

STATE OF TEXAS §
COUNTY OF FORT BEND §

SECOND AMENDMENT TO
INTERLOCAL AGREEMENT FOR STORM SEWER IMPROVEMENTS
(Falcon Landing Boulevard Storm Sewer)

This Second Amendment to the Interlocal Agreement (this "Amendment"), authorized by Texas Government Code Chapter 791, is made and entered into by and between Fort Bend County, a body corporate and politic under the laws of the State of Texas, acting by and through its Commissioners Court, (the "County") and Fort Bend County Municipal Utility District No. 185, acting by and through its Board of Directors ("FB 185").

RECITALS:

WHEREAS, the County and FB 185 entered into an Interlocal Agreement on June 12, 2012, (hereinafter "the Agreement") and a First Amendment on September 25, 2012, (hereinafter "First Amendment") for construction of the Storm Sewer Project for the benefit of both FB 185 and County in connection with the extension of Falcon Landing Boulevard (the "Storm Sewer Project"); and

WHEREAS, County and FB 185 now desire to amend the Agreement to provide for a final accounting and payment.

NOW, THEREFORE, for and in consideration of the mutual covenants, agreements and benefits to both parties, the Agreement is amended as provided below:

1. Actual Costs. The Storm Sewer Project is 100% complete and the final costs are shown on Exhibit "A" attached hereto (the "Final Cost Distribution"). The Final Cost Distribution sheet attached hereto as Exhibit "A" is substituted for and replaces in its entirety Exhibit "B", the "Estimated Cost" summary attached to the Agreement.
2. Final Share. Pursuant to the Final Cost Distribution the County agrees to pay FB 185 the sum of \$101,290.88. This amount includes any funding provided by County under the Agreement and First Amendment.
3. Ratification. Except as modified herein, the Agreement remains in full force and effect and has not been modified or amended.

4. Conflict. If there is a conflict between this Amendment and the Agreement or First Amendment, the provisions of this Amendment shall prevail.

Execution

This Second Amendment has been executed by FB 185 and County upon and by the authority of their respective governing bodies. This Agreement is not effective until executed by County.

APPROVED AS TO FORM:

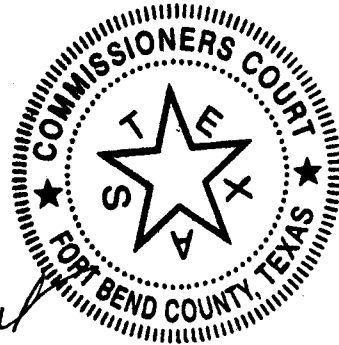
FORT BEND COUNTY:

ROY L. CORDES, JR.

County Attorney

By [Signature]
Assistant County Attorney

By [Signature]
ROBERT HEBERT, County Judge



Date: 11-12-13

Approved: [Signature]
Richard W. Stolleis, P.E.
County Engineer

Attest: [Signature]
Dianne Wilson, County Clerk

FORT BEND COUNTY
MUNICIPAL UTILITY DISTRICT NO. 185:

(DISTRICT SEAL)

By: _____
President

Attest:

By: _____
Secretary

EXHIBIT "A"
Storm Sewer Cost Distribution on Falcon Landing Blvd.

USDA Forest Service, Pacific Northwest Region, 2004-2005. *Phlox on the Edge*. Forest Management Plan. Aug. 2003. P. 15. <http://www.fs.fed.us/pnw/pnwdata/Ext03/030306.pdf>.

Manhole	Size (1 EA)	Unit Cost (per Mft)	Total Cost (\$)	Cost		FIBIGUM 155 (\$)
				FBC Cost (\$)		
42	42"	\$1,402.00	\$6.00	\$0.00		\$6.00
42	42"	\$1,402.00	\$1,402.00	\$1,393.58		\$1,960.42
42	42"	\$1,402.00	\$1,522.00	\$564.48		\$564.52
42	42"	\$1,402.00	\$1,522.00	\$550.14		\$550.16
42	42"	\$1,402.00	\$1,522.00	\$250.14		\$250.16
42	42"	\$1,402.00	\$221.00	\$220.72		\$1,001.28
42	42"	\$1,402.00	\$2,241.00	\$229.72		\$1,991.28
42	42"	\$1,402.00	\$2,241.00	\$177.20		\$1,963.80
42	42"	\$1,402.00	\$2,241.00	\$377.00		\$1,964.00
42	42"	\$1,402.00	\$2,241.00	\$377.00		\$1,964.00
42	42"	\$1,402.00	\$2,241.00	\$317.00		\$1,924.00
42	42"	\$1,402.00	\$2,241.00	\$300.14		\$1,940.86
42	42"	\$1,402.00	\$2,241.00	\$284.28		\$1,956.72
42	42"	\$1,402.00	\$2,241.00	\$294.28		\$1,946.72
42	42"	\$1,402.00	\$2,241.00	\$204.25		\$1,936.75
TOTAL MANHOLES			\$28,486.00	\$4,889.83		\$22,606.17

Total Cost -	<u>\$721,036.07</u>
Total FBC Cost -	<u>\$101,290.88</u>
Total FBCMUD 185 Cost -	<u>\$619,745.19</u>