

AMENDMENT NO. 1

Related to the City of Port Lavaca – Phase No. 1 Construction Contract

General Land Office Contract No. 20-065-071-C198
Community Development Block Grant Disaster Recovery Program

THIS AMENDMENT, MADE ON THE _____ DAY OF _____, 2022 by and between Lester Contracting, Inc hereinafter called the "Contractor", and The City of Port Lavaca hereinafter called the "the City."

Description of Amendment:

Addition of Domestic Preference Clause as required by 2 CFR 200.322

Domestic Preference Clause

PREFERENCE AND PROCUREMENT OF MATERIALS

- a. To the extent applicable, the Contractor shall make maximum use of products containing recovered materials that are EPA-designated items unless the product cannot be acquired in the following manner:
- competitively within a timeframe allowing compliance with the Contract's performance schedule;
 - in a way that meets the Contract's performance requirements; or
 - at a reasonable price.

To ensure maximum use of recovered/recycled materials pursuant to 2 C.F.R. 200.322, information about this requirement, along with the list of EPA-designated items, is available at the EPA's Comprehensive Procurement Guideline Program website, <https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program>.

- b. As appropriate and to the extent consistent with law, the Contractor should, to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products).
- c. For purposes of section (b) above:
- "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
 - "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

All other terms and conditions of the Agreement between the City and the Contractor are to remain unchanged, in full force and effect.

Signature: City of Port Lavaca

Jack Whitlow, Mayor
Printed Name

Date



Signature: Lester Contracting, Inc.

Ken Lester, Jr., President
Printed Name

Date

9-7-22 10-6-22

AMENDMENT NO. 1

Related to the City of Port Lavaca – Phase No. 2 Construction Contract

General Land Office Contract No. 20-065-071-C198
Community Development Block Grant Disaster Recovery Program

THIS AMENDMENT, MADE ON THE _____ DAY OF _____, 2022 by and between Lester Contracting, Inc hereinafter called the "Contractor", and The City of Port Lavaca hereinafter called the "the City."

Description of Amendment:

Addition of Domestic Preference Clause as required by 2 CFR 200.322

Domestic Preference Clause

PREFERENCE AND PROCUREMENT OF MATERIALS

- a. To the extent applicable, the Contractor shall make maximum use of products containing recovered materials that are EPA-designated items unless the product cannot be acquired in the following manner:
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- c. For purposes of section (b) above:
- "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
 - "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

All other terms and conditions of the Agreement between the City and the Contractor are to remain unchanged, in full force and effect.

Signature: City of Port Lavaca

Jack Whitlow, Mayor
Printed Name

Date



Signature: Lester Contracting, Inc.

Ken Lester, Jr., President
Printed Name

Date

10-6-22