

TFC Contract No. 18-197-000
J. E. Dunn Construction Company
Project No. 17-008-8040
Amendment No. 3

**AMENDMENT NO. 3
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. 3 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. 3”).

Recitals:

WHEREAS, on September 4, 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 May 24, 2019, and June 6, 2020, respectively the Parties executed Amendment No. 1 and No. 2, both changing the Contractor’s address and contact information; and

WHEREAS, subject to Contract Sections 2.2.7, TFC Approvals, 12.8, Notices, and 12.27, Entire Agreement and Modification, the Parties now desire to extend the Term of the Contract;

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. Article III, Term, Suspension, and Termination, Section 3.1, Contract Term, is deleted in its entirety and the following substituted in its stead:

3.1. Contract Term. This Contract shall be effective as of the Effective Date and shall terminate on February 2, 2022, unless extended by the Parties by Amendment to this Contract or terminated earlier, as provided below.

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. 3 to

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be effective as the date of the last Party to sign.

TEXAS FACILITIES COMMISSION

By: 
DocuSigned by:
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Mike Novak

Executive Director

Date of Execution: 04/27/2021 | 4:11 PM CDT

PM 

GC 

Dir 

DED 

**J. E. DUNN CONSTRUCTION
COMPANY**

By: 
DocuSigned by:
FF6191666729466...

Jason Beiter

Vice President

Date of Execution: 04/27/2021 | 3:36 PM CDT