

STATE OF TEXAS §
COUNTY OF FORT BEND §

THIRD AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES

(Freese and Nichols, Inc. – Kitty Hollow Lake Dam Repair Project)

THIS THIRD AMENDMENT ("Third Amendment") is entered into by and between Fort Bend County Drainage District ("District"), a special district organized under the laws of the state of Texas, and Freese and Nichols, Inc. ("CONSULTANT"), a Texas corporation. District and CONSULTANT are hereinafter collectively referred to as the "Parties" and each individually a "Party."

WHEREAS, the Parties previously entered into that certain agreement on February 28, 2023 (the “Agreement”) for Professional Engineering Services for the Kitty Hollow Lake Dam Repair Project to assist the District in meeting the Texas Commission on Environmental Quality’s dam safety requirements; and

WHEREAS, the Agreement was subsequently amended on July 10, 2024 (the “First Amendment”) and January 15, 2025 (the “Second Amendment”) to provide for additional services; and

WHEREAS, by execution of this Third Amendment, the Parties desire to amend the Agreement to extend the Time for Performance under the Agreement, and to otherwise ratify and confirm all the terms and conditions 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. **Time for Performance.** The parties mutually agree the terms and conditions have remained in effect to date and the Time of Performance under the Agreement shall be extended to end no later than March 10, 2027. CONSULTANT shall complete the Services as within this time or within such additional time as may be extended by County.
2. **Recitals.** The recitals set forth above are incorporated herein by reference and made a part of the Agreement.
3. **Human Trafficking.** BY ACCEPTANCE OF THIS THIRD AGREEMENT, CONSULTANT ACKNOWLEDGES THAT FORT BEND COUNTY IS OPPOSED TO HUMAN TRAFFICKING AND THAT NO DISTRICT FUNDS WILL BE USED IN SUPPORT OF SERVICES OR ACTIVITIES THAT VIOLATE HUMAN TRAFFICKING LAWS.

4. **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 Third Amendment shall prevail with regard to the conflict.

{Execution Page Follows}

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FORT BEND COUNTY DRAINAGE DISTRICT

KP George, County Judge

Date

ATTEST:

Laura Richard, County Clerk

APPROVED:



Mark Vogler, P.E., Chief Engineer

FREESE AND NICHOLS, INC.



Authorized Agent – Signature

Cody Cockroft

Authorized Agent- Printed Name
Vice President

Title
04-18-2025

Date