

**FIRST AMENDMENT AND EXTENSION OF  
*Interlocal Agreement For Fleet Services And Fuel***

This *First Amendment And Extension Of Interlocal Agreement For Fleet Services And Fuel* (the “ First Amendment And Extension”) dated to be effective from and after September 30, 2015, is entered into by and between the **CITY OF SAN ANTONIO** (“City”) and **CPS ENERGY** (“CPS”), and is as follows:

**I. AMENDMENT AND EXTENSION**

Article II. Term, Section 2.03 of the Contract, is hereby amended to read as follows:

“2.03. **Extensions.**

- A. The Agreement is hereby extended for a three (3) month term beginning October 1, 2015 and ending December 31, 2015.
- B. This Agreement may be extended for up to two (2) additional one (1) month terms at City’s option, beginning January 1, 2016, and not beyond February 29, 2016. City shall notify CPS in writing of the exercise of its option to extend the Agreement for an additional one (1) month term not less than ten (10) days prior to the expiration of the then current term. The exercise of any such option shall not require approval or action by the City Council.

**II. PROVISIONS REMAIN IN EFFECT**

All other current terms, conditions, covenants and provision of the Agreement not specifically mentioned herein and revised by this document, are hereby retained in their entirety, unchanged, and shall remain in full force in effect for the duration of the Contract.

**III. EFFECTIVE DATE**

This First Amendment And Extension shall be effective from and after September 30, 2015.

**IV. CONFLICT PROVISIONS**

Any conflict between the provisions of this First Amendment And Extension and the provisions of the Agreement shall be resolved in favor of this Extension.

EXECUTED and AGREED TO BE EFFECTIVE FROM AN AFTER THE DATE WRITTEN ABOVE.

**CITY OF SAN ANTONIO**

**CPS ENERGY**

BY: 

BY: 

Name: Jorge A. Perez

Name: Chad Johnston

Title: Director of Building and  
Equipment Services

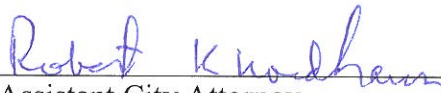
Title: Interim Director, Corporate Support  
Operations

Date: 18 November 2015

Date: 18 November, 2015

APPROVED AS TO FORM:

APPROVED AS TO FORM:

  
Assistant City Attorney

  
Legal Counsel