

**AMENDMENT NO. 2  
PROFESSIONAL SERVICES AGREEMENT  
FOR  
PROGRAM MANAGEMENT / CONSTRUCTION MANAGEMENT SERVICES**

This Amendment 2 (herein called the “Amendment”) to the Program Management/Construction Management for the Terminal Development Program at San Antonio International Airport is entered into by and between the City of San Antonio (“City”), a Texas home-rule municipality, acting by and through its City Manager, and Freese and Nichols, Inc. ( “Consultant”), acting by and through its authorized officers.

**WHEREAS**, City Council was briefed on the initial schedule and plan for the design and construction of the new terminal facility and its enabling projects at San Antonio International Airport in May 2022, which plan is being implemented through the Terminal Development Program (TDP); and

**WHEREAS**, to manage complex, large-scale programs such as a new terminal facility, a project owner will utilize a Program Manager/Construction Manager (PM/CM) to help organize multiple and concurrent efforts, assess risk, leverage funding options, navigate regulatory requirements, scale available resources appropriately, manage the variety of stakeholders and contractors, and expedite project timelines; and

**WHEREAS**, in December 2022 the City and Consultant entered into the Professional Services Agreement for Program Management/Construction Management for the Terminal Development Program at San Antonio International Airport (“Agreement”) pursuant to Ordinance No. 2022-12-15-0955; and

**WHEREAS**, with the selection of a construction manager at risk for the new terminal project and the acceleration in work resulting therefrom it is necessary to increase the PM/CM contract capacity by \$23,000,000 for a total revised not to exceed contract value of \$55,000,000; and

**WHEREAS**, specific phases of work will be identified and negotiated, however, the increase in contract capacity will provide for to provide for further program management and construction management of the TDP throughout the life of the program; and

**WHEREAS**, these services will be identified and incorporated into the Agreement pursuant to Article 4.1 which authorizes the Director to add individual phases of work to the Scope of Services without additional City Council approval; and

**NOW THEREFORE**, in consideration of the terms, covenants, agreements and demises herein contained, and in consideration of other good and valuable consideration, each to the other given, the sufficiency and receipt of which are hereby acknowledged, the Agreement entered into by and between the City and the Consultant is amended as follows:

- 1. Article II Compensation.** The not to exceed total compensation to Consultant set out in Article 2.1 of the Agreement is hereby increased by TWENTY-THREE MILLION AND 00/100 DOLLARS (\$23,000,000.00) for a total revised not to exceed contract value of FIFTY-FIVE MILLION AND 00/100 DOLLARS (\$55,000,000.00).


Except as amended hereby, all other provisions of the Agreement are hereby retained in their entirety and remain unchanged.

EXECUTED AND AGREED TO this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**CITY OF SAN ANTONIO**

**FREESE AND NICHOLS, INC.**

By: \_\_\_\_\_  
Erik Walsh  
City Manager

By:  Nov 29, 2023 10:28 CST  
Signature

John New, Vice President  
Printed Name & Title

APPROVED:

By: \_\_\_\_\_  
(for) City Attorney


# Amendment 2\_PMCM PSA\_FINAL


Final Audit Report


2023-11-29


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