TCEQ Interoffice Memorandum

To: Commissioners
Toby Baker, Executive Director

From: Kelly Keel Linden, Deputy Director KKL
Office of Administrative Services

wp Walter Perry, Acting Deputy Director
Financial Administration Division

Date: November 17, 2021

Caption: Docket No. 2021-1290-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 2019-0463-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 March 1, 2021 to May 31, 2021. 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; or (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, and the dollar amount of the material change.

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. TCEQ Docket No. 2021-1290-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 1, 2021 to May 31, 2021.

WHEREAS, on November 17, 2021, 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

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Jon Niermann, Chairman

Exhibit A:

Material Changes to Contracts and Purchase Orders

List of Amendments and Purchase Order Change Notices

Significant Change Report - Amendments - 03/01/2021 - 03/31/2021

Document Type	Issued Date	Office Receiving	PO Contract Number	Project Name	Project Description	Vendor Name	Original PO Amount	Previous POCN Total	Previous PO Total	Current POCN Amount	New PO Amount	Cumulative % Change to PO
Amendment	03/26/2021	OFFICE OF WATER	582-19-90197	Geronimo and Alligator Creek Watershed Protection Plan (WPP) Implementation - Environmental Education and Bacteria Source Tracking (BST)	Amendment 2: Extended the contract end date to February 28, 2023 and revised the schedule of deliverables.	GUADALUPE BLANCO RIVER AUTHORITY	$ 127,755.00	$ -	$ 127,755.00	$ -	$ 127,755.00	0.00
Amendment	03/16/2021	OFFICE OF WATER	582-19-90200	Lavaca River Watershed Protection Plan - Coordination of Implementation and Routine Water Quality	Amendment 1: Extended the contract end date to August 31, 2022.	TEXAS A&M AGRILIFE EXTENSION SERVICE	$ 150,000.00	$ -	$ 150,000.00	$ -	$ 150,000.00	0.00
Amendment	03/16/2021	OFFICE OF WATER	582-21-14084	Houston Ship Channel Dissolved Oxygen Model Enhancement	Amendment 1: Added funding to complete work being performed by a subcontractor.	TARLETON STATE UNIVERSITY	$ 135,000.00	$ -	$ 135,000.00	$ 15,000.00	$ 150,000.00	11.11
Amendment	03/08/2021	OFFICE OF PERMITTING & REGISTRATION	582-01-43894	Jasper Creosoting Site SSC	Amendment 6: Increased capacity of the contract for repairs and optimization of water treatment plant.	ENVIRONMENTAL PROTECTION AGENCY	$ 910,000.00	$ 200,000.00	$ 1,110,000.00	$ 240,000.00	$ 1,350,000.00	21.62

Significant Change Report - POCNs - 03/01/2021 - 03/31/2021

Document Type	Issued Date	Office Receiving	PO Contract Number	Project Name	Project Description	Vendor Name	Original PO Amount	Previous POCN Total	Previous PO Total	Current POCN Amount	New PO Amount	Cumulative % Change to PO
POCN	03/16/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-21-10059	Fuel Card Services	Extended PO through 4/30/2022 to match 946-M3 updated term.	US BANK NATIONAL ASSOCIATION	$ 41,285.00	$ -	$ 41,285.00	$ -	$ 41,285.00	0.00
POCN	03/09/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-18-80702	Multi-function Printer Lease	Extended copier machine lease to 8/31/2021 to enable continuity of business in the Region 12 office for printing/scanning/copying.	CANON FINANCIAL SERVICES INC	$ 141,609.24	$ 21,487.00	$ 163,096.24	$ 22,551.54	$ 185,647.78	13.83
POCN	03/18/2021	OFFICE OF WATER	582-21-11238	Software License and Support - Bartender and Acronis	Added additional support maintenance.	SHI GOVERNMENT SOLUTIONS	$ 905.84	$ -	$ 905.84	$ 215.76	$ 1,121.60	23.82
POCN	03/10/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-20-13345	Cable Services	Extended end date to August 31, 2021.	TIME WARNER CABLE	$ 1,011.12	$ 5.00	$ 1,016.12	$ 321.64	$ 1,337.76	31.65
POCN	03/31/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-21-10377	FEDEX overnight and ground shipping account	Increased for extra outgoing shipments due emissions reports and Flir Equipment being sent to Region 7.	FEDERAL EXPRESS CORP	$ 2,500.00	$ -	$ 2,500.00	$ 1,000.00	$ 3,500.00	40.00
POCN	03/08/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-18-80708	Internet Database Subscription	Extended service from 10/01/2020 through 09/30/2021.	WEST A THOMSON REUTERS BUSINESS	$ 26,801.04	$ -	$ 26,801.04	$ 11,813.48	$ 38,614.52	44.08
POCN	03/25/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-20-12279	Temporary Employee	Increased for additional hours of service during current period.	WORKQUEST-TEMPS	$ 50,882.76	$ 35,707.20	$ 86,589.96	$ 38,682.80	$ 125,272.76	44.67
POCN	03/31/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	58-21-22135	Fuel Card Services	Increased needed for fuel and maintenance on state vehicles from March 25, 2021 thru April 30, 2021.	US BANK NATIONAL ASSOCIATION	$ 3,036.00	$ -	$ 3,036.00	$ 1,473.00	$ 4,509.00	48.52
POCN	03/18/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-21-23068	Fuel Card Services	Increased for additional vehicle maintenance and repair.	US BANK NATIONAL ASSOCIATION	$ 13,270.00	$ -	$ 13,270.00	$ 7,675.00	$ 20,945.00	57.84
POCN	03/01/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-21-23096	Boat - Preventive Maintenance	Increased for additional repairs to keep the boat in working status.	STATON'S MARINE SERV INC	$ 569.23	$ -	$ 569.23	$ 422.60	$ 991.83	74.24

Significant Change Report - Amendments - 04/01/2021 - 04/30/2021

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Amendment	04/02/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-19-90036	City of El Paso (Border and PM2.5)	Amendment 4: Contract was renewed for FY22.	CITY OF EL PASO	$ 121,683.00	$ 242,400.00	$ 364,083.00	$ 121,200.00	$ 485,283.00	33.29
Amendment	04/07/2021	OFFICE OF WATER	582-19-90037	Drinking Water Compliance Sampling Services	Amendment 1: Contract was renewed for FY22.	ANTEA USA INC	$ 12,000,000.00	$ -	$ 12,000,000.00	$ 6,000,000.00	$ 18,000,000.00	50.00
Amendment	04/05/2021	OFFICE OF AIR	582-21-22251	Texas Volkswagen Environmental Mitigation Program (TxVEMP)	Amendment 1: Grant amount was increased to allow for change of grant equipment and maintain cost per ton.	City of Stockdale	$ 78,698.00	$ -	$ 78,698.00	$ 47,596.00	$ 126,294.00	60.48
Amendment	04/08/2021	OFFICE OF ADMINISTRATIVE SERVICES	582-12-20362	Lease for Region 2 Lubbock	Amendment 5: Lease for region 2 Lubbock was renewed for 60 months. Funded lease payment from 9/1/2021 - 8/31/2026.	3 WIGGLE LLC	$ 374,770.80	$ 532,743.72	$ 907,514.52	$ 592,351.80	$ 1,499,866.32	65.27
Amendment	04/08/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-12-20412	Lease for Region 4 Stephenville TX office	Amendment 2: Lease for region 4 Stephenville was renewed for 60 months. Funded lease payment from 7/1/2021 - 6/30/2026.	RICK HALE	$ 106,396.94	$ 143,065.80	$ 249,462.74	$ 214,800.00	$ 464,262.74	86.11
Amendment	04/29/2021	OFFICE OF ADMINISTRATIVE SERVICES	582-21-10040	Employee Assistance Program	Amendment 1: Contract extended to August 31, 2022 and $39,000 added for additional funds.	DEER OAKS EAP SERVICES LLC	$ 39,000.00	$ -	$ 39,000.00	$ 39,000.00	$ 78,000.00	100.00
Amendment	04/30/2021	OFFICE OF WATER	582-21-13159	Total Maximum Daily Load (TMDL) Umbrella Contract	Amendment 1: Contract amount increased to fund work orders.	TARLETON STATE UNIVERSITY	$ 750,000.00	$ -	$ 750,000.00	$ 1,250,000.00	$ 2,000,000.00	166.67
Amendment	04/20/2021	OFFICE OF WATER	582-21-13190	New Umbrella Contract to allow support of TMDL development and TMDL Implementation Plan (I-Plan) activities in various waterbodies across Texas.	Amendment 1: Contract increased to allow support of TMDL development and implementation of activities in water bodies across Texas.	TEXAS A&M AGRILIFE EXTENSION SERVICE	$ 750,000.00	$ -	$ 750,000.00	$ 1,250,000.00	$ 2,000,000.00	166.67

Significant Change Report - POCNs - 04/01/2021 - 04/30/2021

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POCN	04/01/2021	OFFICE OF ADMINISTRATIVE SERVICES	582-20-10278	TCEQ Campus and Surplus Moving Services	Extended to March 9, 2023.	ARMSTRONG TRANSFER & STORAGE CO INC	$ 87,216.90	$ -	$ 87,216.90	$ -	$ 87,216.90	0.00
POCN	04/23/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-20-13696	Fuel Card Services	Extended the end date to April 30, 2022.	US BANK NATIONAL ASSOCIATION	$ 31,000.00	$ -	$ 31,000.00	$ -	$ 31,000.00	0.00
POCN	04/02/2021	OFFICE OF AIR	582-21-10406	Cellular Service	One additional phone added for remote working.	AT & T CORP	$ 3,354.72	$ -	$ 3,354.72	$ 414.45	$ 3,769.17	12.35
POCN	04/14/2021	OFFICE OF ADMINISTRATIVE SERVICES	582-21-22338	Pens	Price increased by vendor.	WORKQUEST-PRODUCTS	$ 33.16	$ -	$ 33.16	$ 4.51	$ 37.67	13.60
POCN	04/21/2021	OFFICE OF ADMINISTRATIVE SERVICES	582-19-95507	Fuel Card Services	Extended from 5/1/2021 to 4/30/2022.	US BANK NATIONAL ASSOCIATION	$ 35,896.00	$ 33,100.00	$ 68,996.00	$ 10,000.00	$ 78,996.00	14.49
POCN	04/19/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-20-13715	Hydrogen Cylinder Rental	Contract end date extended to August 31, 2021.	AIRGAS USA LLC	$ 59.52	$ -	$ 59.52	$ 14.88	$ 74.40	25.00
POCN	04/15/2021	OFFICE OF WATER	582-21-22605	Self Stick Note Pads	Increased to pay for shipping.	WORKQUEST-PRODUCTS	$ 10.39	$ -	$ 10.39	$ 3.57	$ 13.96	34.36
POCN	04/22/2021	OFFICE OF AIR	582-21-23479	CLE TRAINING	Removed early bird discount that was not applicable.	STATE BAR OF TEXAS	$ 340.00	$ -	$ 340.00	$ 150.00	$ 490.00	44.12
POCN	04/21/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-21-10433	JAC/CCC Mtg Translation Service	Increased for upcoming Translation Services for the Joint Advisory Council/CCC Meetings and Tech Rehearsals for the Border Air Program, Services.	MARGARITA M GIBLER	$ 2,070.00	$ -	$ 2,070.00	$ 2,190.00	$ 4,260.00	105.80
POCN	04/15/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-21-22316	Fuel Card Services	Extended for the period of May 1, 2021 thru April 30, 2022.	US BANK NATIONAL ASSOCIATION	$ 5,599.71	$ -	$ 5,599.71	$ 16,470.00	$ 22,069.71	294.12

Significant Change Report - Amendments - 05/01/2021 - 05/31/2021

Document Type	Issued Date	Office Receiving	PO Contract Number	Project Name	Project Description	Vendor Name	Original PO Amount	Previous POCN Total	Previous PO Total	Current POCN Amount	New PO Amount	Cumulative % Change to PO
Amendment	05/28/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-19-90570	Infectious or Biohazard Waste Contract	Amendment 4: Contract renewed for FY22.	PROTECT ENVIRONMENTAL SERVICES INC	$ 250,000.00	$ -	$ 250,000.00	$ -	$ 250,000.00	0.00
Amendment	05/28/2021	RESTORE	582-16-65283	FY16 RESTORE - BENEFICIAL USE (BKT 2)	Amendment 3: Contract extended to August 31, 2022.	TEXAS GENERAL LAND OFFICE	$ 948,111.00	$ -	$ 948,111.00	$ -	$ 948,111.00	0.00
Amendment	05/24/2021	OFFICE OF AIR	582-18-80021	TERP DMS Maintenance and Support IT Contract. RFO Solicitation	Amendment 4: Contract renewed for FY22 and amount increased to provide maintenance and support to existing TERP database management system.	MCLANE GROUP	$ 2,000,000.00	$ 959,099.00	$ 2,959,099.00	$ 500,000.00	$ 3,459,099.00	16.90
Amendment	05/13/2021	OFFICE OF AIR	582-21-22250	Texas Volkswagen Environmental Mitigation Program (TxVEMP)	Amendment 1: Grant equipment changed to reduce emissions. Grant amount increased to maintain cost per ton.	City of Floresville	$ 315,484.00	$ -	$ 315,484.00	$ 82,988.00	$ 398,472.00	26.30
Amendment	05/19/2021	OFFICE OF ADMINISTRATIVE SERVICES	582-19-90027	Central File Room	Amendment 8: Contract renewed for FY22.	PACOTECH INC	$ 9,482,400.00	$ 895,585.89	$ 10,377,985.89	$ 2,999,800.00	$ 13,377,785.89	28.91

Significant Change Report - POCNs - 05/01/2021 - 05/31/2021

Document Type	Issued Date	Office Receiving	PO Contract Number	Project Name	Project Description	Vendor Name	Original PO Amount	Previous POCN Total	Previous PO Total	Current POCN Amount	New PO Amount	Cumulative % Change to PO
POCN	05/12/2021	OFFICE OF WATER	582-17-74302	Fuel Card Services	Extended service period date to 04/30/2022.	US BANK NATIONAL ASSOCIATION	$ 42,091.00	$ 88,145.00	$ 130,236.00	$ -	$ 130,236.00	0.00
POCN	05/21/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-19-90276	Fleet Fuel card	Extended service period date to 04/30/2022.	US BANK NATIONAL ASSOCIATION	$ 112,300.00	$ 114,192.50	$ 226,492.50	$ 9,776.76	$ 236,269.26	4.32
POCN	05/13/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-21-10235	Cylinder rentals	Increased for additional cylinders needed.	PRAXAIR DISTRIBUTION INC	$ 4,059.72	$ -	$ 4,059.72	$ 451.08	$ 4,510.80	11.11
POCN	05/13/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-21-23933	FAA Exam - drone pilot FAA part 107	Price increased by vendor.	PSI SERVICES LLC	$ 96.00	$ -	$ 96.00	$ 13.00	$ 109.00	13.54
POCN	05/13/2021	OFFICE OF WASTE	582-20-14563	Wireless phones & air card	Service end date extended from 07/13/2021 to 08/31/2021.	CELLCO PARTNERSHIP DBA VERIZON WIRELESS	$ 2,792.90	$ 138.09	$ 2,930.99	$ 914.70	$ 3,845.69	31.21
POCN	05/13/2021	OFFICE OF WASTE	582-21-10537	Temporary Employee: Administrative Assistant IV	Increased for additional hours of work.	WORKQUEST-TEMPS	$ 11,443.25	$ -	$ 11,443.25	$ 6,161.75	$ 17,605.00	53.85
POCN	05/25/2021	OFFICE OF WATER	582-21-10150	Staffing Services - Staff Augmentation - Developer Analyst III	Renewed PO for 09/0/2021 through 08/31/2022.	NF CONSULTING SERVICES	$ 337,750.00	$ -	$ 337,750.00	$ 337,750.00	$ 675,500.00	100.00
POCN	05/06/2021	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-21-21605	Jerome J605 & X631 Analyzer Calibrations	Renewed PO for 09/0/2021 through 08/31/2022.	FARR WEST ENVIRONMENTAL SUPPLY INC	$ 42,225.00	$ -	$ 42,225.00	$ 42,225.00	$ 84,450.00	100.00
POCN	05/21/2021	OFFICE OF WASTE	582-20-12383	Subscription renewal - EQuIS Enterprise software	Renewed 8/01/2021 through 07/31/2023.	EARTHSOFT INC	$ 7,960.05	$ -	$ 7,960.05	$ 15,920.10	$ 23,880.15	200.00
POCN	05/28/2021	OFFICE OF WATER	582-21-23026	2020 Rio Grande Annual Meeting	Increased for additonal video conference.	TRATTEL COURT REPORTING & VIDEOGRAPHY	$ 300.25	$ -	$ 300.25	$ 733.33	$ 1,033.58	244.24
POCN	05/13/2021	OFFICE OF WATER	582-20-12553	Fees - State Assessment - Red River Compact	Increased to pay late fees.	RED RIVER COMPACT COMMISSION	$ 550.00	$ -	$ 550.00	$ 5,100.00	$ 5,650.00	927.27