

**FIFTH AMENDMENT TO  
NATIONAL PARK SERVICE -ATCC AGREEMENT**

THIS FIFTH AMENDMENT (the "**Amendment**"), effective as of February 3, 2020 ("**Effective Date**"), is by and between the **American Type Culture Collection, a** District of Columbia not-for-profit corporation, having its offices at 10801 University Boulevard, Manassas, Virginia 20110-2209, USA (hereafter referred to as "**ATCC**") and the United States of America, United States Department of the Interior, National Park Service, having offices at 1849 C Street NW, Washington DC 20240 (hereafter referred to as "**NPS**").

RECITALS

WHEREAS, the Parties entered into an agreement effective December 18, 2003 ("**Original Agreement**"), under which ATCC was granted the right to accept and establish a collection of NPS Specimens designated as the National Park Service Special Collection (the "Collection") and distribute NPS Specimens to the scientific community under the NPS Scientific Research and Collecting Permit ("Research Permit") terms and conditions for the specimens; (as defined in the Original Agreement); and

WHEREAS, pursuant to Section X.A of the Original Agreement renewed by the Parties on February 3, 2012, the Parties executed the First Amendment to amend Section X.A and Section XI.A of the February 3, 2012, renewal of the Original Agreement.

WHEREAS, pursuant to Section X.A of the Original Agreement, renewed by the Parties on February 3, 2012, the Parties executed the Second Amendment to amend Sections IV.A.3, X.A and XI.A of the February 3, 2012, renewal of the Original Agreement.

WHEREAS, pursuant to Section X.A of the Original Agreement, renewed by the Parties on February 3, 2012, the Parties executed the Third Amendment to amend Section XI.A of the February 3, 2012, renewal of the Original Agreement.

WHEREAS, pursuant to Section X.A of the Original Agreement, renewed by the Parties on February 3, 2012, the Parties executed the Fourth Amendment to amend Section XI.A of the February 3, 2012, renewal of the Original Agreement.

WHEREAS, pursuant to Section X.A of the Original Agreement, renewed by the Parties on February 3, 2012, the Parties desire to amend Section XI.A of the February 3, 2012, renewal of the Original Agreement, to extend the Original Agreement to February 3, 2022.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises made herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree to amend the Original Agreement and its February 3, 2012, renewal, as amended; as follows:

1. The terms in the February 3, 2012 renewal of the Original Agreement shall have the same meanings in this Amendment.
2. Amendment of Section X.A. Section X.A is hereby amended by deleting it in its entirety and substituting the following:

A. This Agreement shall be in force for a period ending on February 3, 2022. The Agreement may be renewed for an additional term upon written consent of the parties.

3. Amendment of Section XI.A. Section XI.A is hereby amended by deleting it in its entirety and substituting the following:
  - A. This Agreement will terminate on February 3, 2022, unless renewed in writing by the Parties.
4. No Other Amendment. Except as expressly amended hereby, the provisions of the Original Agreement and its February 3, 2012, renewal, as amended, shall remain in full force and effect.
5. Counterparts. This Amendment may be executed in any number of counterparts, and each executed counterpart shall have the same force and effect as an original instrument.

IN WITNESS WHEREOF, ATCC and NPS have caused this Amendment to be executed in duplicate by their respective duly authorized officers.

**For American Type Culture Collection**



Date: 24 January 2020

Craig S. Wade  
Director, Contracts

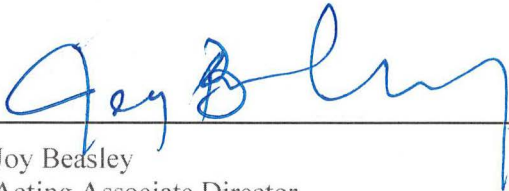
**For National Park Service**



Date: 1/24/2020

Raymond M. Sauvajot, Ph.D.  
Associate Director,  
Natural Resource Stewardship and Science

Concurred by:



Date: 1/24/2020

Joy Beasley  
Acting Associate Director  
Cultural Resources, Partnerships, and Science