

**THIRD AMENDMENT  
TO THE  
OPERATIONS, MAINTENANCE AND MANAGEMENT SERVICES AGREEMENT**

**THIS THIRD AMENDMENT** (“Amendment”) to the Agreement (as defined below) is entered into this 19 day of Sept, 2022, by and between

The **City of Moore, Oklahoma**, a municipal corporation created under the laws of the State of Oklahoma, and the **Moore Public Works Authority**, a public trust created under the laws of the State of Oklahoma, whose sole beneficiary is the City of Moore, Oklahoma with its principal address at 301 North Broadway, Moore, Oklahoma 73160 (collectively hereinafter referred to as “**Moore**”);

and

**Veolia Water North America – Central, LLC**, with its address at 700 East Butterfield Road, Suite 201, Lombard, Illinois 60148 (hereinafter “**VWNA**”).

**WITNESSETH:**

**WHEREAS**, Moore and VWNA entered into that certain Operations, Maintenance and Management Services Agreement dated as of December 21, 2015, and amended from time to time (collectively the “**Agreement**”); and

**WHEREAS**, the parties previous amended the Agreement with an amended dated in January 2020 and a second amendment dated September 8, 2020; and

**WHEREAS**, the parties now desire to modify selective portions of the Agreement, all as set forth herein;

**NOW THEREFORE**, for and in consideration of the mutual promises, covenants and conditions contained herein, it is hereby agreed:

1. Addition of Section 13.1. A new Section 13.1 is hereby added and reads as follows:

“When arranging for the purchase, acquisition, or use of goods, products, or materials under this Agreement, VWNA shall provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States as required by 2 CFR 200, Appendix II (L), which is attached to hereto as Appendix H.”

2. All other provisions of the Agreement, as amended, remain in full force and effect.

IN WITNESS WHEREOF, the parties, by their signatures below, have caused this Amendment to be duly executed as of the date first set forth above, and each party warrants that all corporate or governmental actions, approvals, and consents necessary to bind the parties to the terms of this Agreement have been taken.

Moore Public Works Authority

Veolia Water North America-Central, LLC

By: *Glenn Lewis*

By: *Joseph Tackett*  
Joseph Tackett (Sep 2, 2022 13:48 CDT)

Name: *Glenn Lewis, Mayor*

Name: *Joseph Tackett*

Title: *Mayor*

Title: *President*

APPROVED by the City Council of the City of Moore, Oklahoma on the *19* day of *Sept.* 2022.

Attest: (Seal)



*[Signature]*

City Clerk

*Glenn Lewis*

Mayor

CERTIFICATE OF CITY ATTORNEY

The undersigned, as City Attorney for the City of Moore, Oklahoma, an Oklahoma municipal corporation ("MOORE") in this transaction, hereby certifies that (s)he has examined the facts and circumstances surrounding the selection of Veolia Water North America – Central, LLC ("VWNA") and the award and letting of the forgoing contract to VWNA by MOORE and has found that said selection, award and contracting process comply with the procurement laws of the State of Oklahoma and Moore and that the foregoing amendment to the Agreement, once executed by MOORE, is a valid, legal and binding agreement of MOORE.

*Randy C. Bond*

City Attorney for Moore

*9-19-22*

Date

## APPENDIX H

### 2 CFR 200 APPENDIX II (L)

2 CFR 200 Appendix II (L): Domestic preferences for procurements – As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, 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). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. For purposes of this section: “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.

# Moore, OK - Third Contract Amendment

Final Audit Report

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