

**AMENDMENT NO. 1
TO THE
INTERAGENCY COOPERATION CONTRACT
BETWEEN
TEXAS FACILITIES COMMISSION
AND
TEXAS STATE LIBRARY AND ARCHIVES COMMISSION**

This Amendment No. 1 to the Interagency Cooperation Contract ("Contract") is entered into by and between the Texas Facilities Commission ("TFC") and the Texas State Library and Archives Commission ("Receiving Agency"), to amend the original Contract between the parties effective March 6, 2017.

WHEREAS, changed circumstances require mutually desirable alterations to the Contract; and

WHEREAS, the parties desire to amend the Contract to their mutual benefit to reflect the changed circumstances;

NOW, THEREFORE, the parties agree to amend the Contract as follows:

1. The parties agree to modify ARTICLE I – STATEMENT OF WORK TO BE PERFORMED, Section 1.01, by adding subparagraphs (v) through (xii), as follows: "(v) abate asbestos in main building's first floor hallway and adjoining areas; (vi) install new tile flooring in abate areas; (vii) secure the Sam Houston Center's (hereinafter referred to as the "Center") property against trespass and unidentified visitors by re-establishing the survey lines and erecting a fence and gate for the south side emergency access; (viii) repair and upgrade the Center's HVAC system; (ix) make further repairs to the Partlow House and the Gillard-Duncan House; (x) install outdoor interpretive steamship boiler display/event space; (xi) renovate restrooms to comply with ADA requirements; and (xii) clean and seal aggregate walkways, as more particularly set forth in Exhibit A-1, Additional Scope, attached hereto and incorporated herein for all purposes."

2. The parties agree to modify ARTICLE III – CONSIDERATION, SECTION 3.01 – CONTRACT AMOUNT, by increasing the total not to exceed amount to be paid under the Contract by Six Hundred Ten Thousand Three Hundred Ninety Seven and 18/100 Dollars (\$610,397.18), which includes a line item for TFC Project Management Fees in the amount of Thirty Five Thousand Seven Hundred Eight and 24/100 Dollars (\$35,708.24), thus increasing the total not to exceed amount from Four Hundred Fifty Nine Thousand Six Hundred Two and 82/100 Dollars (\$459,602.82), which includes a line item for TFC Project Management Fees in the amount of Twenty Five Thousand Four Hundred and 82/100 Dollars (\$25,400.82), to a total not to exceed amount of One Million Seventy Thousand and No/100 Dollars (\$1,070,000.00).

3. The parties agree to modify ARTICLE IV – PAYMENT FOR SERVICES, by adding SECTION 4.05 – CAPITAL BUDGET AUTHORITY, as follows:

"4.05. **CAPITAL BUDGET AUTHORITY.** Pursuant to Rider 15 entitled *Capital Construction on Behalf of State Agencies* for TFC found in the GAA, Acts 2017, S.B. 1, 85th Leg., R.S., art. I (Facilities Commission), any capital items related to construction of buildings and facilities including minor construction projects greater than \$250,000 performed by TFC on behalf of other state agencies do not apply to TFC for the purpose of the capital budget rider limitations specified in the GAA, Acts 2017, S.B. 1, 85th Leg., R.S., art. IX, sec. 14.03. By signing this Contract, Receiving Agency certifies it has the requisite capital budget authority to fund the services to be provided under this Contract."

4. The parties agree to modify ARTICLE V – TERM OF CONTRACT, SECTION 5.01 – TERM, by deleting the entire paragraph and replacing it with the following:

"5.01. **TERM.** This Contract shall be effective upon the date of the last party to sign, and shall terminate on August 31, 2019, unless terminated earlier by either party, as provided in Section 5.03."

Except as expressly amended above, the Contract remains in full force and effect.

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment No. 1 to be effective as of the date of the last party to sign.

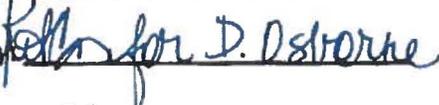
TEXAS FACILITIES COMMISSION

By: 
Kay Molina

General Counsel

Date of Execution: 12/21/17

TEXAS STATE LIBRARY AND ARCHIVES COMMISSION

By: 
Donna Osborne

Chief Operations and Fiscal Officer

Date of Execution: 12.21.17

NRGG.C.

MD.E.D.

MDir.

**TFC Contract No. 17-049-000
Texas State Library and Archives Commission
Amendment No. 1
Exhibit A-1
Additional Scope**

1. Abate asbestos in main building's first floor hallway and adjoining areas \$15,000
2. Installation of new tile flooring in abated areas \$5,000
3. Secure the Center's property against trespassing and unidentified visitors
 - 3.1 Reestablish the survey lines.....\$5,000
 - 3.2 Fencing and addition of gate on south emergency access \$10,500
4. Repairs and upgrades to the Center's HVAC system.....\$175,000
5. Repairs to historic buildings (Partlow and Gillard-Duncan) \$235,000
6. Install outdoor interpretive steamship boiler display/event space..... \$75,000
7. Renovation of restrooms to comply with ADA requirements.....\$50,000
8. Cleaning and sealing of aggregate walkways.....\$2,000