

**AMENDMENT NO. 2
CONTRACT NO. 455-21-1024 FOR
PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES
BETWEEN
THE RAILROAD COMMISSION OF TEXAS AND
TRIHYDRO CORPORATION**

THIS AMENDMENT NO. 2 to Contract No. 455-21-1024 (“Contract”) is entered into by and between the State of Texas, acting through the Railroad Commission of Texas (“RRC”), located at 1701 N. Congress Ave., Austin, Texas and Trihydro Corporation (“Contractor”), located at 1252 Commerce Drive, Laramie, WY 82070 (individually “Party”; collectively “Parties”).

WHEREAS, SECTION 7.06. of the Contract provides the Parties may amend the Contract through written agreement; and

WHEREAS, on July 20, 2022, the Parties executed **Amendment No. 1** to the Contract to modify section **2.01. CONTRACT AWARD.**, subparagraph (a.) to exercise renewal option one (1) of three (3) to continue the Contract through August 31, 2023, and to modify section **3.01. CONTRACT LIMIT, FEES AND EXPENSES.**, changing the not-to-exceed amount of the Contract from FOUR HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$400,000.00) to EIGHT HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$800,000.00), as approved by the Executive Director on July 20, 2022.

WHEREAS, the Parties desire to further amend the Contract terms to their mutual benefit to reflect changed circumstances.

NOW, THEREFORE, the Parties agree to amend the Contract as follows:

- I. **SECTION 2.01. CONTRACT AWARD.**, subparagraph (a.) is deleted in its entirety and replaced with the following:

“This Contract shall be effective as of October 13, 2021, through August 31, 2024 (reflecting the initial term of the Contract plus the exercised optional renewal term two of three; collectively, “Contract Term”) unless terminated earlier as provided in RFQ No. 455-21-1024 Part III and/or section **2.02 TERMINATION.**, set forth below.

This Contract may be extended only through written amendment to the Contract, fully executed prior to the expiration of the Contract Term in effect prior to execution of the applicable Amendment to the Contract.

RRC reserves the right to renew the Contract for one (1) additional, one-year renewal term remaining of the original three (3) one-year renewal terms.

Third Optional Renewal Term: September 1, 2024 – August 31, 2025”

- II. **SECTION 3.01. CONTRACT LIMIT AND FEES AND EXPENSES.**, is deleted in its entirety and replaced with the following:

“**CONTRACT LIMIT, FEES AND EXPENSES.** The total amount of fees to be paid by RRC to Contractor under the Contract through the Contract Term shall not exceed **ONE MILLION THREE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$1,300,000.00)**, the total of which includes the current NTE amount of **EIGHT HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$800,000.00)** plus the addition of **FIVE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$500,000.00)**, as approved by the Commissioners on June 13, 2023.”

Except as expressly amended above, all provisions of the Contract, as amended, remain in full force and effect. In the event of a conflict among provisions of the Contract, the order of precedence shall be: this Amendment No. 2:

