

EXHIBIT
"A"

**SUPPLEMENTAL AGREEMENT NO. 3
TO "CITY OF ROUND ROCK AGREEMENT
FOR PURCHASE OF GENERAL BUILDING CONSTRUCTION
TRADES SERVICES (HVAC) FROM
TDINDUSTRIES, INC"**

CITY OF ROUND ROCK	§	
	§	
STATE OF TEXAS	§	KNOW ALL BY THESE PRESENTS:
	§	
COUNTY OF TRAVIS	§	
COUNTY OF WILLIAMSON	§	

THIS SUPPLEMENTAL AGREEMENT NO. 3 to "City of Round Rock Agreement for Purchase of General Building Construction Trades Services (HVAC Trade) from TDIndustries, Inc.," hereinafter called "Supplemental Agreement No. 3," is made by and between the City of Round Rock, Texas, a home-rule municipality, hereinafter called "City" and TDIndustries, Inc., hereinafter called "TDIndustries."

WHEREAS, City and TDIndustries executed the referenced "City of Round Rock Agreement for Purchase of General Building Construction Trade Services (HVAC Trade) from TDIndustries, Inc.," hereinafter called the "Agreement," on June 27, 2013, by Resolution No. R-13-06-27-E8; and

WHEREAS, pursuant to Section 2.01 of the Agreement, the initial term of the Agreement was for three (3) consecutive twelve (12) month periods from the effective date of the Agreement with two (2) allowable consecutive twelve (12) month renewal terms; and

WHEREAS, City and TDIndustries, Inc. executed Supplemental Agreement No. 1 amending certain material terms of the Agreement on June 12, 2014, by Resolution No. R-2014-1497; and

WHEREAS, City and TDIndustries executed Supplemental Agreement No. 2 renewing the Agreement for the first of two (2) allowable consecutive twelve (12) month renewal terms on June 9, 2016, by Resolution No. R-2016-3511; and

WHEREAS, it has now become necessary to execute Supplemental Agreement No. 3 to amend the original Agreement to extend the term of the Agreement for the second and final twelve (12) month renewal term; and

NOW THEREFORE, in consideration of the mutual promises and obligations in the Agreement and this Supplemental Agreement No. 3, City and TDIndustries agree that said Agreement is amended and supplemented as follows:

I.

Pursuant to Section 2.01 of the Agreement, the term of the Agreement is renewed for the second and final of two (2) allowable twelve (12) month renewal periods. The twelve (12) month renewal term shall commence upon expiration of the first twelve (12) month renewal term.

II.


This Supplemental Agreement No. 3 embodies the second and final of two (2) allowable twelve (12) month renewal periods and shall extend the original Agreement as to time only with no other changes in terms or conditions of the original Agreement and Supplemental Agreements.

IN WITNESS WHEREOF, City and TDIndustries have executed this Supplemental Agreement No. 3 to be effective as of the last date of due execution by both parties.

CITY OF ROUND ROCK, TEXAS

TDINDUSTRIES, INC.

By: _____
Printed Name: _____
Title: _____
Date Signed: _____

By: 
Printed Name: Roger D. Cotton
Title: Vice President
Date Signed: 4/5/17

ATTEST:

By: _____
Sara L. White, City Clerk

FOR CITY, APPROVED AS TO FORM:

By: _____
Stephan L. Sheets, City Attorney