TCEQ Interoffice Memorandum

To: Commissioners
Richard A. Hyde, P.E.
Executive Director

From: Caroline M. Sweeney, Deputy Director
Office of Legal Services

David Timberger, Director
General Law Division

Elizabeth West, Senior Attorney
Contracts, Employment Law and Ethics
General Law Division

Date: June 17, 2014

Caption: Docket No. 2014-0816-MIS: Consideration of material changes to contracts for goods and services awarded under Chapter 2155 of the Texas Government Code executed during the previous quarter.

In accordance with Commission Resolution 2013-0712-RES, and pursuant to Section 2155.088 of the Texas Government Code, enclosed for your consideration are the material changes made to contracts for goods and services awarded under Chapter 2155 of the Texas Government Code for the time period December 16, 2013 to March 5, 2014. See *Exhibit A*.

The material changes included in *Exhibit A* are those that: (1) extend the length of or postpone the completion of a contract for six months or more; and (2) increase the total consideration to be paid under a contract by at least 10 percent. The enclosed reports, sorted by Office, indicate the contract (aka project name), the vendor, a description of the material change, the dollar amount of the material change, and the beginning and end dates of the contract.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

A **RESOLUTION** Consideration of material changes to contracts for goods and services awarded under Chapter 2155 of the Texas Government Code executed during the previous quarter. Docket No. 2014-0816-MIS

WHEREAS, Section 2155.088 of the Government Code provides that the governing body of a state agency hold a meeting to consider material changes to contracts for goods and services awarded under Chapter 2155 of the Texas Government Code.

WHEREAS, a list of the material changes to the relevant contracts executed by the Executive Director or his designee submitted for consideration is attached as Exhibit "A." The list includes a description and amount of each material change for the time period March 6, 2014 to June 11, 2014.

WHEREAS, on July 2, 2014, the Texas Commission on Environmental Quality (Commission) met to consider the material changes in Exhibit "A."

NOW, THEREFORE BE IT RESOLVED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that the Commission has considered and acknowledges the material changes to the contracts for goods and services in Exhibit "A" in accordance with Section 2155.088 of the Texas Government Code.

Issued this the _____ day of _____, _____.

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

_____

Bryan W. Shaw, Ph.D., P.E., Chairman

Exhibit A

Materials Changes to Contracts Amendments

and

POCNs

Material Changes to Contracts - Amendments- March 6, 2014 - June 11, 2014

PO/Contract N	Project Name	Project Description	Start Date	End Date	Vendor Name	Total Amount	Issued Date
582-13-31550	Take Care of Texas Marketing Outreach	Amendment #3 to renew contract for FY 15: September 1, 2014 - August 31, 2015.	30-Nov-12	31-Aug-15	TEXAS CREATIVE	$ 200,000.00	28-May-14
582-14-40003	Austin Convention Center- EFTC 2014	Amendment #1 to add event services for the 2014 Environmental Trade Fair and Conference to be held May 6-7, 2014 at the Austin Convention Center.	2-May-14	7-May-14	CITY OF AUSTIN	$ 356,000.00	5-May-14
582-11-91265	Registration Services for TCEQ Events	Amendment #6 - use of SACR clause to increase the amount paid to Swift Solutions by $40,000 for FY 14 due to increased attendance to events.	1-May-14	31-Aug-14	SWIFT SOLUTIONS	$ 40,000.00	14-May-14
582-13-31550	Take Care of Texas Marketing Outreach	Work Order Extension #3 - Change end date to January 17, 2014 ($0)	6-Nov-13	17-Jan-14	TEXAS CREATIVE	$0.00	7-Mar-14
582-13-30463	Supervisory Skills Training	Amend. 2 Add two Emotional Intelligence classes to current contract.	1-Sep-12	31-Aug-13	UNIVERSITY OF TEXAS AT AUSTIN	$ 11,260.00	30-Apr-14
582-11-99670	Central File Room	Amend#13's purpose is to decrease the Special Projects Line Item by $62,375.00.; Contract amount after this amount after this amendment is $10,505,035.96	1-Sep-10	31-Aug-14	PACOTECH INC	$ 62,375.00	20-May-14
582-11-99670	Central File Room	The purpose of Amendment No. 14 is to increase the NTE by $65,536.32 from $10,505,035.96 to $10,570,572.28.; Other; OTHER	1-Sep-10	31-Aug-14	PACOTECH INC	$ 65,536.32	5-Jun-14
582-14-40433	General work skills training	Amend 1--To add two classes, Insights into Personal Effectiveness, to be delivered in FY 14.; Other; OTHER	1-Sep-13	31-Aug-14	TEXAS WORKFORCE COMMISSION	$ 5,724.00	20-May-14
582-11-12225	Engineering Interns for Air Permits	Adding additional ($14,700) for FY 14; and extending the PGA/GAD through 8/31/2015 in the amount of ($119,000) for a total of $133,700.; Other; OTHER	1-Sep-14	31-Aug-15	UNIVERSITY OF TEXAS AT AUSTIN	$ 133,700.00	21-May-14
582-12-10049	PM2.5 Filter Laboratory Analysis Program	Amendment #3 increases the total compensation possible under the contract for FY14. The increased funding is necessary as TCEQ has requested an increase in the number of Scope of Work Tasks authorized for FY14.; Other; OTHER	1-Sep-11	31-Aug-14	DESERT RESEARCH INSTITUTE	$ 85,497.00	8-May-14
582-11-86429	Wichita Falls Monitoring	Amendment #4 - To revise the SOW and increase FY14 funding by $5,148; The original Contract amount Was $11,000. The new contract amount after Amendment #4 is $58,163.	1-Sep-10	31-Aug-14	TEXAS TECH UNIV	$ 5,148.00	3-Jun-14
582-12-23420		Contract Amendment No. 2 ($0) delineates the final disposition of equipment under the grant from TCEQ to UTA titled Air Monitoring Equipment & Activities, Contract #582-11-11388. Although this grant expired on August 31, 2013, UTA has continued operating four air monitoring sites under TCEQ SEP Agreement #2011-01 through March 31, 2014 when available SEP funding will be depleted. On April 1, 2014 these four air monitoring sites will be assumed by NTC under Contract #582-12-23420.	1-Apr-14	31-Aug-15	NORTH TEXAS COMMISSION	$0.00	27-Mar-14
582-13-30015	Whole Air Monitoring - Dallas	FY14 amendment to update the contract costs budget for equipment purchases and increase the contract funding amount for FY14.	1-Sep-13	31-Aug-14	CITY OF DALLAS	$ 49,640.00	9-Apr-14
582-11-12690	National Air Toxic Trend at Deer Park	FY15 Renewal extends the contract term and increases the total compensation possible under it by $95,880 to $394,180.; CONTRACT EXTENSION	1-Jul-11	31-Aug-15	TECHNICAL MONITORING SERVICES INC	$ 394,180.00	30-May-14
582-14-40351	Sabine River Authority Sample Analysis FY14	Add additional funds to FY14 Encumbrance. Water section is estimating additional samples and mileage over the original contract.	1-Sep-13	31-Aug-14	SABINE RIVER AUTHORITY OF TEXAS	$ 760.25	11-Jun-14

582-13-30089	University of Texas Grant Contract - Texas State Implementation Plan	Add additional funds of $448,000 for Approved FY14 Projects.	7-Mar-14	31-Aug-16	UNIVERSITY OF TEXAS AT AUSTIN	$ 448,000.00	12-Mar-14
582-13-34575	ICP-MS analysis of 2013 PM samples from Clinton, Galveston, and Barbados and calculation of the quantitative PM2.5 impacts of Saharan dust transport episodes at Galveston and Clinton Drive	EFCR for Amendment No. 1 (CA1), which adds additional funding of $200,000 for approved FY14 projects. The original Contract amount was $500,000 and after Amendment #1 $700,000	12-Mar-14	31-Aug-17	UNIVERSITY OF HOUSTON-UNIVERSITY PARK	$ 200,000.00	31-Mar-14
582-14-40055	Rider 8 City of Corpus Christi	This amendment will increase funds in the amount of $153,895. The new total for the Fiscal Year 14/15 Grant Agreement will be $596,195. The Texas Legislature during the 83rd Session increased the funding of the Rider 8 Program from the previous biennium.	19-Mar-14	31-Aug-15	CITY OF CORPUS CHRISTI	$ 596,195.00	25-Mar-14
582-14-40789	TERP DMS Maintenance and Support IT Contract	Amendment 02 increases the total amount of Task Order 3 from $180,000 to $280,000.	7-Apr-14	31-Aug-14	COOPER CONSULTIN G COMPANY	$ 280,000.00	7-Apr-14
582-11-10365	AMEIOTS (NON-FTE)	UA6 ENVIRON PCR#10365 Extends the Contract Period by 180 days. The expiration date of Contract is 2/27/15. ($0)	1-Sep-10	27-Feb-15	ENVIRON INTERNATIO NAL CORPORATI ON	$0.00	30-May-14
582-11-99776	AMEIOTS (Non-FTE)	UA9 extends the Contract for 180 days beyond any expiration of a Contract or Renewal Period. ($0)	25-Mar-14	27-Feb-15	EASTERN RESEARCH GROUP INC	$0.00	27-Mar-14
582-7-79923	Electronic Data Management System (EDMS) Umbrella	Authorization is requested to initiate amendment #7 to the Texas Environmental Data System (TEDS) Contract. Amendment #7 will document modifications to be made to the TEDS application. There is no change to the contract amount.	1-Aug-07	31-Jul-14	EARTHSOFT INC	$0.00	7-May-14
582-13-30998	Public Drinking Water Conference	Amendment No. 1 to 582-14-30998 for FY 2014 to conduct the statewide public drinking conference for public water system. The conference addresses public water issues, water rights issues, disaster response, consumer confidence reports and changes to existing regulations.	22-Feb-13	31-Aug-14	UNIVERSITY OF TEXAS AT AUSTIN	$ 70,000.00	19-Mar-14
582-12-13254	Houston Area Public Participation Support. This Work Order will be using FY 13 Chargeback funds	Amendment # 1 will add additional funding to add additional tasks to the Work Order.	15-Aug-13	31-Aug-14	HOUSTON-GALVESTON AREA COUNCIL	$ 55,000.00	7-Apr-14
582-12-23101	Settegast Preserve Conservation Project	EFCR to amend the current contract end date and add funding	13-Aug-12	30-Jun-14	TEXAS PARKS AND WILDLIFE DEPARTMEN T	$ 60,000.00	13-Mar-14
582-11-12789	Water quality analysis and research.	The purpose of this EFCR is to establish an amendment to the Umbrella Contract to extend the end date to 8/31/2016.	22-Jun-11	31-Aug-16	SAN ANTONIO RIVER AUTHORITY	$0.00	11-Apr-14

Changes to Contracts - POCNs - March 6, 2014 - June 11, 2014

Office Receiving	Issued Date	PO/Contract Number	Project Name	Project Description	Start Date	End Date	Vendor Name	Total Amount
COMMISSIONERS OFFICE	28-May-14	582-13-22168	Scientific Article Document Retrieval	Exercise the second of two renewal options for the period of 9/1/14 - 8/31/15 and add FY 15 funding to cover document retrievals; CHANGE ACCOUNTING ELEMENTS	1-Sep-14	31-Aug-15	REPRINTS DESK INC	$ 10,000.00
EXECUTIVE OFFICE	21-May-14	582-12-10046	Additional service contract to prepare packets of information, postcards, survey, outreach materials and general information for mailing. This contract will be equivalent to TIBH and will be used at the discretion of the division.	Renewal #3 for the mailing services contract with Paragon Printing and Mailing. 09/01/14-08/31/15	1-Sep-14	31-Aug-15	PARAGON PRINTING & MAILING	$ 30,000.00
EXECUTIVE OFFICE	29-Apr-14	582-13-31415	FEDEX	Adding funding for FedEx account for FY 15 for SBEA and Seminar Account	1-Sep-14	31-Aug-15	FEDEX GOVERNMENT SERVICES	$ 8,400.00
OFFICE OF ADMINISTRATIVE SERVICES	8-May-14	582-14-42942	OUTSOURCED - Sign Language Interpreter	Amount needs to be increased because the total hours worked was more than anticipated.	7-Mar-14	7-Mar-14	TIBH INDUSTRIES INC - TEMPS	$ 52.11
OFFICE OF ADMINISTRATIVE SERVICES	10-Apr-14	582-14-40664	Overnight, 2nd Day, and Ground Delivery Service	Additional funding.	1-Sep-13	31-Aug-15	FEDEX GOVERNMENT SERVICES	$ 20.00
OFFICE OF ADMINISTRATIVE SERVICES	11-Jun-14	582-14-40508	MultiNet Enterprise Data for GIS. Service begins 9-22-13	To exercise the first of 3 renewal options for the ARCGis data.Period of service to be from 9/22/2014 through 9/21/2015. FY 15 funding to be provided when available.; CONTRACT EXTENSION	22-Sep-13	21-Sep-17	AMERICAN DIGITAL CARTOGRAPHY INC	$0.00
OFFICE OF ADMINISTRATIVE SERVICES	27-May-14	582-12-23163	Executive Information Systems (EIS)(Vendor) for agencywide PC SAS software maintenance renewals to be effective 7/1/2012.	To exercise 2nd of 3 one year renewal options for EIS PC SAS. Period of service to be from July 1, 2014 - June 30, 2015 OW - 11; OA - 34; OCE - 1; Other; OTHER	1-Jul-12	30-Jun-15	EXECUTIVE INFORMATION SYSTEMS	$0.00
OFFICE OF ADMINISTRATIVE SERVICES	16-Apr-14	582-14-40356	Staff Augmentation: Developer Analyst III, Vijay Anumala	Increase funding to PO by $17,100 or 180 hours; Other; OTHER	1-Sep-13	31-Aug-14	BANSAR TECHNOLOGIES INC	$17,100
OFFICE OF ADMINISTRATIVE SERVICES	16-Apr-14	582-14-40354	Staff Augmentation: Developer Analyst III, Mark Kneisler	Reduce hours on PO by 200 hours: 1880 to reflect a PO amount of $17,600; Other; OTHER	1-Sep-13	31-Aug-14	SENTARI TECHNOLOGIES INC	$17,600
OFFICE OF COMPLIANCE AND ENFORCEMENT	10-Mar-14	582-14-41056	San Jacinto River Flyover	A second flyover will take place on 04/04/14 with the TPWD. This flight will be to survey the Brazos Scenic Riverway, a semi annual cooperative effort of the TCEQ & TPWD. The quoted rate for the rental is $180.00 an hour. The flight is expected to be approximately 5 hours at an estimated cost of $900.00. This is only for the rental of the plane and no other services are being provided by TPWD.	1-Nov-13	31-Aug-14	TEXAS PARKS & WILDLIFE DEPARTMENT	$ 684.00
OFFICE OF COMPLIANCE AND ENFORCEMENT	23-May-14	582-14-40462	FY14 postage for San Antonio and South Texas Watermaster. Period to run: 9/1/13 - 8/31/14.	increase postage for mailing machine for the remainder of the FY. No PO was issued for the orginial encumbrance.; Other; OTHER	1-Sep-13	31-Aug-14	US POSTAL SERVICE	$ 1,003.00
OFFICE OF COMPLIANCE AND ENFORCEMENT	30-Apr-14	582-14-40605	FY14 ENCUMBRANCE FOR REGION 8 - SAN ANGELO POSTAGE METER FUNDS	Due to recent increases in postage cost and the increased need for certified mailings additional postage is needed on our postage meter.; CHANGE ACCOUNTING ELEMENTS	1-Sep-13	31-Aug-14	UNITED STATES POSTAL SERVICE	$ 800.00

Office of Compliance & Enforcement	30-Apr-14	582-11-13081	New Copier Contract to Start with Canon on May 1, 2011 through August 31, 2011.Contract # 985 L2 Catalogue	Rental extension for 30 days and to add additional funding until May 31, 2014.	1-May-11	30-Apr-14	CANON USA INC	$ 4,000.00
Office of Compliance & Enforcement	30-May-14	582-14-40322	FY14 OVERNIGHT MAIL - ANNUAL ENCUMBRANCE FOR 2014	FY15 Summer EF Term Contract 962-M1 OVERNIGHT MAIL - ANNUAL ENCUMBRANCE FOR 2015 TO BE EFFECTIVE 9/1/2014 THROUGH 08/31/2015.; Other; OTHER	1-Sep-14	31-Aug-15	LONE STAR HOLDINGS LLC	$1,600
Office of Compliance & Enforcement	27-May-14	582-14-40326	Overnight, Second Day, and Ground Delivery Services. Acct#22504449.	FY15 Summer POCR. Increase funding and PO for FY15 services.	1-Sep-14	31-Aug-15	FEDERAL EXPRESS CORP	$ 7,000.00
Office of Compliance	11-Jun-14	582-10-76476	Amarillo Telephone Lease - See Comments	FY15 - Extend AT&T lease & maintenance of Amarillo Telephone and Voice Mail System, Encumbrance period 9-1-2014 thru 8-31-2015, service will be provided on a month to month lease/rental for use of the equipment beginning 9/1/11, and will continue on that basis up to 9/30/2015 at the same payment, subject to TCEQ's right to terminate on 30 days written notice in advance of that date.; Other; OTHER	1-Sep-14	30-Sep-15	AT & T CAPITAL SERVICES INC	$ 2,880.00
OFFICE OF LEGAL SERVICES	30-May-14	582-13-31156	Legal Files Software Maintenance - 1/9/2013-1/8/2015	License conversion/upgrade to web-based application.	9-Jan-13	8-Jan-15	LEGAL FILES SOFTWARE	$ 44,261.00
OFFICE OF PERMITTING & REGISTRATION	24-Apr-14	582-14-40703	iPhone service FY 14	Purchase: Apple iPhone 5s (16GB Space Gray)$199.99, 1 car charger w/USB Port2 $21, 1 OtterBox $35. Replacement iPhone for Earl Lott's broken.; Other; OTHER	1-Sep-13	31-Aug-14	AT & T MOBILITY NATIONAL ACCOUNTS LLC	$ 255.99
OFFICE OF WATER	5-Jun-14	582-13-31457	FY 13 delivery services for WQPD/Admin & TMDL	Add $17,571.00 to FY 14 index 05451 PCA 99661 BC 41 for CIAP. Increases PO amount by $17,571.00 (to new FY 14 PCA 99661 amount $18,871.00) Total PO amount $20,923.00	1-Dec-12	31-Aug-14	FEDEX GOVERNMENT SERVICES	$ 17,571.00
Office of Water	17-Mar-14	582-14-40691	Temporary Employee: Engineering Specialist II, Rachael Daggy - EXEMPT	Add additional hours & money to complete tasks associated with technical and project management for the Lower Rio Grande Water Quality Initiave.	3-Sep-13	29-Aug-14	TIBH INDUSTRIES INC - TEMPS	$ 7,713.92
OFFICE OF WATER	4-Jun-14	582-12-23281	(Previous EF #11-13364) Annual Service Contract on Automated Chemistry Analyzer for Houston Lab	ADD $4,447.00 FOR SERVICE PERIOD 08/18/2014-08/17/2015	18-Aug-14	17-Aug-15	O I ANALYTICAL	$ 4,447.00
OFFICE OF WATER	25-Apr-14	582-13-31844	NIC Mercury Analyzer EXT Warranty contract f/ HOU Lab Service Date 3/1/2013 thru 2/28/2014	Extended Warranty Initial Service Period: 2/28/2014 thru 2/28/2015)	1-Mar-13	28-Feb-15	AGS SCIENTIFIC INC	$ 4,750.00
OFFICE OF WATER	4-Jun-14	582-12-10426	LATE REQUISITION FY12 Compressed gasses and associated cylinder rental for HouLab.	Move $1,000.00 from cylinder rental to dewar rental to cover dewar rent for remainder of FY14. Increase qty of 2 gases to cover remainder of FY14.	1-Sep-11	31-Aug-14	AIRGAS USA LLC	$ 124.25
Office of Water	18-Mar-14	582-14-40689	Temporary Employee: Engineering Specialist II, Adam Torres - EXEMPT	Add additional hours & dollars to complete tasks associated with technical and project management for the Lower Rio Grande Water Quality Initiave.	3-Sep-13	29-Aug-14	TIBH INDUSTRIES INC - TEMPS	$ 5,742.90
Office of Air	24-Apr-14	582-14-43135	Dell 22" widescreen monitors, for Air Modeling & Data Analysis staff and AQD Admin Support Section. DIR Go Direct Contract SDD-1951	EFCR to Return and Replace 22" widescreen monitors as follow: Return (13) 22" monitors, Dell PN: E2214H./$2,093.52 Replace with (16) 22" monitors, Dell PN: P2214H3 with 3-year warranty/$3,363.20; Other; OTHER	1-Apr-14	30-Apr-14	AUSTIN RIBBON & COMPUTER SUPPLIES INC	$ 1,269.68

Office of Waste	14-May-14	582-14-43248	Index 4441 PCA 4601 Space rental (Mustang Room) and parking to host the Natural Resource Trustee Summit at the University of Texas, Commons Learning Center, Austin, TX on 4/15-4/17/14 for approximately 25 attendees, includes projector rental all (3) three days.**ADVANCE PAYMENT PLEASE CALL LORELEI POLINSKI X2556 or LAURA MAYA x2039 to pick up check*** Please rush PO needed to reserve meeting space***	Additional services and rental of equipment requested by M. Smith and R. Seiler for the Natural Resource Trustee Summit on 4/15-4/17/14. Also, a $10 discount was applied for the parking rental charge	15-Apr-14	17-Apr-14	UNIVERSITY OF TEXAS AT AUSTIN	$ 160.00
Office of Waste	6-Mar-14	582-14-40662	FY 14 Cell Phone Service for the Remediation Division.	As requested by Kemya Harris' attached email in Purchase Voucher Audit, adjust PO as follows: Add Directory Assistance funding on an as needed basis, and add additional funding for Federal Universal Service Fee (FUSF) for period of service from September 1, 2013 through August 31, 2014. This amount includes the cost to cover fluctuations during remainder of service period, as well as increases in FUSF charges due to the use of Directory Assistance. Approval emails and additional details attached.	1-Sep-13	31-Aug-14	AT&T MOBILITY II LLC DBA AT&T MOBILITY	$ 302.14