



**AMENDMENT No. 2
SUBRECIPIENT GRANT AGREEMENT
GLO CONTRACT No. 15-053-000-8462
COASTAL MANAGEMENT PROGRAM – CYCLE 19**

STATE OF TEXAS

§

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COUNTY OF TRAVIS

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The **TEXAS GENERAL LAND OFFICE**, (“GLO”) and **NUECES COUNTY** (“Subrecipient”), Parties to that certain Subrecipient grant agreement effective October 1, 2014, and denominated GLO Contract No. 15-053-000-8462 (“Contract”), now desire to amend the Contract.

WHEREAS, the Parties desire to revise the Work Plan; and

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

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

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

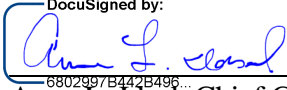
1. Section 2.02 of the Contract, **PROJECT AND WORK PLAN**, is amended by replacing the **Revised Project Work Plan and Budget in Attachment A-1** with the **Revised Project Work Plan and Budget**, attached hereto and incorporated herein for all purposes in its entirety as **Attachment A-2**.
2. Section 3.01 of the Contract, **DURATION AND EXTENSION OF TERM**, is hereby modified and amended to reflect a termination date of **March 31, 2017**.
3. This Amendment No. 2 shall be effective as of October 1, 2016.
4. Except as amended and modified by this Amendment No. 2, all terms and conditions of the Contract, as amended, shall remain in full force and effect.
5. Further material revision to the Contract shall be by written agreement of the Parties.

SIGNATURE PAGE FOLLOWS

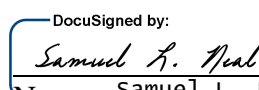
**GLO Contract No. 15-053-000-8462
Amendment No. 2
Page 1 of 1**

**SIGNATURE PAGE FOR AMENDMENT NO. 2
TO GLO CONTRACT NO. 15-053-000-8462
SUBRECIPIENT GRANT AGREEMENT**

GENERAL LAND OFFICE

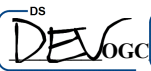
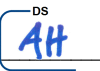





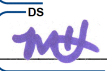
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Anne L. Idsal, Chief Clerk/
Deputy Land Commissioner

NUECES COUNTY

DocuSigned by:

Name: Samuel L. Neal
Title: Nueces County Judge

Date of execution: 9/26/2016

Date of execution: 9/26/2016

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- Div: ^{DS} 
- Dir: ^{DS} 
- DD: ^{DS} 
- SDD: ^{DS} 
- DGC: ^{DS} 
- GC: ^{DS} 

ATTACHMENT TO THIS AMENDMENT:

ATTACHMENT A-2 – REVISED PROJECT WORK PLAN AND BUDGET

ATTACHMENT FOLLOWS

REVISED - Attachment A – Work Plan

Contract: 15-053-000-8462

Project Name: Hilltop Nature Park Enhancements, Phase II

Subrecipient: Nueces County

Project Description:

Hilltop Nature Park is located on the Great Texas Birding Trail, 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, and White-eyed Vireo; various migratory birds such as, the White-tailed Kite, Peregrine Falcon, Shorteared Owl, Vermilion Flycatcher and Swamp Sparrows; and a diversity of wildlife, including foxes, javelinas, skunks, raccoons and a variety of fish, reptiles and amphibians. In an effort to preserve the ecosystems encompassing the Hilltop Nature Park and provide educational 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 also like to make improvements to showcase the vibrant wildlife in the area.

In 2005, the County completed botanical and recreational amenities to the park and acquired an additional 2.68 acres of natural park space. The County is utilizing CMP Cycle 18 funding to construct a 1,500 linear foot nature trail to provide trail access to the 2.68 acres of acquired park land, remove invasive vegetation along approximately 1,200 feet of creek area, install an erosion control structure, and create an ADA-accessible crossover.

In Phase II of the proposed park enhancements, the County will construct an 1,800 linear foot nature trail to connect the existing trail to an underutilized area of the park. Presently, the existing trail does not extend to the area and a broken sidewalk provides access to only a portion of the area. The nature trail will connect to the existing trail at two points and will provide amenities for a sitting area and nature overlook. A small foot bridge will be constructed to cross over a low-lying area, which occasionally runs with water during heavy rain events. Interpretive signage (migrant and resident birds/animals, native plants) will be installed to educate patrons and promote conservation awareness.

The improvements will provide an enhanced ecological awareness component to the park, allowing citizens to become familiar with native plant and animal species. Short-term negative impacts will be limited to minor construction related soil disturbance, construction equipment, related noise, and potential dust from work area erosion. These impacts are considered minimal and best management practices will be utilized to control area run-off during construction.

REVISED - Attachment A – Work Plan

Project Budget:

	CMP	Subrecipient	Third Party	Project Totals
Salaries	\$0.00	\$19,715.00	\$0.00	\$19,715.00
Fringe	\$0.00	\$2,696.00	\$0.00	\$2,696.00
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	\$17,589.00	\$0.00	\$77,589.00
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, and final reports and/or publications.
5. The subrecipient must coordinate with the GLO prior to issuing press releases, conducting media events, or otherwise engaging in media related communications for this project.
6. The subrecipient must obtain an archeological survey for the project site and submit the survey to The Historical Commission (THC) for review and approval. The survey should include either recommendations for an avoidance plan for the known archeological resources or a determination of National Register of Historic Places eligibility, and a mitigation plan for any resources that will be adversely impacted by construction activities. The proposed project encompasses an area that has been previously surveyed in the past, resulting in the recording of six archeological sites.
7. Construction may not commence until NOAA has approved the information necessary for environmental compliance review.

Task 1: Engineering Design, Bidding, & Permitting

Nueces County will develop technical specifications and construction drawings for the nature trail, sitting area, and nature overlook. The technical specifications, construction drawings, and

REVISED - Attachment A – Work Plan

bid documents will be provided to the GLO for review prior to bid solicitation and construction.

Nueces County will solicit bids to construct the nature trail. Bidding will include advertising in the local newspaper, distributing plans and bid documents to request bidders, conducting a pre-bid conference, preparing addendums 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.

Conceptual designs and draft text layout of the interpretative signs will be submitted to the GLO for review prior to installation. Specifications for the overlook and sitting area will be provided to the Inland Parks Department.

Deliverables/Milestones:

1. Archeological survey
Deliverable Due Date: 12/31/2016
2. Technical specifications and construction drawings
Deliverable Due Date: 5/31/2015
3. Construction bid package
Deliverable Due Date: 5/31/2015
4. Interpretative signage conceptual design and draft text layout
Deliverable Due Date: 12/31/2016
5. Bid tabulations
Deliverable Due Date: 10/31/2015
6. Executed construction contract
Deliverable Due Date: 2/29/2016

Task 2: Construction

The selected construction contractor will construct the nature trail. The Nueces County Inland Parks Department will construct the overlook and sitting area through in-kind services and install interpretative and educational signage throughout the newly accessible area. All construction will be built in accordance with the technical specifications and construction drawings. The County will install CMP signage. The Texas Department of Licensing and Regulation (TDLR) must certify the nature trail, overlook, and sitting area as consistent with ADA standards.

Deliverables/Milestones:

1. Photos before, during, and after construction
Deliverable Due Date: 3/31/2017

REVISED - Attachment A – Work Plan

2. Photos of installed CMP signage and interpretative and educational signage
Deliverable Due Date: 3/31/2017

3. TDLR certification of consistency with ADA standards
Deliverable Due Date: 3/31/2017

Task 3: Project Monitoring and Reporting

The County will 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 January 10, 2015. A final report will be submitted summarizing the work conducted to complete this project along with a project closeout form. Requests for reimbursement are to be submitted in a timely manner to CMPReceipts@GLO.TEXAS.GOV, as specified in the contract.

Deliverables/Milestones:

1. Monthly progress reports and requests for reimbursement
Deliverable Due Date: As specified in contract

2. Final report
Deliverable Due Date: 3/31/2017

3. Project closeout form
Deliverable Due Date: 3/31/2017

Certificate Of Completion

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Certificate Pages: 4	Initials: 8
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Envelopeld Stamping: Enabled	David Villafranca
Time Zone: (UTC-06:00) Central Time (US & Canada)	1700 N Congress Ave
	Ste 935
	Austin, TX 78701-1495
	david.villafranca@glo.texas.gov
	IP Address: 204.65.210.217

Record Tracking

Status: Original	Holder: David Villafranca	Location: DocuSign
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David Villafranca
david.villafranca@glo.texas.gov
Texas General Land Office
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Signature

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Andrew Hawkins
andrew.hawkins@glo.texas.gov
Legal Services
Texas General Land Office
Security Level: Email, Account Authentication (None)

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carly.vaughn@glo.texas.gov
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Melissa Porter
melissa.porter@glo.texas.gov
Texas General Land Office
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David Green
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Electronic Record and Signature Disclosure:
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Greg Pollock
greg.pollock@glo.texas.gov
Texas General Land Office
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Jeff Gordon
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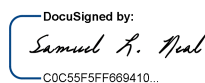
Mark Havens
mark.havens@glo.texas.gov
Director of Oil and Gas Legal
Texas General Land Office
Security Level: Email, Account Authentication
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Electronic Record and Signature Disclosure:
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Viewed: 9/26/2016
Signed: 9/26/2016

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Samuel L. Neal
claudia.lobell@co.nueces.tx.us
Nueces County Judge
Security Level: Email, Account Authentication
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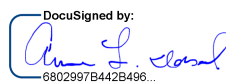
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Anne Idsal
anne.idsal@glo.texas.gov
Chief Clerk
Texas General Land Office
Security Level: Email, Account Authentication
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Electronic Record and Signature Disclosure:
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