

STATE OF TEXAS §

COUNTY OF TRAVIS §

**FUNDING AGREEMENT
FOR BORDER COLONIA ACCESS PROGRAM
AMENDMENT #3**

THIS AMENDMENT IS MADE BY AND BETWEEN the State of Texas, acting through the Texas Department of Transportation, hereinafter called the "State", and Hidalgo County, acting by and through its duly authorized officials, hereinafter called the "County".

WITNESSETH

WHEREAS, the State and the County executed an agreement on May 10, 2005 – amended on April 13, 2007, and again on March 13, 2008 – to construct access roads in the County’s colonias under terms of the second call of the Border Colonia Access Program; and,

WHEREAS, the County has opted to apply a funding under run of \$229,479.16 from Contract 21-3BCF5001 to that contract as allowed by terms of the first call of the Border Colonia Access Program; and

WHEREAS, it has become necessary to amend that contract;

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, the State and the Local Government do agree as follows:

A G R E E M E N T

Article 1. Description of Amended Items:

Article 4, Paragraph C, final sentence, is voided in its entirety and replaced with the following:

The total maximum allowable cost for all combined County Projects is \$13,238,264.99.

All other provisions of the original contract are unchanged and remain in full force and effect.

Article 2. Signatory Warranty

The signatories to this amendment warrant that each has the authority to enter into this agreement on behalf of the organization they represent.

IN WITNESS WHEREOF, THE STATE AND THE LOCAL GOVERNMENT have executed duplicate counterparts to effectuate this agreement.

THE LOCAL GOVERNMENT

Hidalgo County

By: _____
Honorable Juan D. Salinas III

Printed Name

County Judge

Date

THE STATE OF TEXAS

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By: _____
Mario Jorge, P.E.

District Engineer, Pharr District
Title

Date