

CITY OF ANNA, TEXAS

RESOLUTION NO. 2021-63-882

**A RESOLUTION OF THE CITY OF ANNA, TEXAS APPROVING EXTENSION OF THE INTERLOCAL AGREEMENT FOR FACILITY CONSTRUCTION AND USE OF AN ANIMAL SHELTER IN COLLIN COUNTY**

**WHEREAS**, the City Council of the City of Anna, Texas (the "City Council") finds that the Interlocal Agreement for Facility Construction and Use of Animal Shelter in Collin County (the "Agreement") should be extended through September 30, 2021 (the "Extension"); and

**WHEREAS**, the City Council approves an amendment to the Agreement including an additional fee in the amount of \$25,244.00 for the Extension and the addition of a Force Majeure clause to the terms and conditions;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS THAT:**

**Section 1. Recitals Incorporated.**

The recitals above are incorporated herein as if set forth in full for all purposes.

**Section 2. Approval and Authorization of Agreement.**

The City Council hereby approves the Extension attached hereto as Exhibit 1 to extend the Agreement and ratifies and approves the City Manager's execution of same. The City Manager is hereby authorized to execute all documents and to take all other actions necessary to finalize and enforce the Agreement and the Extension.

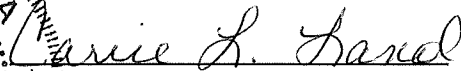
**PASSED AND APPROVED** by the City Council of the City of Anna, Texas on this 23<sup>rd</sup> day of March 2021.

**APPROVED:**

**ATTEST:**



Mayor Nate Pike



City Secretary Carrie Land



Contract Amendment Fourteen (14)

Office of the Purchasing Agent  
Collin County Administration Building  
2300 Bloomdale Rd, Ste 3160  
McKinney, TX 75071  
972-548-4165

Vendor:	<u>City of Anna</u>	Effective Date	<u>10/1/2020</u>
	<u>P.O. Box 776</u>	Contract No.	<u>10097-09</u>
	<u>Anna, TX 75409</u>		
		Contract	Interlocal Agreement for Facility Construction and Use of an Animal Shelter in Collin County

Awarded by Court Order No.:		<u>2007-896-10-09</u>
Amendment <u>13</u>	Court Order No.:	<u>2019-1050-11-11</u>
Amendment <u>14</u>	Court Order No.:	

YOU ARE DIRECTED TO MAKE THE FOLLOWING AMENDMENT TO THIS CONTRACT

- ITEM #1: Extend agreement for the period of October 1, 2020 through September 30, 2021, with the option for either party to terminate the contract with ninety (90) days written notice.
- ITEM #2: Total amount for fiscal year 2021: \$25,244.00
- ITEM #3: Add Force Majeure to Terms and Conditions:  
Force Majeure: No party shall be liable or responsible to the other party, nor be deemed to have defaulted under or breached this Agreement, for any failure or delay in fulfilling or performing any term of this Agreement, when and to the extent such failure or delay is caused by or results from acts beyond the affected party's reasonable control, including, without limitation: acts of God; flood, fire or explosion; war, invasion, riot or other civil unrest; actions, embargoes or blockades in effect on or after the date of this Agreement; or national or regional emergency (each of the foregoing, a "Force Majeure Event"). A party whose performance is affected by a Force Majeure Event shall give notice to the other party, stating the period of time the occurrence is expected to continue and shall use diligent efforts to end the failure or delay and minimize the effects of such Force Majeure Event.

Except as provided herein, all terms and conditions of the contract remain in full force and effect and may only be modified in writing signed by both parties.

ACCEPTED BY:

James Proce (Print Name)  
City of Anna  
P.O. Box 776  
Anna, TX 75409

ACCEPTED AND AUTHORIZED BY  
AUTHORITY OF COLLIN COUNTY  
COMMISSIONERS' COURT

Collin County Administration Building  
2300 Bloomdale Rd, Ste 3160  
McKinney, Texas 75071

[Signature]  
 SIGNATURE  
 TITLE: City Manager  
 DATE: March 23, 2021

Michelle Charnoski  
 Purchasing Agent, CPPB  
 DATE: \_\_\_\_\_