

**AMENDMENT NO. 3  
TO  
CONSTRUCTION MANAGER-AT-RISK CONTRACT  
BETWEEN  
THE TEXAS FACILITIES COMMISSION  
AND  
TRIMBUILT CONSTRUCTION CORPORATION**

**THIS AMENDMENT NO. 3** (hereinafter referred to as “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, as Owner (as defined in UGC, Section 1.25) and Trimbuilt Construction Incorporated (hereinafter referred to as “CMR”), located at 12800 North Lamar, Austin, Texas 78753 (hereinafter referred to collectively as the “Parties”), enter into the following *Amendment No. 3 to the Construction Manager-at-Risk Contract between the Texas Facilities Commission and Trimbuilt Construction Incorporated* dated June 10, 2016 (hereinafter referred to as the “Contract”), as amended.

**Recitals:**

WHEREAS, unless clearly provided otherwise herein, all terms and phrases used herein shall have the same meaning as the terms and phrases used in the Contract; and

WHEREAS, on January 25, 2016, the parties executed Amendment No. 1 increasing the Contract Sum; and

WHEREAS, on March 24, 2017, the parties executed Amendment No. 2 increasing the Contract Sum and extending the Contract Term; and

WHEREAS, the parties desire to enter into this Amendment No. 3 for the purpose of reducing the total Contract Sum by an amount of Twenty One Thousand Six Hundred Fifty Five and 10/100 Dollars (\$21,655.10);

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

1. The parties agree to amend ARTICLE IV - TERM, SUSPENSION, AND TERMINATION, SECTION 4.1 – CONTRACT TERM, of the Contract, as amended, by deleting the deleting the section in its entirety and replacing it with the following:

“4.1 Contract Term. This Contract shall be effective as of the Effective Date and shall terminate on June 30, 2018, unless extended by the parties by amendment to this Contract or terminated earlier, as provided below.”

2. The parties hereby agree to amend ARTICLE V – CONSIDERATION, SECTION 5.1 - CONTRACT SUM, as amended, by reducing the total amount by Twenty One Thousand Six Hundred Fifty Five and 10/100 Dollars (\$21,655.10), thus decreasing the compensation to be paid

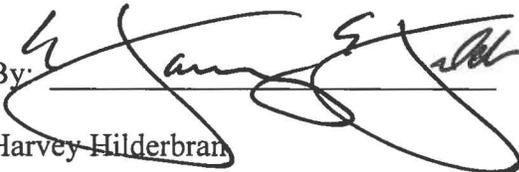
from Seven Hundred Sixty Four Thousand Ninety and 75/100 Dollars (\$764,090.75), to a new total amount not to exceed Seven Hundred Forty Two Thousand Four Hundred Thirty Five and 65/100 Dollars (\$742,435.65).

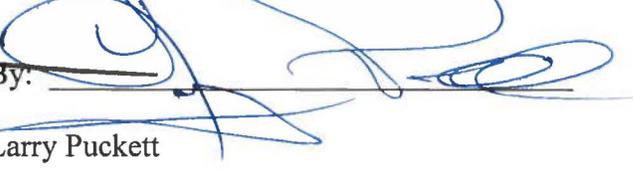
3. All other terms and conditions of the contract shall remain in full force and effective, and are hereby ratified and affirmed.

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

**TEXAS FACILITIES COMMISSION**

**TRIMBUILT CONSTRUCTION  
INCORPORATED**

By:   
Harvey Hilderbran

By:   
Larry Puckett

Executive Director

President

Date of Execution: 9-11-17

Date of Execution: 9-8-17

G.C. 

Dir. 

D.E.D. 