

**FIRST AMENDMENT TO THE AGREEMENT BETWEEN HARRIS COUNTY
AND THE CITY OF FRIENDSWOOD FOR THE FOREST BEND DETENTION POND
PROJECT**

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This First Amendment to the Agreement is made and entered into by and between Harris County (the "Grantee") and the City of Friendswood (the "Subrecipient"). The Grantee and the Subrecipient are known individually as "Party" and collectively as "Parties."

Recitals

On June 9, 2020, the Grantee approved an Agreement (the "Master Agreement") with the City of Friendswood for the Forest Bend Detention Pond Project during the term of this Agreement. The scope of the Project is to construct and maintain a new storm water detention pond on property owned by the Forest Bend HOA and benefiting surrounding homes by reducing potential flooding within the Forest Bend neighborhood and complete site work and appurtenances. The project is generally bounded on the North by Ravine Dr., South by FM 528, West by Clear Creek and East by Townes Rd., in Precinct Two. This is an eligible activity under the rules and regulations regarding CDBG-DR Program Grant Funds (the "Services").

The Parties now desire to amend the Master Agreement to modify Exhibit B Budget.

Terms

I.

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

II.

Exhibit B Budget, is modified in the following respects:

Exhibit B, BUDGET
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 THREE MILLION SEVEN HUNDRED FOURTY-SIX THOUSAND TWENTY-TWO and 00/100 Dollars (\$3,746,022.00), 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-DR)	LEVERAGE	TOTAL
Project Costs			
I Engineering/ Architectural Design	\$410,048.00	\$25,000.00	\$435,048.00
II Construction	\$3,335,974.00	\$296,008.00	\$3,631,982.00
Project Budget Total	\$3,746,022.00	\$321,008.00	\$4,067,030.00

CDBG-D PY 2017 \$3,746,022.00

PROJECT DETAIL

PROJECT COSTS	CSD (CDBG-DR)	LEVERAGE	AMOUNT
I. Engineering/ Architectural Design			
Engineering/ Architectural Services	410,048.00	25,000.00	435,048.00
Subtotal	\$410,048.00	\$25,000.00	\$435,048.00
II. Construction			
Construction (new construction, rehabilitation, renovation)	3,335,974.00	296,008.00	3,631,982.00
Subtotal	\$3,335,974.00	\$296,008.00	\$3,631,982.00
Project Detail Total	\$3,746,022.00	\$321,008.00	\$4,067,030.00

IV.

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

V.

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

VI.

EXECUTION

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 Amendment.

ATTEST:

THE CITY OF FRIENDSWOOD

By: 

By: 

Name: LETICIA BEYERS

Name: MORAD KABIRI

Title: CITY MANAGER

Date Signed: 05/02/2023



APPROVED AS TO FORM:

HARRIS COUNTY

CHRISTIAN D. MENEFEE

Harris County Attorney

By: 

By: _____

Michael James

LINA HIDALGO

Senior Assistant County Attorney

County Judge

CA File Number: 23GEN0988

Date Signed: April 20, 2023

Date Signed: _____

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

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 _____, 2023, with the following members present, to wit:

Lina Hidalgo	County Judge
Rodney Ellis	Commissioner, Precinct No. 1
Adrian Garcia	Commissioner, Precinct No. 2
Tom S. Ramsey	Commissioner, Precinct No. 3
Lesley Briones	Commissioner, Precinct No. 4

And the following members absent, to-wit _____, constituting a quorum, when among other business, the following was transacted:

ORDER AUTHORIZING EXECUTION OF FIRST AMENDMENT BETWEEN HARRIS COUNTY AND CITY OF FRIENDSWOOD FOR THE FOREST BEND DETENTION POND PROJECT

Commissioner _____ introduced an order and made a motion that the same be adopted. 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 Hidalgo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Garcia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Ramsey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Briones	<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 amended order thus adopted follows:

IT IS ORDERED that the Executive Director of Harris County Community Services Department is hereby authorized to execute First Amendment to the Agreement between Harris County and City of Friendswood to modify Exhibit B Budget. The Amendment is incorporated herein as though fully set forth word for word.

The Executive Director of Harris County Community Services Department or her designee is authorized to take such actions and execute such other documents as they deem necessary or convenient to carry out the purpose of this Amendment.