MAINTENANCE LETTER AGREEMENT
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND THE
DEPARTMENT OF AGRICULTURE (551)

WHEREAS, both the Texas Facilities Commission (TFC) is the State agency with a primary responsibility for maintenance and repair of State buildings, grounds, and property; and

WHEREAS, Department of Agriculture (TDOA) has requested the TFC provide an estimate for a proposed project through Work Order No. 515821 and TFC has reviewed the request and proposes a preliminary estimated budgetary amount of One Thousand Seven Hundred Thirty-Nine and 85/100 Dollars ($1,739.85).

NOW, THEREFORE, pursuant to the Interagency Cooperation Act, Chapter 771, Texas Government Code, and in consideration of the mutual agreements contained herein, the parties agree as follows:

1. The proposed amount of the project requested under Work Order No. 515821 is One Thousand Seven Hundred Thirty-Nine and 85/100 Dollars ($1,739.85); and is as further described on the detailed budget attached hereto and incorporated herein as Attachment A. The proposed amount is based on information provided to TFC by TDOA and shall remain valid for a period of thirty (30) days from the date of Texas Facilities Commission's letter, November 18, 2015. Failure to approve this work order estimate within thirty (30) days shall render this estimated budget amount null and void, and will result in the work order being closed.

2. If the work order estimate provided above is under Fifty Thousand and No/100 Dollars ($50,000.00), then this letter agreement may serve as the agreement between the parties, upon execution by Texas Facilities Commission, to move forward with the project. If the estimate provided is over Fifty Thousand and No/100 Dollars ($50,000.00), then execution of an interagency cooperation contract between the parties shall be required; however, Department of Agriculture may request the issuance of an interagency cooperation contract for work proposed under Fifty Thousand and No/100 Dollars ($50,000.00).

3. Expenses will be based on the actual costs of the work for the Project. In addition, if the scope of work changes upon agreement by TFC and Department of Agriculture, the estimated budget amount may change. An Interagency Transaction Voucher or Invoice (ITV) for the completed services will be prepared by TFC and Health and Department of Agriculture shall reimburse TFC within thirty (30) days from receipt of ITV or invoice.

4. Pursuant to Rider 16 entitled *Capital Construction on Behalf of State Agencies* for the Texas Facilities Commission found in HB 1, 84th R.S., Art. I, any capital items related to construction of buildings and facilities including minor construction projects greater than $100,000 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 HB 1, 84th Leg., R.S., Art. IX, Sec. 14.03. By signing this letter agreement and the associated interagency contract, Health and Department of Agriculture certifies it has the requisite capital budget authority to fund the services to be provided by TFC.

This letter agreement shall be effective upon execution by TFC, and it shall continue in effect until completion of the Project. If the work proposed is over Fifty Thousand and No/100 Dollars ($50,000.00), an interagency cooperation contract between the parties shall be drafted by TFC and submitted to Department of Agriculture for execution.

DEPARTMENT OF AGRICULTURE

William Grote, Jr.
Date of Execution: 11-23-15

General Counsel
11-23-15

Cc
Tw
Rk
Cw
Nm

TEXAS FACILITIES COMMISSION

John Raff
Date of Execution: 11-18-15