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FIRST AMENDMENT TO PROJECT FUNDING AGREEMENT
REGARDING TW DAVIS YMCA

THIS FIRST AMENDMENT regarding Project Funding for TW DAVIS YMCA (hereinafter “First Amendment”) is made and entered into by and between Fort Bend County Texas, (hereinafter “County”), a body corporate and politic under the laws of the State of Texas, acting by and through its Commissioners Court, and the YMCA of Greater Houston, (hereinafter “TW Davis YMCA”), a non-profit corporation duly authorized and existing under the laws of the State of Texas, acting by and through its Association Board. County and TW Davis YMCA may be hereinafter collectively referred to as the “Parties” and each individually a “Party.”

WHEREAS, on or about September 24, 2024, the Parties executed and accepted that certain Project Funding Agreement Regarding TW Davis YMCA (hereinafter “Agreement”) which is incorporated by reference as if set forth herein verbatim; and

WHEREAS, by execution of this Amendment, the Parties desire to amend the Agreement to provide additional services by TW Davis YMCA, to increase the Total Maximum Compensation for completion of such services and to otherwise ratify and confirm all the terms and conditions as set forth herein.

NOW, THEREFORE, in consideration of the foregoing, the Parties do mutually agree that the Agreement between the Parties is hereby amended as follows:

1. **Recitals.** The recitals set forth above are incorporated herein by reference and made a part of the Agreement.
2. **Scope of Services.** County shall pay TW Davis YMCA an additional Sixty-Five Thousand and no/100 dollars (\$65,000.00) for the performance and completion of additional services ("Services").
3. **Limit of Appropriation.** TW Davis YMCA understands and agrees that the Maximum Compensation payable to TW Davis YMCA for Services rendered under this Agreement is hereby increased to an amount not to exceed Two Million Five Hundred Sixty-Five Thousand and no/100 dollars (\$2,565,000.00), authorized as follows:

\$2,500,000.00	under the Agreement
\$65,000.00	under this First Amendment
TOTAL	\$2,565,000.00

In no event shall the amount paid by County under this Agreement exceed the Maximum Compensation without a County approved change order. TW Davis YMCA clearly understands and agrees, such understanding and agreement being the absolute essence of this Agreement, that County shall have available the total maximum sum of Two Million Five Hundred Sixty-Five Thousand and no/100 dollars (\$2,565,000.00) specifically allocated to fully discharge any and all liabilities County may incur under the Agreement.

TW Davis YMCA does further understand and agree, said understanding and agreement also being of the absolute essence of the Agreement, that the total Maximum Compensation that TW Davis YMCA may become entitled to and the total maximum sum that County may become liable to pay to TW Davis YMCA under the Agreement shall not under any conditions, circumstances, or interpretations thereof exceed Two Million Five Hundred Sixty-Five Thousand and no/100 dollars (\$2,565,000.00).

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 First Amendment shall prevail with regard to the conflict.

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{Execution Page Follows}

FORT BEND COUNTY

YMCA OF GREATER HOUSTON

KP George, County Judge

Authorized Agent- Signature

Date

Jennifer Garcia
Authorized Agent- Printed Name
Chief Financial Officer

ATTEST:

Title

Laura Richard, County Clerk

6.25.25
Date

APPROVED AS TO FORM:

Gwendolyn Climmons, Asst. Parks Director for
Darren McCarthy, Director
Parks and Recreation Department

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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to ymca project funding agreement.tw davis (kcj - 5.28.2025)