

STATE OF TEXAS §

COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT
AMENDMENT #1**

THIS AMENDMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, called the State, and City of Austin ("Utility").

W I T N E S S E T H

WHEREAS, the State and the Utility executed a contract on June 12th of 2012 to effectuate their agreement to relocate and adjust the waterline facilities along US 290 from west of RM 1826 to east of Convict Hill Road.

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, the State and the Local Government do agree as follows:

A G R E E M E N T

1. Description of Amended Items

The Project has been completed and additional work was required during construction resulting in increased costs. The actual Total Cost of Project is \$1,022,528.91. The State has received payments of \$ 782,236.00 from the Utility. The amount owed by the Utility is \$240,292.91 and is due 60 days after the execution of this Amendment.

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

2. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

CSJ # 0113-08-075
RCSJ # 0113-08-078
U# 13691
District # 14- Austin
Code Chart 64 # 02100
Project: US290 from West of RM 1826
to East of Convict Hill

THIS AGREEMENT IS EXECUTED by the State and the Local Government in duplicate.

THE LOCAL GOVERNMENT

Signature

Typed or Printed Name

Title

Date

THE STATE OF TEXAS

District Engineer

Date