

STATE OF TEXAS §

COUNTY OF HIDALGO §

SECOND AMENDEDMENT TO CONTRACT AGREEMENT FOR MATERIAL TESTING SERVICES BEWTEEN COUNTY OF HIDALGO – URBAN COUNTY PROGRAM AND RABA KISTNER CONSULTANTS, INC.

This **SECOND AMENDMENT TO CONTRACT AGREEMENT FOR MATERIAL TESTING SERVICES** by and between County of Hidalgo Urban County Program ("Client") and **Raba Kistner Consultant, Inc.**, ("Consultant"), effective the _____ day of September, 2014 made, as follows:

WHEREAS, on March 11, 2014, Client entered into a Professional Engineering Agreement (the "Agreement") with Consultant in which the Consultant would provide "material testing services" for the project known as "South Fork Drain Project Pharr, Texas" (the "Project") as described in the Agreement;

WHEREAS, on July 8, 2014, Client entered into a First Amendment to the Agreement to amend Attachment A and B to the Agreement to increase the testing services for a lump sum amount of Eleven Thousand Seven Hundred Fifty Seven and 25/100th Dollars (\$11,757.25).

WHEREAS, numbered paragraph 7 of Exhibit A to the Agreement provides "our opinion of probable cost for each proposal to be submitted is based upon an estimate of the construction materials observation and testing services required to meet the project requirements";

WHEREAS, R. Gutierrez Engineering Corporation, the engineer for the Project, has requested Consultant to determine subsurface conditions along the drainage ditch alignment and to provide recommendations to address the excessive erosion and unstable ditch slopes that have been encountered during construction;

WHEREAS, the parties desire to amend the Agreement as hereinafter provided.

NOW THEREFORE, for and in consideration of this amendment, Client and Consultant hereby agree to the following amendments to the Agreement:

1. Attachment A to the Agreement is amended by the addition of Exhibit A attached hereto;

2. Attachment B to the Agreement shall be amended by the addition of the lump sum fee of Two Thousand Eight Hundred Eighty Five and 50/100ths Dollars (\$2,885.50).

3. Except as modified herein, all terms and conditions of the Agreement, as amended, remain in full force and effect. Consultant and Client ratify and confirm the terms and provisions of the Agreement as amended.

EXECUTED IN DUPLICATE ORIGINALS and effective as of the day and year first written above.

COUNTY OF HIDALGO URBAN COUNTY PROGRAM

By: _____
Diana R. Serna, UCP Director

ATTEST:

By: _____
Arturo Guajardo, Jr., County Clerk

RABA KISTNER CONSULTANTS, INC.


By: _____

Printed Name: _____

Title: _____

APPROVED AS TO FORM:

ATLAS, HALL & RODRIGUEZ, LLP

By:  _____
Stephen L. Crain, Attorney