

VICTOR G. CARRILLO, CHAIRMAN  
ELIZABETH A. JONES, COMMISSIONER  
MICHAEL L. WILLIAMS, COMMISSIONER



JOHN TINTER  
EXECUTIVE DIRECTOR  
(512) 463-6954

# RAILROAD COMMISSION OF TEXAS

## EXECUTIVE OFFICE

May 3, 2010

Kathy Grimes  
Executive Assistant - Prec.2  
Williamson County  
710 Main Street  
Georgetown, Texas 78626

**Subject: Amendment No. 1 to Agreement No. 578430  
U.S. Department of Energy Award No. DE-EE0002564, CFDA No. 81.086**

Dear Ms. Grimes,

As a requirement of the American Recovery and Reinvestment Act funds awarded to your organization acquire propane vehicles and fueling stations, the Railroad Commission must ensure that its subgrantees comply with the grant's audit requirements. The attached Amendment No. 1 to your subcontract clarifies this responsibility. Most public entities are already subject to the Single Audit Act and OMB Circular 133.

Please sign the attached amendment and return it with your signed grant agreement to:

Heather Ball, Alternative Energy Division  
Railroad Commission of Texas  
P.O. Box 12967  
Austin, Texas 78711-2967

Please note that a copy of the minutes or resolution by which the grant agreement was approved must accompany your returned contract.

I appreciate your attention to this matter. Please call Denise Hudson, Deputy Executive Director, at 512-463-7257 if you have questions or need more information.

Sincerely,

A handwritten signature in dark ink, appearing to read "John J. Tintera", is written over a light blue horizontal line.

John J. Tintera  
Executive Director

c: Denise Hudson

**AMENDMENT NO. 1  
TO THE  
INTERLOCAL AGREEMENT  
TEXAS PROPANE FLEET PILOT PROGRAM  
STIMULUS GRANT AGREEMENT BETWEEN  
RAILROAD COMMISSION OF TEXAS  
AND  
WILLIAMSON COUNTY**

RRC Grant Agreement No. 578430  
U.S. Department of Energy Award No. DE-EE0002564, CFDA No. 81.086

**Recitals**

**Whereas**, the Railroad Commission of Texas (Commission) and Williamson County (Grantee) entered into the Texas Propane Fleet Pilot Program Stimulus Grant Agreement with the RRC Grant Agreement number stated above (the Grant Agreement), pursuant to a grant award agreement from the U.S. Department of Energy Award No. DE-EE0002564; and

**Whereas**, the Grant Agreement provides, in Paragraph VII, entitled "Amendments," that the Grant Agreement may be amended by executing an amendment in writing, signed by the Commission and Grantee (the Parties);

**Now, Therefore**, the Parties hereby agree as follows:

**I. CFDA Number**

The Catalog of Federal Domestic Assistance (CFDA) number and category for this Grant Agreement is: 81.086, Conservation Research and Development.

**II. Audit Requirements**

The Grantee agrees to arrange for a financial and compliance audit (Single Audit) if required by the Single Audit Act or OMB CIRCULAR A-133, "Audits of States, Local Governments, and Non-Profit Organizations." The audit must be conducted by an independent certified public accountant (CPA) in accordance with applicable Government Auditing Standards, OMB circulars, and with Uniform Grant Management Standards (UGMS) if Grantee is required to comply with UGMS.

If Grantee is not covered by the Single Audit Act or OMB Circular A-133, Grantee must maintain records to support federal financial assistance programs and agree to have a financial audit performed by an independent certified public accountant (CPA) under generally accepted auditing standards (GAAS) and Government Auditing Standards (GAS), also referred to as the Yellow Book.

Grantees must submit two copies of the entire audit report, any management letter issued in conjunction with the audit report, and all findings, recommendations, and questioned costs contained in the audit report and management letter, including a detailed corrective action plan, to the Commission within six months after the end of the audit period, unless a longer period is agreed to in advance by the Commission.

All other provisions of the Grant Agreement shall remain the same.

### III. Incorporation of Amendment

Upon and after the date of execution of this Amendment No. 1 to the Grant Agreement, all references to the Grant Agreement in that document and any related document shall mean the Grant Agreement as modified by this document. The Grant Agreement shall consist of the original Grant Agreement, together with all documents incorporated therein, and this Amendment No. 1. These documents shall constitute the entire agreement of the Parties.

Except as provided in this Amendment No. 1, execution and delivery of Amendment No. 1 shall not amend, modify, or supplement any provision of, or constitute a consent to, or waiver of, any noncompliance with the provisions of the original Grant Agreement and, except as specifically provided in this Amendment No. 1, the Agreement shall remain in full force and effect.

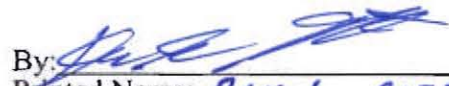
In the event of conflicting language between the Grant Agreement and this Amendment No. 1, the language in this Amendment shall control.

**IN WITNESS WHEREOF**, the parties have executed this Amendment No. 1 in duplicate originals, each of which shall be an original.

**RAILROAD COMMISSION OF TEXAS**

**GRANTEE:**

By: \_\_\_\_\_  
Denise Hudson  
Deputy Executive Director

By:   
Printed Name: DAN A. GATTIS  
Title: County Judge

Date: \_\_\_\_\_

Date: 06-02-2010