

**AMENDMENT NO. ONE
TO THE
CONTRACT FOR
REVERSE OSMOSIS AND ACID WASTE NEUTRALIZATION SYSTEMS:
BOTTLE RENTAL, SANITIZATION, MAINTENANCE AND REPAIR SERVICES
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND
DRIESSEN WATER, INC., DBA AUSTIN CULLIGAN**

THIS AMENDMENT NO. 1 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 Driessen Water, Inc., dba Austin Culligan (hereinafter referred to as “Contractor”), located at 505 West Yager Lane, Austin, Texas, 78753, to amend the original Contract between the parties (hereinafter referred to as the “Contract”).

WHEREAS, the parties agree to supplement funding of the Contract for anticipated Additional Services; and

WHEREAS, the parties desire to amend certain terms to their mutual benefit to reflect the supplementary funding;

NOW, THEREFORE, the parties agree to amend the Contract as follows:

1. The parties hereby agree to modify ARTICLE III – CONSIDERATION, SECTION 3.01(a) – CONTRACT LIMIT AND FEES AND EXPENSES, so that it reads in its entirety, as follows:

“The total amount of this Contract shall not exceed the sum of One Hundred Sixteen Thousand Three Hundred Eighty and No/100 Dollars (\$116,380.00). This amount includes the Fiscal Year 2016 – 2017 Contract base fee of Thirty One Thousand Three Hundred Eighty and No/100 Dollars (\$31,380.00) and Eighty Five Thousand and No/100 Dollars (\$85,000.00) to cover any Additional Services, as defined in Section 3.03 below. Pricing fees will be invoiced in accordance with Exhibit A – Compensation and Fees. Any changes to the not-to-exceed amount of this Contract or pricing fees set forth in Exhibit A – Compensation and Fees, shall be submitted to TFC for review and shall be approved by amendment to this Contract.”

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

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In Witness Whereof, the parties hereto have made and executed this Amendment No. One to this Contract to be effective as of the date of the last party to sign.

TEXAS FACILITIES COMMISSION

DRIESSEN WATER INC., DBA AUSTIN CULLIGAN

By: 

By: 

Kay Molina

Print Name: Steve Gallagher

General Counsel

Title: Sales Design

Date of execution: 10/17/10

Date of execution: 10-12-10

G.C. 

Dir. 

D.E.D. 