MAINTENANCE LETTER AGREEMENT
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND THE
PUBLIC UTILITY COMMISSION OF TEXAS (473)

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 Public Utility Commission of Texas (PUC) has requested the TFC provide an estimate for a proposed project through Work Order No. 668481 / Portal Request No. 21541 and TFC has reviewed the request and proposes a preliminary estimated budgetary amount of Seven Hundred Twenty and 82/00 Dollars ($720.82).

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. 668481 / Portal Request No. 21541 is Seven Hundred Twenty and 82/00 Dollars ($720.82); 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 PUC and shall remain valid for a period of thirty (30) days from the date of Texas Facilities Commission's letter, January 3, 2019. 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, Public Utility Commission of Texas 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 submission of this portal request. In addition, if the scope of work changes upon agreement by TFC and PUC, the estimated budget amount may change. An Interagency Transaction Voucher or Invoice (ITV) for the completed services will be prepared by TFC and PUC 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, 85th 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, 85th Leg., R.S., art. IX, sec. 14.03. By signing this Contract, Public Utility Commission 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 Public Utility Commission of Texas for execution.

PUBLIC UTILITY COMMISSION OF TEXAS

Digitally signed by Pablo Almaraz
DN: cn=Pablo Almaraz, o=Public Utility Commission of Texas, ou=Purchasing, email=pablo.almaraz@puc.texas.gov, c=US
Date: 2019.01.07 10:16:36 -06'00'

Pablo Almaraz
Date of Execution: 1/7/19

TEXAS FACILITIES COMMISSION

Craig Wingfield
Date of Execution: 1·3·2019

Cc
Tc
Rk
Cw
Lr
Nm

Attachment A - Estimate Summary

Portal #: 21541	**Estimate Type: MLA**	
WO# 668481	**TFC Base Labor Rate:** $ 93.00 per hour	
Date: 1/3/2019	**Overtime Labor Rate:** $ 139.50 per hour	
Ref Docs: 12/18/2018		

BUILDNG SUMMARY	TFC Labor		Material	Subcontract	TOTAL
	HR	Cost			
Carpentry	1	93.00	360.00	$ -	$ 453.00
SUBTOTALS	1	93.00	360.00	$ -	

Notes:

(a) Project Coordination is for construction-related: bidding; purchasing; planning; scheduling; and coordination of the various trades.

(b) Project Contingency is for hidden conditions that are unforeseeable and that may arise over the course of construction.

(c) Design Contingency is for yet-to-be-determined design changes that may be necessary to address code related issues and/or minor changes in project scope.

(d - h) Accessible Path of Travel Corrections are required by TDLR any time a "Primary Function Space" is altered. The minimum cost established by TDLR is 20% of the Construction Subtotal. TDLR & RAS Fees (if required) cover TDLR Project Registration, Variance Application, Document Review, and Construction Inspection.

(e) Professional Services Fee recovers TFC's costs for providing statutorily required professional architectural and engineering services.

TRADES SUBTOTAL				**$ 453.00**
(a) Project Coordination	1	Hours x	$ 93.00	$ 93.00
(b) Project Contingency			20%	$ 109.20
(c) Design Contingency			0%	$ -
CONSTRUCTION SUBTOTAL				**$ 655.20**
(d-h) Accessible Path of Travel Corrections (% of Construction Subtotal + TDLR & RAS FEES)			0%	$ -
TOTAL COST OF CONSTRUCTION				**$ 655.20**
(e) Professional Services Fee (% of Total Construction Cost)			10%	$ 65.52
TOTAL PROJECT COST				**$ 720.82**

Install new 93K special office function lever set in room 8-120C at WBT.
TFC Locksmith will re-key new lever set.
Work to be performed during regular business hours.

Qualifications & Assumptions

1. Hazardous material testing and/or remediation is not included in the estimate.
2. No overtime or after hours work is included.

OK
RK
1-3-19