

TCEQ Interoffice Memorandum

To: Commissioners
Erin E. Chancellor, Interim Executive Director

From: Yolanda Davis, Deputy Director YD 4/21/2023
Financial Administration Division

Date: May 10, 2023

Caption: Docket No. 2023-0344-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 December 1, 2022 to February 28, 2023. 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. 2023-0344-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 December 1, 2022 to February 28, 2023.

WHEREAS, on May 10, 2023, 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

Jon Niermann, Chairman

Exhibit A:

Material Changes to Contracts and Purchase Orders
List of Amendments and Purchase Order Change Notices

Significant Change Report - Amendments - 12/01/2022 - 12/31/2022

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	12/15/2022	OFFICE OF WATER	582-21-10121	North Concho River — Bank Stabilization	Amendment #1 extended the Contract through 02/28/2025.	UPPER COLORADO RIVER AUTHORITY	\$ 137,299.00	\$ -	\$ 137,299.00	\$ -	\$ 137,299.00	0.00
Amendment	12/12/2022	EXECUTIVE OFFICE	582-18-81465	Mathematical Analyses for Regulation of Air Pollutants	Amendment #5 extended the Umbrella Contract through 12/31/2023.	TEXAS A&M ENGINEERING EXPERIMENT STATION (OSRS)	\$ 400,000.00	\$ 200,000.00	\$ 600,000.00	\$ -	\$ 600,000.00	0.00
Amendment	12/19/2022	OFFICE OF AIR	582-17-72921	University of Texas Umbrella Contract – Air Quality Division	Amendment #4 added additional funding to the Umbrella Contract for FY23 projects and current Proposals for Grant Activities (PGAs), providing support for projects relevant to the Federal Clean Air Act, the Texas Clean Air Act, the Rules of the TCEQ, and other requirements.	UNIVERSITY OF TEXAS AT AUSTIN	\$ 1,000,000.00	\$ 1,000,000.00	\$ 2,000,000.00	\$ 500,000.00	\$ 2,500,000.00	25.00
Amendment	12/05/2022	EXECUTIVE OFFICE	582-22-30306	Ceillometer Operation and Maintenance in the El Paso del Norte	Amendment #2 added additional funding for the continued support of UTEP analyzing the effects of the mixing heights of the atmospheric boundary layer.	THE UNIVERSITY OF TEXAS AT EL PASO	\$ 61,552.00	\$ 60,000.00	\$ 121,552.00	\$ 60,000.00	\$ 181,552.00	49.36
Amendment	12/01/2022	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-22-30342	Pantex Plant	Amendment #1 added additional funding for the continued support between the Comptroller and TCEQ to perform services associated with US Department of Energy Assurance of Compliance for the Pantex site.	TEXAS COMPTROLLER OF PUBLIC ACCOUNTS	\$ 214,487.00	\$ -	\$ 214,487.00	\$ 217,705.00	\$ 432,192.00	101.50

Significant Change Report - POCNs - 12/01/2022 - 12/31/2022

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	12/01/2022	OFFICE OF LEGAL SERVICES	582-22-23011	RESTORE WEBSITE	Extended the end date through 12/31/2023.	RESOURCE DATA INC	\$ 65,000.00	\$ -	\$ 65,000.00	\$ -	\$ 65,000.00	0.00
POCN	12/02/2022	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-22-30025	Lab Gases	Added funding to sustain gas service/rental due to underestimating need.	AIRGAS USA LLC	\$ 200,000.00	\$ 50,000.00	\$ 250,000.00	\$ 82,000.00	\$ 332,000.00	32.80
POCN	12/15/2022	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-23-40303	Cell Phone Service	Added funding to transfer phone number from another account.	AT & T CORP	\$ 597.88	\$ -	\$ 597.88	\$ 377.91	\$ 975.79	63.21
POCN	12/08/2022	OFFICE OF WASTE	582-22-31867	Peak Performers - Special Project/Natural Resource Specialist III	Added funding for Increased hours and extended the Temp end date through 08/31/23.	WORKQUEST-TEMPS	\$ 39,307.45	\$ 36,627.41	\$ 75,934.86	\$ 59,812.48	\$ 135,747.34	78.77
POCN	12/27/2022	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-23-40657	Temporary Employee	Added funding to extend Temp end date through 08/31/2023.	WORKQUEST-TEMPS	\$ 40,473.60	\$ -	\$ 40,473.60	\$ 79,994.88	\$ 120,468.48	197.65

Significant Change Report - Amendments - 01/01/2023 - 01/31/2023

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	01/25/2023	OFFICE OF WASTE	582-20-10028	Petroleum Storage Tank Emergency Response and Supplemental Site Activities	Amendment #4 extended the Contract through 08/31/2024	NRC GULF ENVIRONMENTAL SERVICES INC	\$ 1,000,000.00	\$ -	\$ 1,000,000.00	\$ -	\$ 1,000,000.00	0.00
Amendment	01/20/2023	OFFICE OF WATER	582-18-80344	Conservation Assistance Program (Wetland Preservation)	Amendment #1 extended the Contract through 08/31/2024	GALVESTON BAY FOUNDATION	\$ 600,000.00	\$ -	\$ 600,000.00	\$ -	\$ 600,000.00	0.00
Amendment	01/18/2023	OFFICE OF WATER	582-22-30082	Clean Rivers Program	Amendment #1 added additional funding for the continued support of the Sulphur River Basin Authority's implementation of the Clean Rivers Program (CRP) in their designated basin(s); As required by Texas Water Code Section 26.0135.	SULPHUR RIVER BASIN AUTHORITY	\$ 198,594.00	\$ -	\$ 198,594.00	\$ 27,483.00	\$ 226,077.00	13.84
Amendment	01/30/2023	OFFICE OF WATER	582-23-40180	Water Quality Management Planning	Amendment #1 extended the Contract through 08/31/2024 and added additional funding for the continued support of the Performing Party's Administrative Duties and Water Quality Education and Outreach programs in the Texarkana Region. In support of Clean Water State Revolving Fund loan projects providing educational outreach materials to the public to increase their awareness of local water quality issues.	ARK TEX COUNCIL OF GOVERNMENTS	\$ 13,475.00	\$ -	\$ 13,475.00	\$ 6,220.00	\$ 19,695.00	46.16
Amendment	01/13/2023	OFFICE OF WATER	582-23-40178	FY23 Water Quality Management Planning- 604(b)	Amendment #1 extended the Contract through 08/31/2024 and added additional funding for the continued support of the Performing Party's Administrative Duties and Water Quality Education and Outreach programs in the Central Texas Region. In support of Clean Water State Revolving Fund loan projects and water quality planning and coordination.	CENTRAL TEXAS COUNCIL OF GOVERNMENTS	\$ 13,475.00	\$ -	\$ 13,475.00	\$ 6,220.00	\$ 19,695.00	46.16
Amendment	01/30/2023	OFFICE OF WATER	582-23-40181	Water Quality Management Planning	Amendment #1 extended the Contract through 08/31/2024 and added additional funding for the continued support of the Performing Party's Administrative Duties and Water Quality Education and Outreach programs in the Lower Rio Grande Valley Region. In support of Clean Water State Revolving Fund loan projects and local water quality issues.	LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL	\$ 44,712.00	\$ -	\$ 44,712.00	\$ 27,368.00	\$ 72,080.00	61.21
Amendment	01/26/2023	OFFICE OF WATER	582-23-40205	Water Quality Management Planning	Amendment #1 extended the Contract through 08/31/2024 and added additional funding for continued Administrative Duties in regard to gathering information on urban forestry, research for the Water for North Texas Resource Library, continued efforts to maintain and update the Water Quality Management Plan (WQMP), and provide Educational and Outreach efforts. Funding aids the Clean Water State Revolving Fund loan projects for consistency with WQMP and Water Resources.	NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS	\$ 136,588.00	\$ -	\$ 136,588.00	\$ 89,568.00	\$ 226,156.00	65.58
Amendment	01/26/2023	OFFICE OF WATER	582-23-40190	Coastal Bend Bays and Estuaries Program, Inc. FY 2023 604(b) contract	Amendment #1 extended the Contract through 08/31/2024 and added additional funding from the Bipartisan Infrastructure Law (BIL), providing support for the implementation of projects in support of the Coastal Bend Bays Plan.	COASTAL BEND BAYS & ESTUARIES PROGRAM INC	\$ 165,301.00	\$ -	\$ 165,301.00	\$ 373,200.00	\$ 538,501.00	225.77

Significant Change Report - POCNs - 01/01/2023 - 01/31/2023

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	01/13/2023	OFFICE OF WASTE	582-23-40221	Records Storage and Services	Extended Service Period for FY23 Annual Encumbrance for Records Storage & Services at Safesite for Account Name: Superfund SESCO; Account #003451. Extended service from previous end date of 01/31/23 to new end date of 08/31/23 in accordance with the new Term Contract extension.	SAFESITE INC	\$ 4,265.92	\$ -	\$ 4,265.92	\$ -	\$ 4,265.92	0.00
POCN	01/13/2023	OFFICE OF WASTE	582-23-40220	Records Storage and Services	Extended Service Period for FY23 Annual Encumbrance for Records Storage & Services at Safesite for Account Name: Superfund; Customer Account #003450. Extended service from previous end date of 01/31/23 to new end date of 08/31/23 in accordance with the new Term Contract extension.	SAFESITE INC	\$ 4,195.04	\$ -	\$ 4,195.04	\$ -	\$ 4,195.04	0.00
POCN	01/9/2023	OFFICE OF WATER	582-23-40683	Cell phone and data services	Added funding for new phone service line to plan.	AT & T CORP	\$ 6,766.92	\$ -	\$ 6,766.92	\$ 740.00	\$ 7,506.92	10.94
POCN	01/4/2023	OFFICE OF AIR	582-23-40373	Cell Phone Service - AT&T	Added funding to transfer a phone line from another account.	AT & T CORP	\$ 4,409.40	\$ (769.89)	\$ 3,639.51	\$ 613.91	\$ 4,253.42	16.87
POCN	01/25/2023	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-23-40438	Water/wastewater and waste sample analysis	Added funding for additional sampling due to TCEQ Sugarland office not being able to complete tests.	WALLGREEN ENVIRONMENTAL SERVICES INC	\$ 1,592.00	\$ -	\$ 1,592.00	\$ 446.00	\$ 2,038.00	28.02
POCN	01/30/2023	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-23-40050	Hotspot & Sim Card FirstNet Unlimited Wireless Data Service	Added funding to extend service for 51 data plans through 08/31/2024.	AT & T CORP	\$ 18,360.00	\$ 999.96	\$ 19,359.96	\$ 18,360.00	\$ 37,719.96	94.83
POCN	01/30/2023	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-23-40051	Wireless Services for BioWatch Program	Added funding to extend service plans through 08/31/2024.	AT & T CORP	\$ 1,104.00	\$ -	\$ 1,104.00	\$ 1,104.00	\$ 2,208.00	100.00
POCN	01/30/2023	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-23-40053	Cellular Phone Services	Added funding to extend cell phone service plans through 8/31/2024.	AT & T CORP	\$ 1,199.04	\$ 0.48	\$ 1,199.52	\$ 1,223.52	\$ 2,423.04	102.00
POCN	01/06/2023	OFFICE OF WATER	582-23-42691	Legal writing pads	Increased funding for an increase to quantity of order.	M&A GLOBAL CARTRIDGES LLC	\$ 20.52	\$ -	\$ 20.52	\$ 41.04	\$ 61.56	200.00

Significant Change Report - Amendments - 02/01/2023 - 02/28/2023

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	02/14/2023	OFFICE OF WATER	582-23-40191	Water Quality Management Planning	Amendment #1 extended the Contract through 08/31/2024 and Increased the budget for the continued support of the, "Think Blue South Texas", stormwater education and outreach campaign, review for Clean Water State Revolving Fund (CWSRF) loan applications from the Texas Water Development Board, and to assist applicants in ensuring proposed work complies with the latest Water Quality Management Plan (WQMP).	COASTAL BEND COUNCIL OF GOVERNMENT	\$ 22,662.00	\$ -	\$ 22,662.00	\$ 12,440.00	\$ 35,102.00	54.89

Significant Change Report - POCNs - 02/01/2023 - 02/28/2023

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	02/10/2023	OFFICE OF WATER	582-23-40048	Brazos Watermaster Mobile Phone Service.	Added funding for additional device and line of service for increased staff.	AT & T CORP	\$ 9,645.84	\$ -	\$ 9,645.84	\$ 1,128.03	\$ 10,773.87	11.69
POCN	02/16/2023	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-23-40435	Cell phone and data services	Added funding for new line of service.	AT & T CORP	\$ 1,889.61	\$ -	\$ 1,889.61	\$ 311.94	\$ 2,201.55	16.51
POCN	02/07/2023	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-23-40060	Cellular and Data Plan service	Added funding to extend Mobile Broadband Plan through 08/31/2024.	CELLCO PARTNERSHIP	\$ 1,043.64	\$ -	\$ 1,043.64	\$ 180.00	\$ 1,223.64	17.25
POCN	02/08/2023	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-23-43011	Office Supply Order	Added funding due to an increase in cost for substituted item, original item out of stock.	W W GRAINGER INC	\$ 269.91	\$ -	\$ 269.91	\$ 47.37	\$ 317.28	17.55
POCN	02/22/2023	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-23-40443	Retail Fuel Card Services	Increased funding for fuel and maintenance & repair for the San Antonio fleet.	US BANK NATIONAL ASSOCIATION	\$ 20,376.00	\$ -	\$ 20,376.00	\$ 4,448.02	\$ 24,824.02	21.83
POCN	02/14/2023	OFFICE OF WATER	582-22-32262	Retail Fuel Card Service for Rio Grande Watermaster Program	Increased funding for maintenance.	US BANK NATIONAL ASSOCIATION	\$ 18,424.88	\$ 3,990.90	\$ 22,415.78	\$ 5,000.00	\$ 27,415.78	22.31
POCN	02/27/2023	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-23-40290	M&R; TSI's; Car washes and Towing, Maintenance, Repair and Car Washes for El Paso regional fleet	Added funding for Increased fuel and repair costs for TCEQ vehicles.	US BANK NATIONAL ASSOCIATION	\$ 14,005.00	\$ -	\$ 14,005.00	\$ 4,000.00	\$ 18,005.00	28.56
POCN	02/20/2023	OFFICE OF WATER	582-22-32535	Retail Fuel Card Service for Concho Watermaster Program	Increased funding for fuel and repairs for TCEQ vehicles.	US BANK NATIONAL ASSOCIATION	\$ 6,964.00	\$ -	\$ 6,964.00	\$ 2,100.00	\$ 9,064.00	30.16
POCN	02/21/2023	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-23-40645	Temporary Employee: Administrative Assistant II	Added funding to extend Temp end date through 04/28/2023.	WORKQUEST-TEMPS	\$ 19,451.68	\$ -	\$ 19,451.68	\$ 6,855.92	\$ 26,307.60	35.25
POCN	02/07/2023	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-22-32541	GPS trackers & GPS Tracking Data Plan	Added funding to extend service plans through 08/31/2024.	AT & T CORP	\$ 4,972.50	\$ 850.00	\$ 5,822.50	\$ 2,475.00	\$ 8,297.50	42.51
POCN	02/24/2023	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-23-40388	Cell phone and data services	Added funding for two iPad's and recurring monthly data plan charges	AT & T CORP	\$ 2,645.64	\$ -	\$ 2,645.64	\$ 1,681.84	\$ 4,327.48	63.57
POCN	02/10/2023	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-23-40054	iPad/Tablet Data Plan Service	Added funding to extend 45 data plans through 08/31/2024.	AT & T CORP	\$ 16,200.00	\$ -	\$ 16,200.00	\$ 16,200.00	\$ 32,400.00	100.00
POCN	02/10/2023	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-23-40052	CID iPhone Wireless Services	Added funding to extend phone service plans through 08/31/2024.	AT & T CORP	\$ 11,186.00	\$ -	\$ 11,186.00	\$ 11,186.00	\$ 22,372.00	100.00
POCN	02/07/2023	OFFICE OF AIR	582-23-42359	Temp Personnel for AQD/EAS	Added funding to extend Temp end date through 06/30/2023.	WORKQUEST-TEMPS	\$ 16,843.68	\$ -	\$ 16,843.68	\$ 32,759.96	\$ 49,603.64	194.49
POCN	02/10/2023	OFFICE OF COMPLIANCE AND ENFORCEMENT	582-23-40304	Cellular Phone Service	Increased funding to extend end date through 10/31/2025.	AT & T CORP	\$ 995.76	\$ -	\$ 995.76	\$ 2,157.48	\$ 3,153.24	216.67