

4c.

**Jody Weaver**

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**From:** Samantha Litchke <Samantha.Litchke@tceq.texas.gov>  
**Sent:** Thursday, December 21, 2023 10:50 AM  
**To:** Jody Weaver  
**Cc:** Marissa Jimenez; Kacy Hill; Brenda Stott; Christopher Jones; Johnathan Laing; RestoreGrants; Port Lavaca - Mitigation; Diane Mazuca; David Timberger  
**Subject:** B1-MIP1-Mitigation-Lavaca Clean up-42179 Executed Contract  
**Attachments:** B1-MIP1-Mitigation-Lavaca Clean up-42179\_FINAL\_20231218.pdf; B1-MIP1-Mitigation-Port Lavaca Cleanup-42179\_Pass Through\_Frm\_20221205.pdf; B1-MIP1-Mitigation-Lavaca Clean up-42179 Coverletter.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Jody,

Please see the attached cover letter and fully executed contract for the City of Port Lavaca Shoreline Clean-up project.

As the cover letter explains, I will now set up a post award meeting for us to discuss all aspects of the project. Please let me know of any dates the week of Jan 15<sup>th</sup> or Jan 22<sup>nd</sup> that work best for you. Please also let me know if there are any other individuals (name and title) I should include in this meeting.

I have also attached the Federal Reporting of Pass-Through Funding Report. The report is a federal requirement for grantees that provides a subaward, pass-through, federal funding to a subgrantee. Please keep this for your files.

If you have any questions, please feel free to reach me. I will be out of the office starting tomorrow until Jan 2nd but will reply to you as soon as I can.

Thank you and Merry Christmas!

*Samantha Litchke*

Grant Specialist  
General Law Division/RESTORE Team  
Texas Commission on Environmental Quality  
(512) 239-0686

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Kelly Keel, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

[December 21, 2023]

JoAnna P. Weaver  
City of Port Lavaca  
202 North Virginia  
Port Lavaca, TX 77979

Via Electronic Mail

Re: City of Port Lavaca Shoreline Clean-up, 582-23-42179

Dear Ms. Weaver:

Please find attached the fully executed subgrant contract for the City of Port Lavaca Shoreline Clean-up project.

The next step is to set up a post-award meeting in the next few weeks, so both parties may review the contract together. Please send me dates that all relevant individuals will be available for this meeting.

Once a date is found, TCEQ staff will create an agenda and distribute it to all attendees via the meeting invite.

If you have questions, please contact me at (512) 239-0686 or [samantha.litchke@tceq.texas.gov](mailto:samantha.litchke@tceq.texas.gov).

Sincerely,

Samantha Litchke, RESTORE Grant Specialist  
Office of Legal Services

**Texas Commission on Environmental Quality  
Subgrant Reimbursement Contract ("Contract")**

**CONTRACT SIGNATURE PAGE**

Contract Name: **City of Port Lavaca Shoreline Clean-up**  
Contract Number: **582-23-42179**  
Performing Party: **City of Port Lavaca**  
Performing Party Identification Number: **17460019270**  
Maximum Authorized Reimbursement: **\$500,000.00 (Not to Exceed Amount)**

Effective Date:  Date of last signature  
Expiration Date: **March 31, 2026**  Last day of Fiscal Year in which the Contract was signed

If checked, this Contract requires matching funds. Match Requirement: N/A  
 If checked, this Contract is funded with federal funds.

CFDA Number: **21.015** UEI Number: **CH61XFADMHV7**  
Federal Grant Number: **1RDCGR480168-01-00**

This Contract is entered under:  Gov't Code ch. 771  Gov't Code ch. 791  Water Code § 5.124

The Texas Commission on Environmental Quality (TCEQ), an agency of the State of Texas, and **City of Port Lavaca**, a political subdivision of the State of Texas, enter this agreement (Contract) to cooperatively conduct authorized governmental functions and activities under the laws of the State of Texas and applicable federal laws.

The Parties agree as follows: (a) to be effective, the Contract must be signed by an authorized official of the TCEQ and the Performing Party; (b) this Contract consists of all documents specified in the list of Contract Documents following this page; and (c) as authorized by TCEQ, Performing Party will conduct Contract Activities as part of its own authorized organizational functions and TCEQ will reimburse Allowable Costs subject to the Uniform Guidance, 2 CFR Part 200 (Uniform Guidance) and this Contract.

**Texas Commission on Environmental Quality  
(TCEQ)**



Authorized Signature

**Steven Schar**

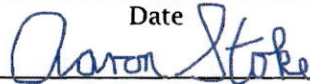
Printed Name

**Interim Deputy Executive Director/Chief of Staff**

Title

12/18/2023

Date



Procurements & Contract Representative

**Aaron Stoke - CTCM, CTCD**

Printed Name

Dec. 12, 2023

Date

**City of Port Lavaca  
(Performing Party)**

**JoAnna P. Weaver** Digitally signed by JoAnna P. Weaver  
Date: 2023.11.02 10:34:05 -05'00'

Authorized Signature

**JoAnna "Jody" Weaver, PE**

Printed Name

**City Manager**

Title

11/02/2023

Date

## CONTRACT DOCUMENTS LIST

This Contract between TCEQ and Performing Party consists of the Contract Documents listed on this page and marked by an "X." Documents on this list include all amendments. In this Contract, the Contract may be referred to as: "Contract," "Agreement," "Grant Agreement," "Subgrant Contract," or "Subgrant." The term "Award" does not refer to this Contract but, to the federal RESTORE Award, and any amended awards issued to the TCEQ and included as Attachment L hereto. The Contract includes all the Contract Documents. In the event of a conflict of terms, the Contract Documents as amended control in the descending order of the list, subject to provisions in the Special Terms and Conditions, if any. All Contract provisions, however, are subject to control by the latest amendment and most specific provision and by the applicable state and federal laws, rules and regulations.

- Contract Signature Page
- Contract Documents List (this page)
- Federal Section (Including Attachment I and Completed Forms)
- Special Terms and Conditions
- RESTORE Program Terms and Conditions
- Subgrant Activities (including Project Statement - **Attachment A**)
- General Terms and Conditions
- Attachments:**

**Attachment A:** Project Statement

**Attachment B:** Estimated Subgrant Budget

**Attachment C:** TCEQ Financial Status Report (FSR)

**Attachment D:** Release of Claims

**Attachment E:** FFATA - Federal Funding Accountability and Transparency Act (FFATA) Reporting Form

**Attachment F:** RESTORE Act Direct Component Certification

**Attachment G:** Disclosure of Lobbying Activities Form (SF-LLL) and instructions

**Attachment H:** SF-PPR- Performance Report

**Attachment I:** Restore Act - Financial Assistance Standard Terms and Conditions and Program-Specific Terms and Conditions (June 2022)

**Attachment J:** Reserved

**Attachment K:** Reporting Requirements (Attachment K identifies certain attachments included in this list which must be used to comply with reporting requirements)

**Attachment L:** Financial Assistance Award

**Attachment M:** Direct Component Milestone Report [Sample]

**Attachment N:** Assurances - Construction

**Attachment O:** Status of Performance Report

**Attachment P:** Covenant of Purpose, Use and Ownership

**Attachment Q:** SF-429 - Real Property Status Report

**Attachment R:** SF-429A - Real Property Status Report - General Reporting

**Attachment S:** SF-429B - Real Property Status Report - Request to Acquire, Improve or Furnish

**Attachment T:** SF-429C- Real Property Status Report - Disposition or Encumbrance



**FEDERAL TERMS AND CONDITIONS**  
[SEE ATTACHMENT I]

This Grant Award is funded by a Federal Financial Assistance Award from the United States Department of the Treasury under ID Number 1RDCGR480168-01-00. TCEQ as recipient and **City of Port Lavaca** (Performing Party) as subrecipient must follow all applicable requirements of 2 CFR Part 200 and of Financial Assistance Award No. ID Number 1RDCGR480168-01-00, which includes the Restore Act Financial Assistance Standard Terms and Conditions and Program-specific Terms and Conditions (June 2022) attached to this Subgrant Contract on the following pages. Performing Party must follow all requirements which apply to subrecipients on their face and also must provide all information and perform all activities necessary to enable TCEQ to meet its own requirements as recipient.

The remainder of the contract docs are found on the City's project page for this project on the website.