	No	Abstain
Judge Lina Hidalgo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Rodney Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Adrian Garcia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Tom S. Ramsey, P.E.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. R. Jack Cagle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The County Judge thereupon announced that the motion had duly and lawfully carried and that the order had been duly and lawfully adopted. The order adopted follows:

IT IS ORDERED that:

1. County Judge is hereby authorized to execute for and on behalf of Harris County a First Amendment to the Agreement between Harris County and Harris County Precinct 2. The total cost to the County for all Services provided for in this First Amendment to the Agreement shall not exceed \$1,389,362.09. The First Amendment to the Agreement is incorporated herein as though fully set forth word for word.
2. All Harris County officials and employees are authorized to take such action and execute other documents as they deem necessary or convenient to carry out the purposes of this Order.