

STATE OF TEXAS
COUNTY OF HIDALGO

§
§

**THIRD AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT
BETWEEN THE COUNTY OF HIDALGO, TEXAS, AND THE CITY OF
ALAMO, TEXAS**

This Amendment to the Interlocal Agreement is made and entered into this ___ day of _____, 2022, by and between **COUNTY OF HIDALGO, TEXAS**, by and through its Precinct 1, hereinafter referred to as (“County”), and **CITY OF ALAMO** hereinafter referred to as (“City”), collectively referred to as “Parties” and pursuant to the provisions of the Texas Interlocal Cooperation Act (“Act”), Chapter 791, et seq., Texas Government Code, as follows:

WITNESSETH:

WHEREAS, in order to serve a public purpose and provide a mutual benefit to each other the County and the City entered into an Interlocal Agreement on or about October 20, 2020, wherein the Parties agreed to jointly undertake a road reconstruction improvement project to a portion of Crockett Ave. (From Tower Rd. to Border Rd.) in Hidalgo County, Texas (the “Road” or “Project”); and

WHEREAS, the Agreement indicates that the Project would be completed no later than 240 days from the execution of the initial Agreement.

WHEREAS, the Parties commenced the Project; however, due to unforeseen circumstances, it became necessary to extend the deadline to complete the Project as outlined in the Agreement;

WHEREAS, as such, the Parties executed a First Amendment to the Interlocal Agreement on or about April 19, 2021, to extend the deadline to complete the Project for 240 days, making the new completion deadline December 15, 2021;

WHEREAS, the Parties executed a Second Amendment to the Interlocal Agreement on or about December 14, 2021, to extend the deadline to complete the Project for 120 days, making the new completion deadline April 13, 2022;

WHEREAS, due to unforeseen circumstances, it has become necessary to further extend the deadline to complete the Project as outlined in the Agreement as amended for an additional 90 days from April 14, 2022;

WHEREAS, due to market volatility the price of 2” HMAC (Type D – “Hot Mix”) has increased necessitating a new cost estimate reflecting the same for the remaining Hot Mix needed for the project.

WHEREAS, Parties execute this Third Amendment to the Interlocal Agreement to effectuate the project extension and update the cost estimate as indicated below.

NOW THEREFORE, THE PARTIES in consideration of the terms and provisions set forth herein, agree to the following Amendment to the Agreement:

1. Numbered Paragraph 7, as amended, shall be deleted in its entirety and the following shall be substituted in lieu thereof:
 7. "County and City will coordinate work schedules in order to provide for minimal disruption to the public and to the operational fiscal affairs of the parties and will complete the Project no later than 90 days from April 14, 2022."
2. Exhibit B – Cost Estimate provided with the Original Interlocal Agreement is removed in its entirety and replaced with the updated Exhibit B – Cost Estimate attached herein reflecting the increased price for the remaining specified material as well as the resulting modified totals.
3. Except as modified herein, all terms and conditions of the Agreement, as amended, remain in full force and effect and City and County ratify and confirm the terms and provisions of the Agreement, as amended.

IN WITNESS WHEREOF, the undersigned execute this Agreement as of the day and year first above written.

COUNTY OF HIDALGO, TEXAS

BY: _____
Richard F. Cortez, Hidalgo County Judge

ATTEST:

By: _____
Arturo Guajardo, Jr.
Hidalgo County Clerk

CITY OF ALAMO

BY: _____
_____, Mayor

ATTEST:

By: _____
_____, City Secretary

Approved by the Hidalgo County Commissioner's Court on _____.

APPROVED AS TO FORM:

Hidalgo County Criminal District Attorney's Office
Ricardo Rodriguez, Jr.

By: _____
Robert Viña, III, Assistant District Attorney