

STATE OF TEXAS §

Ref: TWDB Contract No. 1148301314

COUNTY OF TARRANT §

**NORTH TEXAS MUNICIPAL WATER DISTRICT
And
TRINITY RIVER AUTHORITY
And
FREESE AND NICHOLS, INC.**

AMENDMENT NO. 6

FNI CONTRACT NO.: NTD11336

This CONTRACT and Agreement made and entered on September 6, 2011 by the North Texas Municipal Water District (“District”) and Freese and Nichols, Inc. (FNI) and amended on May 23, 2012 (Amendment No. 1), January 29, 2013 (Amendment No. 2), and April 30, 2014 (Amendments Nos. 3, 4, and 5) is hereby further amended as follows:

1. The CONTRACT and Agreement made and entered on August 19, 2011 by the Texas Water Development Board (TWDB) and the District, and amended on May 4, 2012, January 2, 2013, June 14, 2013, December 17, 2013, and March 13, 2014 is the referenced contract for which this contract applies (TWDB Contract No. 1148301314). A copy of Amendment No. 6 to the TWDB contract is attached and made part of this amendment.
2. Upon January 26, 2015, and contingent upon approval by the Region C Regional Water Planning Group, the District transfers and assigns all duties and responsibilities related to this CONTRACT to the Trinity River Authority (“Authority”). At that time, all references to the “District” will be changed to the Authority. The District represents and warrants to the Trinity River Authority that all of the materials, documents and other information in its possession relating to its duties under this Contract will be provided to the Authority no later than February 15, 2015, and that such materials, documents and other information are accurate and complete to the extent so denoted therein.
3. The obligations, responsibilities and liability of the Authority under this CONTRACT (including those of payment and performance), commence on the effective date of the Assignment of the CONTRACT. The Authority is not obligated, responsible or liable for acts or omissions of the District or any matters arising or done under the CONTRACT prior to the date of Assignment.
4. As now assigned and transferred to the Trinity River Authority, all other terms and conditions of FNI Contract No NTD11336 shall remain in effect.

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IN WITNESS WHEREOF the parties hereto cause this CONTRACT and Agreement to be duly executed in triplicate.

FREESE AND NICHOLS, INC.

NORTH TEXAS MUNICIPAL WATER
DISTRICT

By _____
Thomas C. Gooch, P.E.
Vice President

By: _____
Tom Kula
General Manager

Date: _____

Date: _____

TRINITY RIVER AUTHORITY

By: _____
J. Kevin Ward
General Manager

Date: _____