

**AMENDMENT NO. 2
TO
CONSTRUCTION MANAGER-AT-RISK CONTRACT
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND
J. E. DUNN CONSTRUCTION COMPANY**

The Texas Facilities Commission (hereinafter referred to as “TFC”), a state agency located at 1711 San Jacinto Boulevard, Austin, Texas 78701, as Owner (as defined in UGC Section 1.28) and J. E. Dunn Construction Company (hereinafter referred to as “CMR”), a Missouri corporation, located at 1601 South MoPac Expressway, Barton Skyway 2, Suite 450, Austin, Texas 78746 (hereinafter referred to collectively as the “Parties”), enter into the following *Amendment No. 2 to the Construction Manager-at-Risk Contract between the Texas Facilities Commission and J. E. Dunn Construction Company* (hereinafter referred to as the “Amendment No. 2”).

Recitals:

WHEREAS, on or about May 30, 2018, the Parties entered into that one certain *Construction Manager-at-Risk Contract Between the Texas Facilities Commission and J. E. Dunn Construction Company* (hereinafter referred to as the “Contract”); and

WHEREAS, on June 9, 2019, the Parties executed Amendment No. 1 changing the Contractor’s address; and

WHEREAS, subject to Contract Sections 2.2.8, TFC Approvals, 12.8, Notices, and 12.27, Entire Agreement and Modification, the Parties now desire to amend the Contract to change the Contractor’s address;

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

1. Unless clearly provided otherwise herein, all terms and phrases in initial capital letters herein shall have the same meaning as the terms and phrases with initial capital letters in the Contract.

2. All references in the Contract to CMR’s address other than as amended herein shall be amended as follows.

2.1. The Parties agree to amend the Contract by deleting any address given in the Contract for the CMR and replacing it with the following address.

“1601 South Mopac Expressway, Barton Skyway 2, Suite 450, Austin, Texas 78746.”

3. More specifically, the Parties hereby agree to amend ARTICLE XII – MISCELLANEOUS

TFC Contract No. 18-152-000
J. E. Dunn Construction Company
Project No. 17-008A-8040
Amendment No. 2

PROVISIONS, Section 12.8, Notices, by changing the address for CMR as follows:

J. E. Dunn Construction Company
Attention: Jason Beiter, Vice President
1601 South Mopac Expressway
Barton Skyway 2, Suite 450
Austin, Texas 78746
Telephone: (512) 626-7669
Email: jason.beiter@jedunn.com

Except as expressly amended above, the Contract remains in full force and effect.

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment No. 2 to be effective as the date of the last party to sign.

TEXAS FACILITIES COMMISSION

J. E. DUNN CONSTRUCTION COMPANY

By:  DocuSigned by:
B1C9FC0A8020417...

By:  DocuSigned by:
7099BEB2300C457...

Mike Novak

Jason Beiter

Executive Director

Vice President

Date of Execution: 06/06/2020 | 6:46 AM CDT

Date of Execution: 06/05/2020 | 4:20 PM CDT

PM 

GC 

Dir 

DED 