

**FIRST AMENDMENT  
TO  
AGREEMENT OF APRIL 15, 2020  
WITH VACA UNDERGROUND  
UTILITIES, INC.**

THIS SUPPLEMENTAL AGREEMENT is made and entered into this 16<sup>th</sup> day of May, 2022, and modifies the MASTER SERVICE AGREEMENT ("Agreement") effective April 15, 2020 ("Effective Date") by and between Fort Bend Grand Parkway Toll Road Authority, a local government corporation ("Authority"), and Vaca Underground Utilities, Inc., ("Contractor"). The Agreement is hereby modified as follows:

1. The second paragraph of Section 3.04. Term and Termination is replaced with the following:

The Authority may request to renew the Agreement, at the same terms and conditions, and with future pricing revised according to the Consumer Price Index: CPI-U Based Price Adjustment Calculations for Houston, Texas. Renewals, if any, will be in one-year increments, not to exceed five years (2025) for the entire contract. Renewals will only be requested by the Authority if the Contractor is performing as expected. Contractor will be expected to execute a new Agreement if a renewal is requested by the Authority."

2. In accordance with Section 3.04 of the Agreement, as amended hereby, the Authority hereby exercises the first of three options to extend the Agreement for one year from June 30, 2022, extending the time for the Contractors performance of the Services under this Agreement to June 30, 2023.


This Supplemental Agreement does not alter, modify, or otherwise change any part of the Agreement, except as specifically stated in this Supplemental Agreement.

**[Remainder of page intentionally left blank.]**

First Agreement  
To Agreement of April 15, 2020

IN WITNESS WHEREOF, this Supplemental Agreement is hereby executed as of the date first set forth above.

FORT BEND GRAND PARKWAY TOLL ROAD  
AUTHORITY, a local government corporation

By:  \_\_\_\_\_

Name: Shoukat Dhanani

Title: Chairman

VACA UNDERGROUND UTILITIES, INC.

By:  \_\_\_\_\_

Name: Everardo Vala

Title: President

**EFFECTIVE DATE**

THIS AGREEMENT IS EFFECTIVE ON THE DATE IT IS APPROVED BY THE FORT BEND COUNTY COMMISSIONERS COURT, AND IF NOT SO APPROVED SHALL BE NULL AND VOID.

DATE OF COMMISSIONERS COURT APPROVAL: \_\_\_\_\_

AGENDA ITEM NO.: \_\_\_\_\_

