



**SUBRECIPIENT GRANT AGREEMENT
GLO CONTRACT NO. 14-094-000-7962
AMENDMENT NO. 1**

STATE OF TEXAS

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COUNTY OF TRAVIS

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The **GENERAL LAND OFFICE** (“GLO”), a State Agency, and **NUECES COUNTY** (“Subrecipient”), parties to that certain Subrecipient Grant Agreement effective October 1, 2013, and denominated **GLO CONTRACT NO. 14-094-000-7962**, (“Contract”), now desire to amend the Contract.

WHEREAS, the parties desire to extend the term of the Contract to allow for successful completion of the Project; and

WHEREAS, the parties desire to replace the Work Plan and Budget of the Contract to establish revised Deliverable due dates; and

WHEREAS, these revisions will result in no additional encumbrance of grant funds;

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

1. **SECTION 2.02** of the Contract, **PROJECT AND WORK PLAN**, is hereby amended and modified by replacing the prior **Work Plan and Budget** with the **REVISED WORK PLAN AND BUDGET**, attached hereto and incorporated herein for all purposes as **Attachment A-1**.
2. **SECTION 3.01** of the Contract, **DURATION AND EXTENSION OF TERM**, is hereby amended and modified to reflect a termination date of December 31, 2015.
3. This Amendment No. 1 will be effective as of March 31, 2015, or the date executed by the last party, whichever occurs first.
4. Except as amended and modified by this Amendment No. 1 all terms and conditions of the Contract shall remain in full force and effect.

SIGNATURE PAGE FOLLOWS

**SIGNATURE PAGE FOR AMENDMENT NO. 1
UNDER GLO CONTRACT NO. 14-094-000-7962**

GENERAL LAND OFFICE

NUECES COUNTY

Larry L. Laine, Chief Clerk/
Deputy Land Commissioner

By: _____
Name: _____
Title: _____

Date of execution: _____

Date of execution: _____

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ATTACHMENTS TO THIS AMENDMENT NO. 1:

ATTACHMENT A-1 – REVISED WORK PLAN AND BUDGET

ATTACHMENT FOLLOWS

Attachment A - Work Plan and Budget

Contract Number: 14-094-000-7962
Project Name: Hilltop Nature Park Enhancements
Entity: Nueces County

Project Description:

Hilltop Nature Park is located on the Great Texas Birding Trail and one mile south of the Nueces River in western Nueces County. The park is home to many species of birds including the Groove-billed Ani, Pyrrhuloxia, Olive Sparrow, White-eyed Vireo and many migratory birds such as, White-tailed Kite, Peregrine Falcon, Shorteared Owl, Vermillion Flycatcher and Swamp Sparrows. In an effort to preserve the ecosystems encompassing Hilltop Nature Park and provide education opportunities to the public, Nueces County began an initiative to preserve the park's natural resources and make improvements to park space. The county would like to make improvements to the park to showcase the vibrant wildlife in the area.

In 2005, Nueces County completed botanical and recreational amenities to the park and acquired an additional 2.68 acres of natural park space which is currently inaccessible. The county would like to provide access to the 2.68 acres of park land by constructing a 1,500 linear foot nature trail from the inaccessible land to the rest of Hilltop Nature Park. The project will also construct another 1,000 linear foot nature trail through the southwest corner of the park which will loop through another area that does not have trail access.

A creek flows northeasterly through the western section of the park, eventually spilling into the Nueces River. In order to increase native plant habitat along the creek and create a healthier watershed, invasive vegetation will be removed along approximately 1,200 feet of creek area. The County also proposes to install ArmorFlex, an eco-friendly erosion control structure at the northern most outfall of the creek and create an ADA crossover (20 x 5 foot timber boardwalk) at this area connecting the existing walking trail to the newly proposed nature trail. ArmorFlex is a flexible, interlocking matrix of cellular concrete blocks of uniform size, shape, and weight used for hard armor erosion control. ArmorFlex combine the favorable aspects of lightweight blankets and meshes such as porosity, flexibility, vegetation encouragement and habitat enhancement with non-erodible self-weight and the high tractive force resistance of a rigid lining. ArmorFlex will prevent further creek bank erosion to promote the growth of existing habitat.

Nueces County proposes to further enhance this area by creating a 70 x 10 foot ADA nature overlook timber structure along the 1500 foot trail to encourage wildlife observation. Interpretive signage (migrant and resident birds/animals, native plants) will be placed at the proposed overlook, along the new nature trails, and existing walking trail throughout the park in an effort to educate patrons promoting conservation awareness. Nueces County will also place a permanent sign promoting the park as #76 on the Great Texas Birding Trail and conduct public service announcements for the grand opening of the new area and added features. Short-term negative impacts will be limited to minor construction related soil disturbance, construction equipment, related noise, and potential dust from work area. These impacts are considered minimal and best management practices will be utilized to control area run-off during construction. The improvements to the park and rivulet corridor habitat will create positive, long-term impacts by creating access and educating the public on the importance of preserving the park's natural resources and plant/animal environment.

Project Budget:

	CMP	Subrecipient	Third Party	Project Totals
Salaries	\$0.00	\$26,249.00	\$0.00	\$26,249.00
Fringe	\$0.00	\$4,751.00	\$0.00	\$4,751.00
Travel	\$0.00	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00	\$0.00
Contractual	\$60,000.00	\$9,000.00	\$0.00	\$69,000.00
Other	\$0.00	\$0.00	\$0.00	\$0.00
Subtotal:	\$60,000.00	\$40,000.00	\$0.00	\$100,000.00
Indirect	\$0.00	\$0.00	\$0.00	\$0.00
Total:	\$60,000.00	\$40,000.00	\$0.00	\$100,000.00

Special Award Conditions:

1. This project must be completed as described in this work plan. 2. The GLO and/or NOAA must approve any changes in the scope of work or budget requests that change the total project cost. 3. In the event that the GLO and NOAA determine that the project or property is no longer used for its original purpose, the recipient shall reimburse NOAA for the federal funds received for the project. 4. CMP and NOAA logos, including appropriate acknowledgment statement, must be printed on education/outreach materials, signs, final reports and/or publications, etc. 5. Construction and any other earth-moving activities cannot be conducted until NOAA/OCRM reviews and approves a detailed site design plan that identifies the size, placement, and footprint of the proposed improvements and sensitive natural resources in the project area. OCRM will review submitted information to determine the appropriate level of NEPA documentation, and if additional information is necessary.

Task1 Description:

Project Design and Permitting

Nueces County will develop park plans and designs for the ArmorFlex structure, trails, overlook, and boardwalk. Park plans and designs will be provided to the GLO for review prior to bid solicitation.

A vegetation plan will be designed and given to the Inland Parks Department who will remove identified invasive species and replant native vegetation. A sign design will also be given to the Inland Parks Department for construction and placement of the interpretive signage around the wetland site. Nueces County will provide the sign design to the GLO prior to fabrication.

Nueces County is in communication with USACE in regards to submitting a permit. The county will continue coordination with USACE to determine if a permit is required.

Deliverable(s)/Milestone(s):

USACE Permit, March 31, 2015;

Vegetation plan, March 31, 2015;

Park Plan and Designs (ArmorFlex structure, trail, boardwalk, and overlook), March 31, 2015; and Sign design, March 31, 2015.

Deliverable Due Date(s): 3/31/2015

Task 2 Description:
Contractor Selection

The Nueces County Purchasing Department will develop construction and bid documents for the ArmorFlex structure, nature trail, overlook structure, and boardwalk. The construction/bid documents will be provided to the GLO for review and approval prior to bid solicitation.

Nueces County will solicit bids from prospective construction firms. Bidding will include advertising in the local newspaper, distributing plans and bid documents to bidders, conducting a pre-bid conference, preparing addendum(s) if needed, receiving bids, evaluating bids, identifying the successful bidder, preparing a construction contract, and executing the contract with a corresponding notice to proceed with construction. The county will execute a contract in accordance with local and state procurement policy.

After a notice to proceed is given, the contractor will mobilize and construct the project according to park plans and design specifications developed in Task 1.

Deliverable(s)/Milestone(s):
Construction/Bid Documents, May 10, 2015;
Copy of bid matrix and bid advertisement, May 10, 2015; and
Copy of executed construction contract, May 31, 2015.
Deliverable Due Date(s): 5/31/2015

Task 3 Description:
Construction

Selected Contractor will construct a timber boardwalk, ArmorFlex structure, overlook over the basin, and crushed limestone trails. The trails will provide access to the 2.68 acres of park land by constructing a 1,500 linear foot nature trail from the inaccessible land to the rest of Hilltop Nature Park. The contractor will also construct a 1,000 linear foot nature trail through the southwest corner of the park which will loop through another area that does not have trail access.

Nueces County will place interpretive and educational signage throughout the newly accessible area.

Deliverable(s)/Milestone(s):
ArmorFlex structure, Timber walkway, boardwalk and overlook construction, September 30, 2015;
Trail construction, September 30, 2015; and
Signage placement, September 30, 2015.
Deliverable Due Date(s): 9/30/2015

Task 4 Description:
Project Monitoring and Reporting

Prepare and submit all reports, deliverables, and requests for reimbursement as required in the contract, to CMPreceipts@GLO.TEXAS.GOV.

Monthly Progress reports are due to CMPreceipts@GLO.TEXAS.GOV on the 10th day of every month starting with November 10, 2013.

Requests for reimbursement are to be submitted in a timely manner to CMPreceipts@GLO.TEXAS.GOV, as specified in the contract.

The final progress report will include photos of all completed structures.

Deliverable(s)/Milestone(s):

Monthly progress reports and requests for reimbursement, due as specified in contract; and
Final progress report.

Deliverable Due Date(s): 12/31/2015