

STATE OF TEXAS  
COUNTY OF FORT BEND

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KNOW ALL BY THESE PRESENTS:

**FIRST AMENDMENT TO SUBRECIPIENT AGREEMENT FOR  
PUBLIC IMPROVEMENT PROJECT FY20**

THIS FIRST AMENDMENT is made and entered into by and between City of Rosenberg, a body corporate and politic located within the State of Texas (hereinafter referred to as "City") and Fort Bend County, a body corporate and politic under the laws of the State of Texas (hereinafter referred to as "County" or "Grantee").

WHEREAS, the parties have executed and accepted that certain Subrecipient Agreement for Public Improvement Project on or about March 12, 2024 and incorporated herein by reference as if set forth herein verbatim (collectively the "Agreement"); and

WHEREAS, the Parties now desire to amend the Project description to include rehabilitation to the remaining portion of the water distribution system in this LMI service area within the floodplain, and updating construction cost estimates from 2020 to 2025 valuations; and

WHEREAS, the following changes are incorporated as if a part of the original Agreement incorporated by reference in the same as if fully set forth verbatim herein;

**NOW, THEREFORE**, the parties do mutually agree as follows:

1. Under Section I, the scope of services shall be amended to include additional services as described in the Exhibit "A" and incorporated herein for all purposes.
2. Under Section VI, the term of performance shall be extended for an additional period of time ending on August 31, 2026.
3. The Maximum Compensation payable to City for Services rendered for additional Services as described in the Exhibit "A" is hereby increased to an amount not to exceed **Nine hundred Seventy-nine thousand Four hundred and Six dollars and 26/100 (\$979,406.26)**, authorized as follows:

\$666,675.00 under the Agreement; and

\$979,406.26 under this Amendment

for a total amount not to exceed \$1,646,081.26.

4. In no case shall the amount paid by County for all Services under the Agreement and this Amendment exceed the Maximum Compensation without an agreement executed by the parties.

Except as provided herein, all terms and conditions of the Agreement, including any addenda or amendments, not modified shall remain in full force and effect. If there is a conflict between the Agreement and this Amendment, the provisions of this Amendment shall prevail with regard to the conflict.

*{Execution Page Follows}*  
*{Remainder Intentionally Left Blank}*

IN WITNESS WHEREOF, the parties put their hands to this First Amendment on the dates indicated below.

**GRANTEE: FORT BEND COUNTY**

\_\_\_\_\_  
KP George, County Judge

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Laura Richard, County Clerk

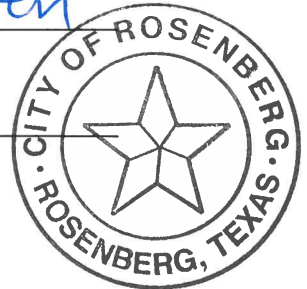
**SUBRECIPIENT: CITY OF ROSENBERG**

William Benton  
William Benton, Mayor

April 1, 2025  
Date

ATTEST:

Danyel Swint  
Danyel Swint, City Secretary



APPROVED AS TO LEGAL FORM:

Huma Ahmed  
Huma Ahmed, Assistant County Attorney

**AUDITOR'S CERTIFICATE**

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

\_\_\_\_\_  
Robert Ed Sturdivant, County Auditor

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## EXHIBIT A

## **SCOPE OF AGREEMENT**

The Project description is amended below to include rehabilitation to the remaining portion of the water distribution system in this LMI service area within the floodplain and updating construction cost estimates from 2020 to 2025 valuations.

### **REVISED PROJECT DESCRIPTION:**

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

For Phase VIII, approximately 16,863 linear feet of 4", 6", and 8" water main rehabilitation improvements are proposed to service this area. An estimated 159 services will be reconnected and approximately nine (9) new flushing valves will be installed. This work will also result in additional water service loops that will improve circulation and pressure for the entire low-mod neighborhood. All work for this project will be completed in established easements and rights-of-way, and all reclamation efforts will be completed for area residents as well as any street repairs necessary to facilitate the project.

## RESOLUTION NO. R-3850

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE, FOR AND ON BEHALF OF THE CITY, A FIRST AMENDMENT TO SUBRECIPIENT AGREEMENT FOR PUBLIC IMPROVEMENT PROJECT FY20, BY AND BETWEEN THE CITY AND FORT BEND COUNTY, FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING FOR THE NORTH ROSENBERG WATER DISTRIBUTION IMPROVEMENTS PROJECT - PHASE VIII, BY INCREASING THE AMOUNT OF CDBG FUNDING FROM \$666,675.00 TO \$1,646,081.26, AND EXTENDING THE AGREEMENT TERM TO AUGUST 31, 2026.**

\* \* \* \*

**WHEREAS**, on March 5, 2024, City Council approved a Subrecipient Agreement for Public Improvement Project, by and between the City and Fort Bend County, for Community Development Block Grant (CDBG) funding for the North Rosenberg Water Distribution Improvements Project – Phase VIII, in the amount of \$666,675.00 by Resolution No. R-3622; and,

**WHEREAS**, on February 18, 2025, City Council approved a request for an amendment to the Subrecipient Agreement for Public Improvement Project, by and between the City and Fort Bend County, for CDBG funding for the North Rosenberg Water Distribution Improvements Project – Phase VIII by increasing the amount of CDBG Funding requested from \$666,675.00 to \$1,646,081.26, by Resolution No. R-3836; and,

**WHEREAS**, the City finds it in its best interest to approve an amendment to the Subrecipient Agreement for Public Improvement Project with Fort Bend County, for CDBG funding for the North Rosenberg Water Distribution Improvements Project – Phase VIII, by increasing the amount of CDBG funding from \$666,675.00 to \$1,646,081.26, and extending the agreement term to August 31, 2026; now therefore,

### **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROSENBERG:**

Section 1. The City Council hereby authorizes the Mayor to execute a First Amendment to Subrecipient Agreement for Public Improvement Project FY20 (Amendment), by and between the City and Fort Bend County, for CDBG funding for the North Rosenberg Water Distribution Improvements Project – Phase VIII, by increasing the amount of CDBG funding from \$666,675.00 to \$1,646,081.26, and extending the agreement term to August 31, 2026.

Section 2. A copy of said Amendment is attached hereto as Exhibit "A" and made a part hereof for all purposes.

PASSED, APPROVED, AND RESOLVED this 1<sup>st</sup> day of April 2025.

ATTEST:

APPROVED:

Danyel Swint  
Danyel Swint, TRMC, CITY SECRETARY

William Benton  
William Benton, MAYOR

