

CONSTRUCTION CONTRACT AMENDMENT NO. 1

STATE OF TEXAS *

COUNTY OF WEBB *

This contract amendment is hereby entered into by and between **WEBB COUNTY, TEXAS**, a Political Subdivision of the State of Texas (hereinafter " Owner") and Anderson- Columbia, Co., Inc. (hereinafter "Contractor").

WHEREAS at the Webb County Commissioner's Court Meeting held on April 26, 2023, the Court, pursuant to Webb County's Invitation to Bid (I.T.B.) 2023-004 entitled "**Pueblo Nuevo Street Improvement Project Contract CDV21-0485**", and Contractor's responsive bid proposal, awarded this Project to Anderson Columbia Co., Inc.

WHEREAS, the parties do hereby mutually covenant and agree to amend the construction contract previously entered into by the parties by amending Section 30 entitled "Exhibits" by adding the federally required Section 3 contractual provisions which provide for Economic Opportunities for Section 3 Residents and Section 3 Business Concerns to "Exhibit No. 7" entitled "Federal Requirements", making this Contract is subject to the requirements of section 3 of the Housing and Urban Development (HUD) Act of 1968, as amended, 12 U.S.C. 1701u (section 3).

For and in consideration of the mutual covenants herein set forth, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties do hereby agree to amend the contract as follows:

The parties have agreed and desire to amend the construction contract in Section 30 entitled Exhibits, by adding the Economic Opportunities for Section 3 Residents and Section 3 Business Concerns clause to Exhibit No. 7. entitled "Federal Requirements" of the agreement to be in compliance, to be incorporated by reference for all intents and purposes as if originally set forth therein.

The parties to this Contract agree to comply with HUD's regulations in 24 CFR part 75, which implement section 3, as evidenced by their execution of this Contract.

The parties shall also agree to comply with HUD's regulations in 24 CFR part 75, which implement section 3, as evidenced by their execution of this Contract amendment to include these Section 3 Economic Opportunities for Residents and Business Concerns.

The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

The parties to hereby adopt, ratify, and confirm the Agreement as the same is amended subject to and under the terms and provisions of the original contract, as amended, is expressly affirmed, ratified, and declared to be effective and binding for all purposes as of the date this Amendment to the construction contract previously executed between the parties.

These added contractual provisions allow for Economic Opportunities for Section 3 Residents and Section 3 Business Concerns. The addition of these provisions to “Exhibit No. 7” entitled “Federal Requirements” shall make the Contract is subject to the requirements of section 3 of the Housing and Urban Development (HUD) Act of 1968, as amended, 12 U.S.C. 1701u (section 3) as Federally mandated.

The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing

This Amendment to Construction Contract is signed by the both parties on the date of the acknowledgment of their signatures, but shall be deemed effective as of August 14, 2023.

Executed on this ___ day of August, 2023

WEBB COUNTY
A Political Subdivision of the State of Texas

Honorable Tano E. Tijerina
Webb County Judge

Accepted and Agreed
Executed on this ___ day of August, 2023

ANDERSON-COLUMBIA, INC.

BERRY O’BRIEN, VICE-PRESIDENT

ATTEST:

Honorable Margie Ramirez-Ibarra
Webb County Clerk

APPROVED AS TO FORM:

Ray Rodriguez, Asst. General Counsel
Webb County Civil Legal Division*

*By law, this office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval of their own respective attorney(s). **Passed and Approved on this 14th day of August, 2023, Item No. __.**

ACKNOWLEDGMENT

State of Texas *

County of Webb *

This instrument was acknowledged before me on this ____ day of August, 2023 by _____
in his capacity as _____ on behalf of Anderson-Columbia, Inc.

Notary Public's State of Texas