

STATE OF TEXAS §

COUNTY OF HIDALGO §

THIRD AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT BETWEEN HIDALGO COUNTY, TEXAS AND HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

This Third Amendment to Interlocal Cooperation Agreement ("Third Amendment") is made on this the _____ day of _____, 2018 by and between Hidalgo County, Texas acting by and through its Urban County Program hereinafter referred to as the "Program" and Hidalgo County Drainage District No. 1 hereinafter referred to as the "District", as follows:

WITNESSETH:

WHEREAS, Program and District entered into that certain Interlocal Cooperation Agreement by and between Program and District dated December 5, 2017 (the "Agreement") regarding the improvement of the Pentas Lateral drainage ditch;

WHEREAS, the parties desire to amend the Agreement to redesign and construct concrete bases to avoid an existing fiber optic line.

NOW, THEREFORE, for and in consideration of the mutual obligations of the parties herein and other good and valuable consideration the receipt of which hereby acknowledged, the District and County hereby mutually agree to the following:

1. The following sentence shall be added to Numbered paragraph 1 of the Agreement:

Drainage District shall within ten (10) days following the date of the last party to execute this Third Amendment contribute the sum of Seventy- Six Thousand Nine Hundred Sixty- Seven and no one hundredths Dollars (\$76,967.00) to be utilized by Program for design and construction of concrete boxes and associated drainage improvements to avoid an existing fiber optic line as shown by Exhibit A attached hereto.

2. Except as modified herein, all terms and conditions of the Agreement, as amended, remain in full force and effect and County and District 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.

**HIDALGO COUNTY DRAINAGE DISTRICT
NO. 1**

By: _____
Ramon Garcia, Board Chairman

HIDALGO COUNTY, TEXAS

By: _____
Ramon Garcia, County Judge

ATTEST:

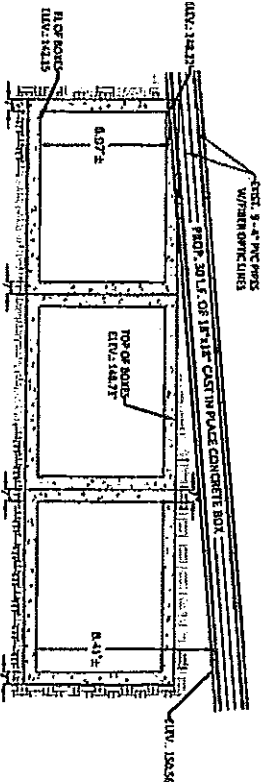
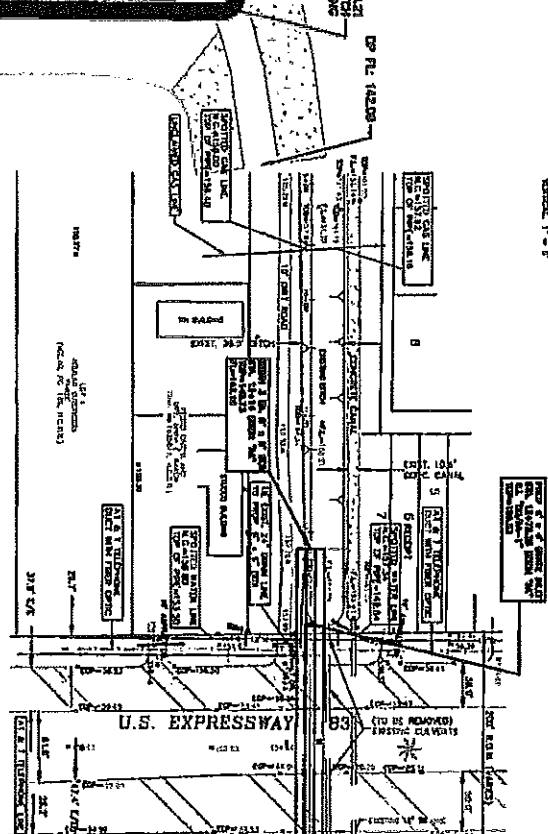
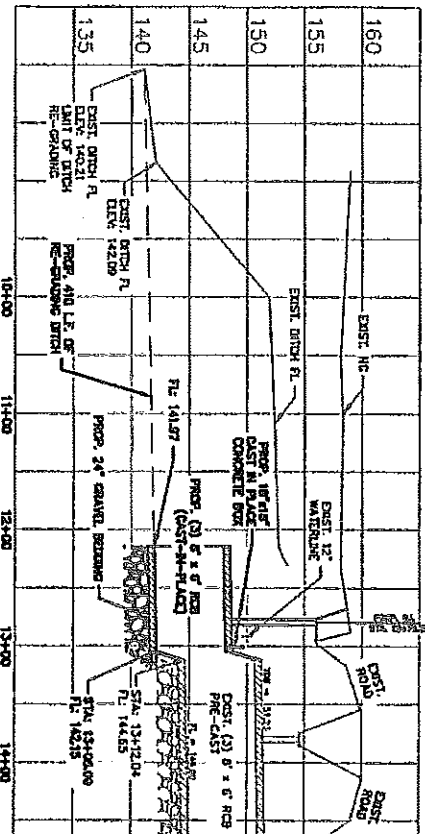
By: _____
Arturo Guajardo, Jr., County Clerk

APPROVED AS TO FORM:

ATLAS, HALL & RODRIGUEZ, LLP

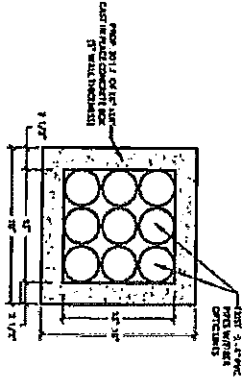
By:  _____
Stephen L. Crain

EXHIBIT
"A"



PROP. (3) 8'x6' CAST IN PLACE BOXES
N.T.S.

CAST IN PLACE CONCRETE BOX INSTALLATION DETAIL
N.T.S.



001-01

DATE: 08/23/18

BY: [Signature]

FOR: [Signature]

PROJECT: [Signature]

SCALE: [Signature]

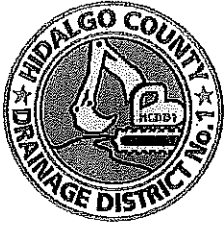
PEÑITAS DRAIN

PROPOSED CAST IN PLACE 18\"/>



HIDALGO COUNTY DRAINAGE DISTRICT No. 1

802 N. DOUGLASS RD
EDHURST, TX 78542
TEL: (409) 297-7000
www.hcd1.org



HIDALGO COUNTY DRAINAGE DISTRICT No. 1

RAUL E. SESIN, PE, CFM

General Manager, Floodplain Administrator

BOARD OF DIRECTORS

DAVID L. FUENTES
Board Member

EDUARDO "EDDIE" CANTU
Board Member

RAMON GARCIA
Chairman of the Board

JOE M. FLORES
Board Member

JOSEPH PALACIOS
Board Member

October 30, 2018

Ms. Diana Serna
Hidalgo County Urban County Director
427 E Durante Ave., Suite 107
Alamo, Texas 78516

Re: Urban County –Penitas Drain Phase II

Dear Ms. Serna,

Please accept this letter as a commitment from Hidalgo County Drainage District No. 1 to reimburse Hidalgo County Urban County Program \$76,967.00 as it relates to Change Order #6 of the Penitas Drain Phase II for Morwil, LLC.

This commitment is based on the Interlocal Cooperation Agreement between Hidalgo County and Hidalgo County Drainage District No. 1 that was approved by the Board on December 5, 2017.

Should you have any questions, please free to contact me at 956-292-7080

Respectfully submitted,


A handwritten signature in cursive script, appearing to read "Lora D. Briones".

Lora D. Briones
Chief Financial Officer

Zimbra

olga.lerma@co.hidalgo.tx.us

Fwd: Final Third Amendment improvements to Penitas Lateral

From : patricio avila <patricio.avila@co.hidalgo.tx.us> Wed, Oct 31, 2018 09:34 AM
Subject : Fwd: Final Third Amendment improvements to Penitas Lateral  2 attachments
To : olga lerma <olga.lerma@co.hidalgo.tx.us>

FYI

Thank you,

P.R. Avila II

Assistant Director
Hidalgo County - Urban County Program
427 E. Duranta Ave.
Alamo, TX 78516
Telephone: (956) 787-8127
Fax: (956) 318-2988



Atlas Hall
Rodriguez

Sent from my iPhone X

Begin forwarded message:

From: "Steve Crain" <scrain@atlashall.com>
Date: October 31, 2018 at 9:31:52 AM CDT
To: "Patricio Avila" <patricio.avila@co.hidalgo.tx.us>
Subject: Final Third Amendment improvements to Penitas Lateral

Hi Mr. Avila:

Attached is the final and executed by Mr. Crain approved as to form agreement in connection to the Penitas Lateral Drainage Ditch.

Thank you,

Marynel Trevino-Rodriguez, Secretary for

Stephen L. Crain & J. Joseph Vale

ATLAS, HALL & RODRIGUEZ, LLP

818 Pecan Blvd. (78501)

P. O. Box 3725

McAllen, Texas 78502

Direct Telephone Number (956) 632-8221

Office Telephone Number (956) 682-5501

Facsimile Number (956) 686-6109

Website address: www.atlashall.com

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ThirdAmendmentimprovementofPenitasLateralDrainageDitch-Final.pdf

90 KB

Zimbra**olga.lerma@co.hidalgo.tx.us**

Fwd: Penitas Lateral Drainage Ditch

From : patricio avila <patricio.avila@co.hidalgo.tx.us> Wed, Oct 31, 2018 10:04 AM
Subject : Fwd: Penitas Lateral Drainage Ditch
To : olga lerma <olga.lerma@co.hidalgo.tx.us>

Thank you,

P.R. Avila II
Assistant Director
Hidalgo County - Urban County Program
427 E. Duranta Ave.
Alamo, TX 78516
Telephone: (956) 787-8127
Fax: (956) 318-2988



Sent from my iPhone X

Begin forwarded message:

From: "Steve Crain" <scrain@atlashall.com>
Date: October 31, 2018 at 9:40:48 AM CDT
To: "patricio avila" <patricio.avila@co.hidalgo.tx.us>
Subject: **RE: Penitas Lateral Drainage Ditch**

It has my approval.

From: patricio avila <patricio.avila@co.hidalgo.tx.us>
Sent: Wednesday, October 31, 2018 9:29 AM
To: Steve Crain <scrain@atlashall.com>
Subject: Re: Penitas Lateral Drainage Ditch

Me. Crain,

Amendment #3 looks fine. Can you please approve as to form so we can place it on our next County Commissioner Meeting.

Thank you,

P.R. Avila II

Assistant Director

Hidalgo County - Urban County Program

427 E. Duranta Ave.

Alamo, TX 78516

Telephone: (956) 787-8127

Fax: (956) 318-2988



Sent from my iPhone X

On Oct 31, 2018, at 9:04 AM, Steve Crain <scrain@atlashall.com> wrote:

Hello Mr. Avila:

As per our conversation this morning, attached is the Third Amendment to improvements of Penitas Lateral Drainage Ditch. If you have any questions, please call the office.

Thank you,

Marynel Trevino-Rodriguez, Secretary for

Stephen L. Crain & J. Joseph Vale

ATLAS, HALL & RODRIGUEZ, LLP

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Direct Telephone Number (956) 632-8221

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Website address: www.atlashall.com

<image001.jpg>

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This communication does not reflect an intention by the sender or the sender's client to conduct a transaction or make any agreement by electronic means. Nothing in this message or in any attachment shall satisfy the requirements for a

writing, or constitute a contract or electronic signature under the Electronic Signatures in Global and National Commerce Act, any version of the Uniform Electronic Transaction Act or any other statute governing electronic transactions.

<ThirdAmendmentimprovementofPenitasLateralDrainageDitch.pdf>
