

TFC Contract No. 18-108-000  
LCCX, LLC, dba Lackey de Carvajal Cx  
Amendment 1 to Assignment No. 2  
Project No. 16-009-5580

**INDEFINITE DELIVERY INDEFINITE QUANTITY  
PROFESSIONAL SERVICES AGREEMENT  
BETWEEN  
THE TEXAS FACILITIES COMMISSION  
AND  
LCCX, LLC, DBA LACKEY DE CARVAJAL CX  
TFC CONTRACT NO. 18-108-000**

**AMENDMENT NO. 1 TO ASSIGNMENT NO. 2**

**THIS INDEFINITE DELIVERY INDEFINITE QUANTITY AMENDMENT NO. 1 TO ASSIGNMENT NO. 2** (hereinafter referred to as “Amendment No. 1 to Assignment No. 2”) is entered into by and between the Texas Facilities Commission, located at 1711 San Jacinto Boulevard, Austin, Texas 78701 (hereinafter referred to as “TFC”) and LCCX, LLC dba Lackey de Carvajal Cx, located at 8304 Puerta Vista, Austin, Texas 78759 (hereinafter referred to as “PSP”) (TFC and PSP are hereinafter referred to individually as a “Party” or collectively as “Parties”), to be effective on the Effective Date (as defined below) and to be governed by the terms and conditions that follow.

**RECITALS.**

**WHEREAS**, on December 5, 2017, the Parties entered into that one certain *Indefinite Delivery Indefinite Quantity Professional Services Agreement, TFC Contract No. 18-108-000* (hereinafter referred to as the “Agreement”); and

**WHEREAS**, on October 25, 2018, pursuant to the terms of the Agreement, the Parties entered into Assignment No. 2 (hereinafter referred to as “Assignment No. 2”); and

**WHEREAS**, the Parties now desire to modify Assignment No. 2 to extend the Duration of Assignment, and to update the List of PSP Project Manager and Subcontractors;

**NOW THEREFORE**, the Parties agree as follows:

1. The Parties agree to modify paragraph 3, Duration of Assignment, by deleting the date, “August 31, 2019,” and replacing it with the date, “August 31, 2020,” so that the paragraph reads in its entirety as follow:

**“DURATION OF ASSIGNMENT:** The scope of services of this Assignment No. 2 shall be completed no later than August 31, 2020, unless terminated earlier as provided in Section 3.2 of the Agreement. This schedule is subject to adjustments for possible time extension; however, any extension of time must be approved by the TFC and shall require an amendment to Assignment No. 2.”

2. The Parties hereby agree to modify IDENTIFICATION OF PSP PROJECT MANAGER AND ALL SUBCONTRACTORS, to reflect TFC’s approval of a substitution for the PSP

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Project Manager, under Assignment No. 2, by deleting the paragraph in its entirety and replacing it with the following:

**“IDENTIFICATION OF PSI PROJECT MANAGER AND ALL SUBCONTRACTORS:** For this Assignment No. 2, PSP shall identify the Project Manager, PSP’s employees and all subcontractors assigned to this project on the List of Project Manager and Subcontractors (hereinafter referred to as the “List”), attached hereto and incorporated herein for all purposes as “Exhibit B-2-1.’

TFC reserves the right to approve the appointment of the PSI Project Manager and to demand that the Project Manager, and any of PSI’s employees or subcontractors, be removed and replaced if, in the sole opinion of TFC, their performance on this project or any other projects, is and/or was inadequate or their continued involvement with the Project is, will, or has become detrimental to the timely and successful completion of the project.

The Project Manager and Subcontractors identified in the List shall not be replaced by PSI, nor shall any other subcontractors be engaged by PSI, unless prior written consent is obtained from TFC, which consent shall not be unreasonably withheld, conditioned, or delayed”

3. Except as amended and supplemented by this Amendment No. 1 to Assignment No. 2, the terms and conditions of the Agreement and of Assignment No. 2 remain in full force and effect.

IN WITNESS WHEREOF the parties have made and executed this Amendment No. 1 to Assignment No. 2 to be effective as of September 1, 2019.

**TEXAS FACILITIES COMMISSION      LLCX, LLC DBA LACKEY DE CARVAJAL CX**

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By: Mike Novak  
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DocuSigned by:  
By: Mike W. Lackey, P.E., Manager  
776670B9FB8C474...

Mike Novak

Mike W. Lackey, P.E.

Executive Director

Managing Member

Date of execution: 08/29/2019 | 12:56 PM CDT

Date of execution: 08/29/2019 | 10:33 AM PDT

NRG GC

mw Dir

JA DED

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## **EXHIBIT A-2-1**

**LIST OF PSP PROJECT MANAGER  
AND  
SUBCONTRACTORS  
(Name, Address & Contact Person (Project Manager))**

A. Project Manager:		Mike Lackey _____ (Name) LCCx, LLC _____ (Company Name) PO Box 30191, Austin TX 78759 _____ (Address) 210-705-3735 _____ (Cell #) <a href="mailto:mike.lackey@lccx.com">mike.lackey@lccx.com</a> _____ (Email)
B. Subcontractors:		
	1.	Marisa Bernal _____ (Name) LCTAB, LLC _____ (Company Name) PO Box 830405, San Antonio TX 78283_ (Address) 210- 265-5583 _____ (Office#) <a href="mailto:LCTAB@lccx.com">LCTAB@lccx.com</a> _____ (Email)
	2.	_____ Chris Thompson _____ (Name) _____ LCTAB, LLC _____ (Company Name) PO Box 830405 San Antonio, TX 78283_ (Address) _____ 512-560-3456 _____ (Cell #) _____ LCTAB@Lccx.com _____ (Email)
	3.	_____ (Name) _____ (Company Name) _____ (Address) _____ (Cell #) _____ (Email)
	4.	_____ (Name) _____ (Company Name) _____ (Address) _____ (Cell #) _____ (Email)