

MAINTENANCE LETTER AGREEMENT  
BETWEEN  
THE TEXAS FACILITIES COMMISSION  
AND THE  
STATE OFFICE OF ADMINISTRATIVE HEARINGS (360)

WHEREAS, the Texas Facilities Commission (TFC) is the State agency with a primary responsibility for maintenance and repair of State buildings, grounds, and property; and

WHEREAS, the State Office of Administrative Hearings (SOAH) has requested the TFC provide an estimate for a proposed project through Work Order No. 640262 / Portal Request No. 20861 and the TFC has reviewed the request and proposes a preliminary estimated budgetary amount of Sixteen Thousand Eighty-Five and 00/00 (\$16,085.00).

NOW, THEREFORE, pursuant to the Interagency Cooperation Act, Chapter 771, Texas Government Code, and in consideration of the mutual agreements contained herein, the parties agree as follows:

1. The proposed amount of the project requested under Work Order No. 640262 / Portal Request No. 20861 is Sixteen Thousand Eighty-Five and 00/00 (\$16,085.00); and is as further described on the detailed budget attached hereto and incorporated herein as Attachment A. The proposed amount is based on information provided to TFC by SOAH and shall remain valid for a period of thirty (30) days from the date of Texas Facilities Commission's letter, June 7, 2018. Failure to approve this work order estimate within thirty (30) days shall render this estimated budget amount null and void, and will result in the work order being closed.
2. If the work order estimate provided above is under Fifty Thousand and No/100 Dollars (\$50,000.00), then this letter agreement may serve as the agreement between the parties, upon execution by Texas Facilities Commission, to move forward with the project. If the estimate provided is over Fifty Thousand and No/100 Dollars (\$50,000.00), then execution of an interagency cooperation contract between the parties shall be required; however, State Office of Administrative Hearings may request the issuance of an interagency cooperation contract for work proposed under Fifty Thousand and No/100 Dollars (\$50,000.00).
3. Expenses will be based on the actual costs of the work for the Project. Services may include but not be limited to services required for research, pricing, estimate gathering, construction document development, and bid monitoring, coordination and evaluation services commenced by TFC as of the date of this portal request. In addition, if the scope of work changes upon agreement by TFC and State Office of Administrative Hearings, the estimated budget amount may change. An Interagency Transaction Voucher or Invoice (ITV) for the completed services will be prepared by TFC and SOAH shall reimburse TFC within thirty (30) days from receipt of ITV or invoice.
4. Pursuant to Rider 15 entitled *Capital Construction on Behalf of State Agencies* for TFC found in the GAA, Acts 2017, S.B. 1, 85<sup>th</sup> Leg., R.S., art. I (Facilities Commission), any capital items related to construction of buildings and facilities including minor construction projects greater than \$250,000 performed by TFC on behalf of other state agencies do not apply to TFC for the purpose of the capital budget rider limitations specified in the GAA, Acts 2017, S.B. 1, 85<sup>th</sup> Leg., R.S., art. IX, sec. 14.03. By signing this Contract, State Office of Administrative Hearings certifies it has the requisite capital budget authority to fund the services to be provided under this Contract.

This letter agreement shall be effective upon execution by TFC, and it shall continue in effect until completion of the Project. If the work proposed is over Fifty Thousand and No/100 Dollars (\$50,000.00), an interagency cooperation contract between the parties shall be drafted by TFC and submitted to State Office of Administrative Hearings for execution.

STATE OFFICE OF ADMINISTRATIVE HEARINGS

TEXAS FACILITIES COMMISSION

  
\_\_\_\_\_  
Kim Dudish  
Date of Execution: 6/7/18

  
\_\_\_\_\_  
Craig Wingfield  
Date of Execution: 6.7.2018

Cc  
Tc  
Rk  
Cw  
Nm

**Attachment A  
Minor Construction**

**Work Order# 640262  
Portal Request: # 20861  
Building: WPC**

**Estimate/Scope  
6/6/2018**

Description	Qty	Item	Price	Amount
Paint	25	Gallons	\$35.00	\$875.00
1" x 4" x 8' Lumber	39	Ea.	\$15.00	\$585.00
Ceiling Tile 2' x 4'	0	Ea.	\$2.30	\$0.00
Misc. Materials				\$100.00
Cylindrical Lever Lock Set	0	Ea.	\$290.00	\$0.00
Electrical Materials				\$0.00
<b>Total for Materials</b>				<b>\$1,560.00</b>
HVAC				\$0.00
AV Fire Controls				\$0.00
<b>Total for Contractors</b>				<b>\$0.00</b>
TFC Carpenter	38	Hr. @	\$63.00	\$2,394.00
TFC Electrician	0	Hr. @	\$63.00	\$0.00
TFC Controls	0	Hr. @	\$63.00	\$0.00
TFC Painter	120	Hr. @	\$63.00	\$7,560.00
<b>Total for in house labor</b>				<b>\$9,954.00</b>
<b>Sub-subtotal</b>				<b>\$11,514.00</b>
Project Coordination	36	Hr. @	\$63.00	\$2,268.00
Construction Contingency				\$2,303.00
Design Contingency				\$0.00
<b>Subtotal</b>				<b>\$16,085.00</b>
20% Accessible Route Corrections				\$0.00
Accessibility Plan Review Fee				\$0.00
TDLR Filing Fee				\$0.00
Assessibility Inspection Fee				\$0.00
<b>Total</b>				<b>\$16,085.00</b>

**Scope per drawing dated :**

Patch and paint (13) hearing rooms in the State Office Of Administrative Hearings area 4th floor at WPC.  
 Walls in hearing rooms may require two coats of paint.  
 Install 1" x 4" x 8' painted wood chair rail in (13) hearing rooms with locations per customer request.  
 All wall hangings to be removed and furniture moved 5' away from walls by customer.  
 Work to be performed during regular business hours.


  
 O/K  
 RK  
 6-6-18