

**AMENDMENT NO. 3
TO THE CONTRACT
FOR
REMEDiation SERVICES
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND
BELFOR USA GROUP INC.**

THIS AMENDMENT NO. 3 is entered into by and between the Texas Facilities Commission (hereinafter referred to as “TFC”), a state agency located at 1711 San Jacinto Boulevard, Austin, Texas 78701, and Belfor USA Group Inc. (hereinafter referred to as “Contractor”), located at 11525-B Stonehollow Drive, Suite 235, Austin, Texas 78758, to amend the original Contract between the parties (hereinafter referred to as the “Contract”), as amended.

WHEREAS, on August 8, 2017, the parties entered into that one certain *Contract for Remediation Services Between the Texas Facilities Commission and Belfor USA Group Inc.*; and

WHEREAS, on April 21, 2018, the parties entered into Amendment No. 1 for the purpose of adding additional fees; and

WHEREAS, on April 26, 2018, the parties entered into Amendment No. 2 for the purpose of making an administrative change regarding delivery releases and to add a statutorily required provision; and

WHEREAS, the parties now desire to enter into Amendment No. 3 as changes in circumstances require mutual desirable alterations to the fees to the Contract; and

WHEREAS, the Texas Legislature in the 85th Regular Legislative Session, enacted Senate Bill 252 effective September 1, 2017, relating to prohibiting governmental contracts with a company doing business with Iran, Sudan, or a foreign terrorist organization; and

WHEREAS, TFC has determined to modify the Contract so that it reflects these prohibitions;

NOW, THEREFORE, the parties agree to further amend the Agreement as follows:

1. The parties hereby agree to modify ARTICLE III – CONSIDERATION, SECTION 3.01. (a) – CONTRACT LIMIT AND FEES AND EXPENSES by increasing the amount to be paid to the Contractor in the amount of Fifteen Thousand and No/100 Dollars (\$15,000.00) to provide services required to fulfill the terms of this Contract. Thus, increasing the Contract total amount from Four Hundred Eighty-Five Thousand and No/100 Dollars (\$485,000.00) to a total not to exceed amount of Five Hundred Thousand and No/100 Dollars (\$500,000.00).

TFC Contract No. 18-028-000
RFP No. 303-5-00030
Belfor USA Group Inc.
Amendment No. 3

2. The parties hereby agree to modify ARTICLE IX – CONTRACTOR GENERAL AFFIRMATIONS, by adding Section 9.16, Prohibition Against Contracting With Companies Engaged in Business with Iran, Sudan, or Foreign Terrorist Organizations, as follows:

“9.16. PROHIBITION AGAINST CONTRACTING WITH COMPANIES ENGAGED IN BUSINESS WITH IRAN, SUDAN, OR FOREIGN TERRORIST ORGANIZATIONS. In accordance with Section 2251.152 of the Texas Government Code, TFC is prohibited from entering into a governmental contract (as defined in Texas Government Code Section 2252.151(3)) with a company that is identified on a list prepared and maintained under Texas Government Code Section 806.051, 807.051, or 2252.153. If contractor is on the above-referenced list the Contract will be considered void or voidable and TFC will not be responsible to pay Contractor for any work performed.

Except as expressly amended above, all provisions of the Contract remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment No. 3 to this Contract to be effective as of the date of the last party to sign.

TEXAS FACILITIES COMMISSION

BELFOR USA GROUP INC.

By: DocuSigned by:
Mike Novak
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By: DocuSigned by:
Matt McCarty
3CCAB25E9E00469...

Mike Novak

Print Name: Matt McCarty

Executive Director

Title: GM - Austin

Date of Execution: 12/06/2018 | 12:53 PM CST

Date of Execution: 12/06/2018 | 10:41 AM CST

G.C. *NRL*

Dir. *JM*

D.E.D. *JM*