



RESOLUTION NO. 20220222-07

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO AMEND A REIMBURSEMENT CONTRACT FOR ENVIRONMENTAL SERVICES COOPERATIVE AGREEMENT EXPENSES WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

WHEREAS, TexAmericas Center is a political subdivision of the State of Texas with the powers and authorities specified in Chapter 3503 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, TexAmericas Center entered into an Environmental Services Cooperative Agreement with United States of America acting by and through the Department of the Army dated August 14, 2014 (ESCA) to complete certain environmental services on behalf of the Army at the former Lone Star Army Ammunition Plant; and

WHEREAS, TexAmericas Center executed a Reimbursement Contract for Environmental Services Cooperative Agreement Expenses with the Texas Commission on Environmental Quality on June 28, 2016 by Resolution No. 20160628; and amended September 26, 2017 by Resolution No. 20170926-18 , June 25, 2019 by Resolution 20190625-02, and October 27, 2020 by Resolution 20201027-02.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of TexAmericas Center, that Scott Norton, Executive Director/CEO, shall be and he is hereby authorized to execute Amendment 5 to the Reimbursement Contract by and between TexAmericas Center and TCEQ in substantially the form attached to this Resolution as Exhibit "A".

PASSED and APPROVED this 22nd day of February, 2022.

A handwritten signature in blue ink, appearing to be "Jim Roberts", written above a horizontal line.

Jim Roberts, Chairman of the Board

ATTEST:

A handwritten signature in blue ink, appearing to be "Justin Powell", written above a horizontal line.

Justin Powell, Secretary

Attached: Exhibit "A"

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
COOPERATIVE REIMBURSEMENT CONTRACT FOR
STATE AGENCIES AND LOCAL GOVERNMENTS

Contract #582-16-63022

Amendment #5


The Texas Commission on Environmental Quality (TCEQ) and the TexAmericas Center (TAC) had previously come to a meeting of the minds, prior to the expiration of the Contract, regarding the extension of the Contract from the expiration date of February 6, 2022 to April 29, 2022. By signature on this amendment, TCEQ and the Performing Party are acknowledging and ratifying their prior meeting of the minds regarding the extension of the expiration date of the Contract. In accordance with Section 7.a. and Section 8. *General Provisions*, Subsection d. *Modification* of the Contract, TCEQ and TAC hereby agree to amend Contract No. 582-16-63022 as follows:

1. TAC extended its Environmental Services Cooperative Agreement, Agreement No. W912DY-14-2-0401; therefore, TAC and TCEQ agree to extend Contract No. 582-16-63022. The Contract is extended to expire April 29, 2022. Based on this amendment, TCEQ may invoice for activities performed from February 7, 2022 through April 29, 2022, in addition to activities previously allowed under the Contract.
2. The following is added as a provision of the Contract:
Excluded Parties. Both Parties to the Contract represent and warrant that they are not listed in the prohibited vendors lists authorized by Executive Order No. 13224, "Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism," published by the United States Department of the Treasury, Office of Foreign Assets Control. Each Party to the Contract will notify the other Party if it can no longer make this representation.
3. The previously-approved Projected Annual Budget- State of Texas Fiscal Year 2022 is applicable to the extension period added by this Amendment #5.


All terms and conditions and other requirements of this Contract not addressed in this Contract Amendment shall remain unchanged.

**Texas Commission on Environmental
Quality**

TexAmericas Center



(Authorized Signature)



(Authorized Signature)

Merrie Smith, P.G.

(Printed Name)

Scott Norton

(Printed Name)

VCP/CA Section Manager

(Title)

Executive Director / CEO

(Title)

2/28/22

(Date signed)

2/28/22

(Date signed)