

STATE OF TEXAS

§

FIFTH AMENDMENT TO THE

COUNTY OF BEXAR

§

BLAIR WILDLIFE CONSULTING

§

SERVICES FOR SEP-HCP

This Fifth Amendment (the “**Fifth Amendment**”) to the Blair Wildlife Consulting Services Agreement for SEP-HCP is made effective March 1, 2024 (the “Effective Date”). This Fifth Amendment is between the COUNTY OF BEXAR (the “**COUNTY**”), a political subdivision of the State of Texas, and Blair Wildlife Consulting, LLC (the “**CONSULTANT**”), a Texas corporation duly authorized and in good standing to do business in the State of Texas. The COUNTY and CONSULTANT may be referred to here as a “**Party**” or collectively as the “**Parties**.”

RECITALS

1. The COUNTY and the CITY OF SAN ANTONIO, TEXAS (“CITY”) previously entered into an Interlocal Agreement (the “**ILA**”) for the implementation of the Southern Edwards Plateau Habitat Conservation Plan (“SEP-HCP”).

2. The ILA created a Coordinating Committee and a SEP-HCP Operating Fund for the receipt of SEP-HCP related revenues and for the payment of all expenses related to the implementation of the SEP-HCP. Under the ILA, the Coordinating Committee is required to prepare an annual budget for the costs of implementing the SEP-HCP, including costs associated with consulting services. Under the ILA, the governing bodies of the COUNTY and CITY must approve the SEP-HCP annual budget.

3. On February 12, 2019, the COUNTY and CONSULTANT entered into a one-year environmental consulting services agreement (the “**Agreement**”) to support the implementation of the SEP-HCP. The Agreement provided for the option to extend the Agreement for five (5) additional one-year terms.

4. The Agreement’s initial term was from March 1, 2019 through February 29, 2020. On March 24, 2020, the Agreement was amended to exercise the first optional extension, providing a one-year extended term of March 1, 2020, through February 28, 2021 (the “**First Amendment**”).

5. On June 1, 2021, the First Amendment was amended to exercise the second optional extension, providing a one-year extended term of March 1, 2021, through February 28, 2022 (the “**Second Amendment**”).

6. On February 22, 2022, the Second Amendment was amended to exercise the third optional extension, providing a one-year extended term of March 1, 2022, through February 28, 2023 (the “**Third Amendment**”).

7. On April 18, 2023, the Third Amendment was amended to exercise the fourth optional extension, providing a one-year extension term of March 1, 2023, through February 29, 2024 (the “**Fourth Amendment**”).

8. The Coordinating Committee of the SEP-HCP recommends renewal for FY2024 the consulting services of Blair Wildlife Consulting in the amount of \$ 340,000.00. See **Exhibit A**. Through this Fifth Amendment, the Parties desire to exercise the fifth of five available optional

extended terms; the budget for this term shall remain the same as the previous amendment, which allowed for a not-to-exceed amount of three hundred and forty thousand (\$340,000).

NOW THEREFORE, the Parties agree as follows:

ARTICLE 1
PURPOSE

1.01 The purpose of this Fifth Amendment is to exercise the fifth of five optional extended terms, as provided for in the Agreement.

ARTICLE 2
AGREEMENT MODIFICATIONS

2.01 Section 5.01 of the Agreement. Section 5.01 is amended as follows:

This Fifth Amendment represents an exercise of the fifth of five available optional Extended Terms provided for in section 5.01. Under this Fifth Amendment, the Term of the Agreement is for a period of one year beginning March 1, 2024 and ending February 28, 2025. There are no remaining optional Extended Terms available under the Agreement.

2.02 Section 7.02 of the Agreement. Section 7.02(a) is amended as follows:

This Fifth Amendment maintains the same budget from the previous term, which provided an amount not to exceed THREE HUNDRED FORTY THOUSAND (\$340,000) for expenses incurred in connection with the performance of the services under the agreement. The COUNTY's maximum contribution is \$50,000. See Exhibit A.

ARTICLE 3
OTHER TERMS AND CONDITIONS

3.01 The Recitals beginning on page 1 of this Fifth Amendment are hereby incorporated by reference as if fully set forth herein. All capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Agreement.

3.02 Except as modified by this Fifth Amendment, all other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

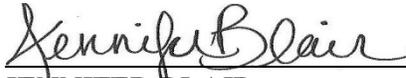
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EXECUTED THIS ____ DAY OF _____, 2024, IN DUPLICATE ORIGINALS,
EACH OF WHICH SHALL HAVE THE FULL FORCE AND EFFECT OF AN ORIGINAL.

COUNTY OF BEXAR:

BLAIR WILDLIFE CONSULTING, LLC

BY: _____
PETER SAKAI
County Judge

BY: 
JENNIFER BLAIR
Principal

APPROVED AS TO LEGAL FORM:

BY: _____
JUAN A. ROQUE
Assistant Criminal District Attorney
Civil Division

APPROVED AS TO FINANCIAL CONTENT:

BY: _____
LEO S. CALDERA, CIA, CGAP
County Auditor

BY: _____
DAVID SMITH
County Manager

APPROVED:

BY: _____
JAVIER FLORES
Director of the Environmental Services Department

EXHIBIT A

Coordinating Committee Minutes re: Blair Wildlife Consulting Renewal