

**FIRST AMENDMENT  
TO  
TO PROFESSIONAL SERVICES AGREEMENT**

THIS FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT (“Amendment”) is made and effective as of the \_\_\_\_, day of December, 2020 by and between the CITY OF BEAUMONT (“CITY”), a general law city, and MWH Constructors, Inc. (“CONTRACTOR”) in consideration of the mutual promises and purpose contained herein, the parties agree as follow:

**RECITALS**

This Amendment is made with respect to the following facts and purpose that the parties agree are true and correct:

A. On May 15, 2018 the City and Contractor, entered into that certain agreement entitled Agreement for Professional Services by Independent Contractor (“Agreement”) for engineering services which remains in effect.

B. Contractor has provided a proposal dated November 4, 2020 (“Proposal”), a copy of which is attached hereto as Exhibit “A” and incorporated herein by this reference, to extend the term of the Agreement and to change the scope of the Services.

**AMENDMENT**

1. The Agreement is hereby amended as follows:

Section 1 Term of Agreement. The Agreement shall continue in effect until the Services identified in Section 2 are completed.

Section 2. Services to be Performed. CONTRACTOR agrees to provide the services ("Services") as provided in the Proposal. All Services shall be performed in the manner and according to the time frame set forth in the Proposal as needed by City.

Section 4.01 Compensation. CITY agrees to pay CONTRACTOR the amounts and rates provided in the Proposal.

The recitals to this Amendment are deemed incorporated herein by this reference. All other terms of the Agreement not expressly amended by this Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereby have made and executed this Amendment to be effective as of the day and year first above-written.

*[signatures on following page]*

CITY:

CONTRACTOR:

CITY OF BEAUMONT

MWH Constructors, Inc.

By: \_\_\_\_\_

By: \_\_\_\_\_

Mike Lara, Mayor

Print Name: \_\_\_\_\_

ATTEST

\_\_\_\_\_

Nicole Wheelwright, Deputy City Clerk

Title: \_\_\_\_\_

APPROVED AS TO FORM

\_\_\_\_\_

John Pinkney, City Attorney

**EXHIBIT "A"**  
**ATTACH PROPOSAL**