

EXHIBIT

"A"

**AMENDMENT NO. 1 TO THE
INTERLOCAL AGREEMENT REGARDING USE OF CONSTRUCTION COST
SAVINGS FROM PHASE 1A OF THE BCRUA REGIONAL
WATER TREATMENT AND DISTRIBUTION PROJECT**

THE STATE OF TEXAS §
 § KNOW ALL BY THESE PRESENTS:
COUNTY OF WILLIAMSON §

THIS AMENDMENT NO. 1 TO THE INTERLOCAL AGREEMENT REGARDING USE OF CONSTRUCTION COST SAVINGS FROM PHASE 1A OF THE BCRUA REGIONAL WATER TREATMENT AND DISTRIBUTION PROJECT ("Amendment No. 1") is entered into between the Brushy Creek Regional Utility Authority ("**BCRUA**"), the City of Round Rock, Texas, a Texas home-rule city ("**Round Rock**"); the City of Cedar Park, Texas, a Texas home-rule city ("**Cedar Park**"), and the City of Leander, Texas, a Texas home-rule city ("**Leander**"). In this Agreement, BCRUA, Round Rock, Cedar Park and Leander are sometimes individually referred to as "**Party**" and collectively referred to as "**Parties**". In this Agreement, Round Rock, Cedar Park and Leander are sometimes collectively referred to as "**Cities.**"

Recitals

WHEREAS, on or about the 20th day of October, 2010 the Parties entered into that one certain Interlocal Agreement Regarding Use of Construction Cost Savings From Phase 1A of the BCRUA Regional Water Treatment and Distribution Project (the "ILA"), for the purpose of setting forth the terms and conditions for the expenditure of cost savings from Phase 1A towards other items and projects; and

WHEREAS, the Parties wish to amend the ILA to add items to the list of approved expenditures, **Now Therefore**, the parties hereby agree as follows:

I.

1.1 Section 2.01 of the ILA is hereby amended to read as follows:

2.01 The cost savings reflected in the Amended Exhibit D may be used by the Cities only for the projects and purposes as set forth in more detail on the Amended Exhibit A, attached hereto and incorporated herein for all purposes.

II.

2.1 To the extent necessary to effect the terms and provisions of this Amendment No. 1, the ILA is hereby amended and modified. In all other respects, the aforesaid ILA is hereby ratified and confirmed.

2.2 This Amendment No. 1 may be executed in counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties hereto acting under authority of their respective governing bodies have caused this Amendment No. 1 to be effective as of the ____ day of _____, 201__.

SIGNATURES APPEAR ON FOLLOWING PAGES.

CITY OF ROUND ROCK:

ATTEST:

Sara White, City Clerk

By: _____
Alan McGraw, Mayor

Date: _____

CITY OF CEDAR PARK:

ATTEST:

LeAnn Quinn, City Secretary

By: _____
_____, Mayor

Date: _____

CITY OF LEANDER:

ATTEST:

Debbie Haile, City Secretary

By: _____
_____, Mayor

Date: _____

**BRUSHY CREEK REGIONAL UTILITY
AUTHORITY**

By: _____
Jon Lux, President

Attest:

By: _____
Ron Abruzzese, Secretary

Amended Exhibit A
BCRUA Regional Water Project
Use of Construction Cost Savings from Phase 1A
Updated: December 14, 2016

DESCRIPTION	CONSTRUCTED CAPACITY (MGD)	ESTIMATED COST	CEDAR PARK RESERVED CAPACITY (%)	CEDAR PARK COST	LEANDER RESERVED CAPACITY (%)	LEANDER COST	ROUND ROCK RESERVED CAPACITY (%)	ROUND ROCK COST
PHASE 2-DEEP WATER INTAKE & RAW WATERLINE								
Planning/Preliminary Engineering		\$ 8,160,038	28.96	\$ 2,279,671	42.85	\$ 3,521,484	28.19	\$ 2,358,884
Land Acquisition		\$ 3,356,474	28.96	\$ 972,035	42.85	\$ 1,438,249	28.19	\$ 946,190
Property Right Acquisitions & Monitoring		\$ 3,000,000	28.96	\$ 868,800	42.85	\$ 1,285,500	28.19	\$ 845,700
Local Planning & Zoning		\$ 250,000	28.96	\$ 72,400	42.85	\$ 107,125	28.19	\$ 70,475
Contingency		\$ 883,488	28.96	\$ 255,858	42.85	\$ 378,575	28.19	\$ 249,055
PHASE 2-DEEP WATER INTAKE & RAW WATERLINE SUB-TOTAL		\$ 15,650,000		\$ 4,448,764		\$ 6,730,932		\$ 4,470,304
Cost Allocation Percentages				28.43%		43.01%		28.56%
PHASE 1A-WATER TREATMENT PLANT CONSTRUCTION								
Legal & Litigation Costs		\$ 5,512,000	18.42	\$ 1,015,310	47.06	\$ 2,593,947	34.52	\$ 1,902,742
PHASE 1A-WATER TREATMENT PLANT CONSTRUCTION SUB-TOTAL		\$ 5,512,000		\$ 1,015,310		\$ 2,593,947		\$ 1,902,742
Cost Allocation Percentages				18.42%		47.06%		34.52%
PHASE 1B-WATER TREATMENT PLANT RE-RATING								
WTP Re-Rate		\$ 150,000	26.67	\$ 40,005	46.66	\$ 69,990	26.67	\$ 40,005
PHASE 1B-WATER TREATMENT PLANT RE-RATING SUB-TOTAL		\$ 150,000		\$ 40,005		\$ 69,990		\$ 40,005
Cost Allocation Percentages				26.67%		46.66%		26.67%
PHASE 1C-WATER TREATMENT PLANT EXPANSION								
TWDB Funding Consultant		\$ 46,200	26.67	\$ 12,322	46.66	\$ 21,557	26.67	\$ 12,322
Design Engineering		\$ 1,815,000	26.67	\$ 484,061	46.66	\$ 846,879	26.67	\$ 484,061
PHASE 1C-WATER TREATMENT PLANT EXPANSION SUB-TOTAL		\$ 1,861,200		\$ 496,382		\$ 868,436		\$ 496,382
Cost Allocation Percentages				26.67%		46.66%		26.67%
SEGMENT 2A & 2B TRANSMISSION LINES								
Segments 2A & 2B - LCRA Overhead (Leander)		\$ 1,106,793		\$ -		\$ 1,106,793		\$ -
Segments 2A & 2B - Take Points (Leander)		\$ 300,000		\$ -		\$ 300,000		\$ -
SEGMENT 2A & 2B TRANSMISSION LINES SUB-TOTAL		\$ 1,406,793		\$ -		\$ 1,406,793		\$ -
LEANDER RESERVE FUND								
Reserve Funding		\$ 6,184,000		\$ -		\$ 6,184,000		\$ -
LEANDER RESERVE FUND SUB-TOTAL		\$ 6,184,000		\$ -		\$ 6,184,000		\$ -
BCRUA RE-ALLOCATED PHASE 1A CONSTRUCTION SAVINGS		\$ 30,763,993		\$ 6,000,461		\$ 17,854,098		\$ 6,909,433