

**AMENDMENT NO. 2
TO THE
INDEFINITE DELIVERY INDEFINITE QUANTITY
PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND
FREESE AND NICHOLS, INC.**

THIS AMENDMENT NO. 2 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 Freese and Nichols, Inc., located at 4055 International Plaza, Suite 200, Fort Worth, Texas 76109 (hereinafter referred to as “PSP”) (hereinafter collectively referred to as the “Parties”) to amend the original Indefinite Delivery Indefinite Quantity Professional Services Agreement, as amended (hereinafter referred to as the “Agreement”).

WHEREAS, on June 12, 2017, the Texas Facilities Commission (hereinafter, the “Commission”) authorized the award of certain Indefinite Delivery Indefinite Quantity Professional Services Agreements (hereinafter referred to as “IDIQ Agreements”) pursuant to Commission Policy Article III (b) regarding IDIQ Agreements; and

WHEREAS, on September 21, 2017, the Parties entered into that one certain *Indefinite Delivery Indefinite Quantity Professional Services Agreement*, TFC Contract No. 18-088-000; and

WHEREAS, the Parties executed Amendment No. 1 for the purpose of renewing the Agreement for a two (2) year period commencing on September 1, 2019 and ending on August 31, 2021; and

WHEREAS, TFC desires to modify a certain insurance provision of the Agreement by execution of this Amendment No. 2;

NOW, THEREFORE, the Parties agree to modify the Agreement as follows:

1. ARTICLE X – INSURANCE, Section 10.01, Insurance Requirements, Subsection 10.1.1, Workers’ Compensation and Employers’ Liability Insurance, by deleting paragraph 10.1.1.1, in its entirety and replacing it with paragraph 10.1.1.1, as follows:

“10.1.1.1. As per Tex. Lab. Code §406.096(b), PSP shall require each Subcontractor to certify in writing to the PSP that said Subcontractor provides workers’ compensation and employers’ liability insurance for all of Subcontractor’s employees employed on this public project. Owner shall be entitled, upon request and without expense, to receive copies of these certifications.”

TFC Contract No. 18-088-000
Amendment No.2
Freese and Nichols, Inc.
RFQ No. 303-7-01245

Except as expressly amended above, all provisions, terms and conditions of the IDIQ Agreement remain in full force and effect.

In Witness Whereof, the parties hereto have made and executed this Amendment No. 2 to the Agreement to be effective as of September 1, 2019.

TEXAS FACILITIES COMMISSION

FREESE AND NICHOLS, INC.

By: DocuSigned by:
Mike Novak
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By: DocuSigned by:
Alfred Vidaurri, Jr.
BDBC9826957F440...

Mike Novak

Alfred Vidaurri, Jr.

Executive Director

Vice President

Date of Execution: 05/13/2019 | 8:39 AM CDT

Date of Execution: 05/13/2019 | 8:35 AM CDT

GC NRG

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