

## AMENDMENT TO AGREEMENT

**THIS AMENDMENT TO AGREEMENT**, made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 2015, by and between **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government pursuant to KRS Chapter 67A, and located at 200 East Main Street, Lexington, Fayette County, Kentucky 40507 ("**OWNER**"), and **TETRA TECH, INC.**, with offices located at 424 Lewis Hargett Circle, Suite 110, Lexington, KY 40503 ("**CONSULTANT**").

**WHEREAS, OWNER** and **CONSULTANT** entered into an Engineering Services Agreement dated November 20, 2014 (hereinafter referred to as the "Agreement"), whereby **CONSULTANT** agreed to provide engineering services for Municipal Separate Storm Sewer System (MS4) Annual Program Management for **OWNER** as set forth in the Agreement and in RFP #57-2014 (the "**PROJECT**"); and

**WHEREAS**, the Agreement provided for an initial one (1) year term with a provision for annual renewal for up to four (4) additional one (1) year periods upon mutual agreement of **OWNER** and **CONSULTANT**; and

**WHEREAS, OWNER'S** MS4 permit was not renewed by the Kentucky Division of Water until spring 2015; and

**WHEREAS, OWNER** and **CONSULTANT** are in agreement that the initial term of the Agreement should be amended to a term of sixteen (16) months, so as to more closely align with the MS4 permit cycle.

**NOW, THEREFORE**, in consideration of the foregoing and mutually agreed upon promises, conditions, and covenants hereinafter set forth, the parties hereto agree as follows:

1. That the above recitals are incorporated herein by reference as if fully stated.
2. The initial term of the Agreement shall be extended until March 31, 2016, at no additional cost to **OWNER**. Such extension shall have no effect on the number of renewals, and up to four (1) additional one (1) year renewals are permitted upon mutual agreement of the parties following the expiration of the initial term on March 31, 2016.
3. In the event of a conflict between the terms of this Amendment and the terms of the Agreement, this Amendment shall control. All other terms and conditions of the Agreement shall remain unchanged and in full force and effect as stated in the Agreement.

**IN WITNESS WHEREOF**, the parties have executed this Amendment to Agreement as the day, month, and year first written above.

