

STATE OF TEXAS           §  
                                          §  
COUNTY OF HIDALGO   §

**FIRST AMENDMENT TO CONSTRUCTION CONTRACT**

**C-24-0148-05-29-10**

This **FIRST AMENDMENT** to the services contract, **C-24-0148-05-29-10**, for “Liberty Blvd. Project (US83 to Mile 3 Rd.) (“Agreement”) by and between **The County of Hidalgo, Texas** (“Owner”) and **IOC Company, LLC**, (“Contractor”), collectively as (“Parties”) is entered into this **12<sup>th</sup>** day of **November 2024**, between the Parties, as follows:

**WITNESSETH**

**WHEREAS**, County and Contractor entered into Agreement **C-24-0148-05-29-10** on the **6<sup>th</sup>** day of **August 2024** concerning Construction Services for “**Liberty Blvd. Project (US83 to Mile 3 Rd.)**”;

**WHEREAS**, Section 12.j “Entire Agreement” of the Agreement allow for **C-24-0148-05-29-10** to be modified or amended only by agreement in writing executed by OWNER and CONTRACTOR, and not otherwise;

**WHEREAS**, the Parties now desire to amend the existing Section 2 “Project/Consideration” to reflect the correct liquidated damages rate;

**NOW THEREFORE**, in consideration of the mutual covenants provided below, the Owner and the Contractor agree that said Agreement is amended as follows:

- I. Section 2 “Project/Consideration” of the initial contract is hereby amended to reflect the correct liquidated damages rate of **\$1,180.00** for each consecutive calendar day thereafter the specified project term of three hundred thirty-five (335) working calendar days

Except as modified herein, all terms and conditions of the Contract, as amended, remain in full force and effect and Contractor and Owner ratify and confirm the terms, and provisions of the Contract as amended.

**EXECUTED** as of the day and year first written above.

**APPROVED BY COMMISSIONERS COURT ON NOVEMBER 12, 2024.**

**Agenda Item No.: 97350**

**Executive Office: \_\_\_\_\_**

**CONTRACTOR:**  
IOC Company, LLC

**COUNTY:**  
COUNTY OF HIDALGO, TEXAS

\_\_\_\_\_  
Oscar Cuellar, Managing Partner

\_\_\_\_\_  
Hon. Richard F. Cortez, County Judge

**APPROVED AS TO FORM**  
Office of the Hidalgo County  
Criminal District Attorney,  
Toribio "Terry" Palacios

**ATTEST:**

\_\_\_\_\_  
Robert Viña III, ADA

\_\_\_\_\_  
Arturo Guajardo, Jr., County Clerk

**ATTACHMENTS:**