

FIRST AMENDMENT TO
CITY SECRETARY CONTRACT NO. 41091
CITY OF BURLESON WHOLESALE WATER CONTRACT

WHEREAS, the City of Fort Worth (“Fort Worth”) and the City of Burleson (“Customer”) entered into that certain Water Services Agreement, with term of January 1, 2011 through September 30, 2031 (Fort Worth City Secretary Contract No. 41091) (the “Contract”); and

WHEREAS, the cities of Crowley and Burleson and the Bethesda Water Supply Corporation each have individual contracts for water supply with the City of Fort Worth but may share certain connection points or other facilities; and

WHEREAS, the Contract provides for Customer to purchase from Fort Worth and for Fort Worth to supply, at reasonable rates, treated water for Customer’s use; and

WHEREAS, the Contract, at Section 3.2 (Points of Delivery) and 3.3 (Costs of New or Additional Connections), anticipates future expansion by the Customer as its needs dictate; and

WHEREAS, Customer has a current capacity of 2 million gallons per day (MGD) at Meter #1&2 and desires to increase its capacity by an additional 11 MGD at existing Meter #1&2 for a total increased capacity of 13 MGD; and

WHEREAS, Customer is required to share in the cost of design, construction and easement acquisition for the project, which will make certain system improvements to Fort Worth's Southside II water system; and

WHEREAS, to support the increased water needs, construction of new 36” and 42” water mains, the upsizing of existing 16” and 20” mains to 24” as well as new meter points is required; and

WHEREAS, **Exhibit “A-1”** reiterates the existing meter points and identifies the Customer’s new meter locations; and

WHEREAS, the Contract contemplates an **Exhibit “F-1”** Additional Terms, which heretofore was not utilized;

NOW, THEREFORE, in consideration of the above-stated recitals, the contract is hereby amended as follows:

1.

The Contract is hereby amended by inserting Exhibit A-1, attached hereto and incorporated herein for all purposes, which shall supplement Exhibit A.

2.

The Contract is hereby amended by inserting Exhibit F-1, attached hereto and incorporated herein for all purposes, which sets forth the details, including the engineering cost estimate and anticipated location(s) of the new or improved infrastructure to serve the Customer within the Southside II system to serve Customer's additional water take.

3.

All other exhibits, terms and conditions to the Contract not specifically amended hereby shall remain in full force and effect.

EXECUTED and EFFECTIVE as of the date subscribed by Fort Worth's designated Assistant City Manager.

CITY OF FORT WORTH

CITY OF BURLESON

Dana Burghdoff
Assistant City Manager

Mayor

DATE: _____

DATE: _____

ATTEST

ATTEST

Jannette S. Goodall
City Secretary

City Secretary

Recommended By:

Recommended By:

Chris Harder, Director
Water Department

Name:
Title:

Approved As To Form And Legality

Approved As To Form And Legality

Douglas W Black
Sr. Assistant City Attorney

City Attorney

Contract Compliance Manager:

By signing, I acknowledge that I am the person responsible for the monitoring and administration of this contract, including ensuring all performance and reporting requirements.

Matt Kusnir. Engineering Manager