

TFC Contract No. 18-128-000
Assignment No. 1
Cobb Fendley & Associates, Inc.
Project No. 16-0308060

**INDEFINITE DELIVERY INDEFINITE QUANTITY
PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND
COBB, FENDLEY AND ASSOCIATES, INC.**

TFC CONTRACT NO. 18-128-000

ASSIGNMENT NO. 1

THIS INDEFINITE DELIVERY INDEFINITE QUANTITY ASSIGNMENT NO. 1 (hereinafter referred to as “Assignment No. 1” or “Assignment”) is entered into by and between the Texas Facilities Commission, located at 1711 San Jacinto Boulevard, Austin, Texas 78701 (hereinafter referred to as “TFC”) and Cobb, Fendley and Associates, Inc. located at 505 East Huntland Drive, Suite 100, Austin, Texas 78752 (hereinafter referred to as “PSP”) (TFC and PSP are hereinafter referred to individually as a “Party” or collectively as “Parties”), to be effective on the Effective Date (as defined below) and the terms and conditions of which are as follows.

DESCRIPTION OF PROJECT: The project for which PSP agrees to provide Professional Services is generally described as management, design and construction administration for the traffic signal design at 46th and West Guadalupe Streets, Austin, Texas for the North Austin Complex Project (hereinafter referred to as the “Project”), as more particularly described in “Exhibit A-1,” PSP’s IDIQ Assignment No. 1 Proposal dated March 6, 2019, attached hereto and incorporated herein for all purposes and consisting of five (5) pages.

DURATION OF ASSIGNMENT: The scope of services of this Assignment No. 1 shall be completed no later than December 30, 2021, unless terminated earlier as provided in Section 3.2 of the Agreement. The schedule is subject to adjustments for possible time extension; however, any extension of time must be approved by the TFC and shall require an amendment to Assignment No. 1.

SPECIAL TERMS AND CONDITIONS OF ASSIGNMENT: Terms and conditions shall be in accordance with the Agreement, any Special Conditions, and with this Assignment No. 1.

SUB-CONTRACTORS TO BE UTILIZED FOR PROJECT: PSP shall perform the services under this Assignment No. 1 with its own forces unless otherwise specified. If the scope of services is less than \$100,000.00, a HUB Subcontracting Plan (HSP) is not required. If the scope of services will exceed \$100,000.00, PSP shall submit an HSP for approval pursuant to Section 11.2 of the Agreement.

FEE FOR BASIC SERVICES: Fee for the services set forth in this Assignment No. 1 shall not exceed the sum of Eighty-Nine Thousand Nine Hundred Four and No/100 Dollars (\$89,904.00).

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No more frequently than once per month, PSP shall submit a Pay Application to TFC for services performed and reasonable and necessary costs and expenses incurred through the last day of the previous month. Any reimbursable expenses, if allowed, shall be in accordance with Section 4.6 of the Agreement.

IDENTIFICATION OF PSP PROJECT MANAGER AND ALL SUBCONTRACTOR: For this Assignment No. 1, PSP shall identify the Project Manager, PSP's employees and all subcontractors assigned to this project on the List of Project Manager and Subcontractors (hereinafter referred to as the "List"), attached hereto and incorporated herein for all purposes as "Exhibit B-1."

TFC reserves the right to approve the appointment of the PSP Project Manager and to demand that the Project Manager, and any of PSP's employees or subcontractors, be removed and replaced if, in the sole opinion of TFC, their performance on this project or any other projects, is and/or was inadequate or their continued involvement with the Project is, will, or has become detrimental to the timely and successful completion of the project.

The Project Manager and Subcontractors identified in the List shall not be replaced by PSP, nor shall any other subcontractors be engaged by PSP, unless prior written consent is obtained from TFC, which consent shall not be unreasonably withheld, conditioned, or delayed.

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ENTIRE AGREEMENT AND MODIFICATION: The Agreement and this Assignment and their integrated attachment(s) constitute the entire agreement of the Parties and such are intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Assignment specifically displays a mutual intent to amend a particular part of this Assignment, general conflicts in language between any such attachment and this Assignment shall be construed consistently with the terms of this Assignment. Unless otherwise expressly authorized by the terms of this Assignment, no modification, renewal, extension, or amendment to this Assignment shall be binding upon the Parties unless the same is in writing and signed by the respective Parties hereto.

This Assignment shall be effective as of the date of the last Party to sign.

TEXAS FACILITIES COMMISSION COBB, FENDLEY AND ASSOCIATES, INC.

By: DocuSigned by:
Mike Novak
B1C9FC0A8020417...

By: DocuSigned by:
Dan Warth
507D4FCB9178406...

Mike Novak

Dan Warth, P.E.

Executive Director

Regional Manager, Central Texas

Date of execution: 04/03/2019 | 6:54 AM CDT

Date of execution: 04/02/2019 | 8:07 PM CDT

NRG GC

mw Dir

h DED

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EXHIBIT A-1

PSP'S IDIQ ASSIGNMENT NO. 1 PROPOSAL DATED MARCH 6, 2019

March 6, 2018 2019

MN for TFC DW for CF

Mark Diaz, AIA, LEED AP
Sr. Project Manager
Texas Facilities Commission - Facilities Design & Construction
1711 San Jacinto Boulevard
Austin, Texas 78701

RE: **TFC Contract 18-128-000 – Traffic Signal Design - 46th Street at West Guadalupe Street**

Dear Mr. Diaz:

Cobb, Fendley & Associates, Inc. (CobbFendley) is pleased to submit this scope and fee proposal for the Traffic Signal Design at 46th Street at West Guadalupe Street.

Please find the line item budgets in Attachment 1.

Please find the line item budgets in Attachment 2.

We look forward to implementing these important support activities on this very significant project for TFC.

Sincerely,
COBB, FENDLEY & ASSOCIATES, INC.



Dan Warth, P.E.
Project Principal | Vice President

ATTACHMENT 1

Traffic Signal Design - 46th Street at West Guadalupe Street	
Project Management (5 OAC meetings and overall PM)	\$8,641
Site Visit	\$610
Traffic Signal - 60% Design	\$24,426
Traffic Signal - 90% Design	\$24,186
Traffic Signal - 100% Design Issue for Construction	\$18,291
Specifications (Traffic Signal Notes, Applicable Standards, etc.)	\$2,550
Bid Phase Services	\$3,280
Construction Phase Services	\$4,920
Reimbursables	\$3,000
Total	\$89,904

ATTACHMENT 2**SERVICES TO BE PROVIDED BY COBB, FENDLEY & ASSOCIATES, INC.****TFC Contract:** 18-128-000**Project:** North Austin Complex - Austin**Tasks:** Traffic Signal Design - 46th St at West Guadalupe St

Billing will be lump sum in accordance with line item budgets in Attachment 1 and will be billed monthly based on the estimated percentage complete.

Project Management

Overall management of the tasks associated with this project including the QA/QC review. Submittals will be made at 60%, 90% and 100% design levels.

Agency Coordination

Attend meetings and coordination with the TFC and local agencies (City of Austin's Transportation Department and AULCC).

Site Visit

A site visit shall be performed to survey and investigate site conditions and to review general field survey information and will include TFC and ATD.

Traffic Signal Design

Full traffic signal design shall be produced for 46th Street at West Guadalupe Street.

Below is a summary of the design elements that shall be provided as applicable for each intersection.

- Mast arm pole design
- Mast arm pole foundations
- Ground boxes
- Conduits
- Signal Wiring
- Traffic Signal
- Luminaires at mast heads
- Vehicle and countdown pedestrian signal heads (LED)
- Vehicle detection
- Accessible pedestrian signals
- ADA upgrades to curb ramps and sidewalks as required
- Traffic signs as per the Texas Manual on Uniform Traffic Control Devices (TMUTCD)

These proposed traffic signal improvements shall be provided in a set of plans as applicable for each intersection as required by City of Austin which includes the following:

- Existing Signal Layout
- Proposed Traffic Signal Layout
- Elevations
- Vehicle Detection Layout
- Signing and Phasing
- Traffic Signal Notes
- Applicable Standards

Construction Estimate and Quantities

An estimate of quantities will be developed based on the design plan set and incorporated in a construction estimate that includes the latest estimated contractor bid prices.

Submittals Packages

Generate plan sheets to be incorporated in 60%, 90% and 100% design levels. These submittals will be coordinated with the City of Austin Traffic Division and the AULCC.

Bid Phase

CobbFendley will assist in the bidding of the project, with the assumption that the CMR, or CM Agent, will engage a bidding assistance center for the distribution and management of plans during bid phase. Distribution of plans and maintenance of plan holders list is not included in this proposal. Support during the bid phase will include:

1. Respond to contractor's questions during bidding process
2. Attend pre-bid conference and prepare the meeting agenda and minutes
3. Prepare addenda (assume 1) to address contractor questions
4. Review bid tabs
5. Review contractor recommendation

Construction Phase Services

CobbFendley will provide limited construction administration and observation assistance to TFC. This proposal does not include inspection services. This proposal assumes construction duration of two (2) months. Below is a scope of services for the construction phase services:

1. Review project submittals/shop drawings. CobbFendley will review each submittal up to two (2) times. If the Contractor requires a third submittal, it will be reviewed as an additional service and at the Contractor's expense, as will be written in the contract documents. This proposal assumes 10 submittals.
2. Respond to Requests for Information (RFI). CobbFendley will coordinate with City of Austin and Contractor on RFIs and respond with clarifications as needed. This proposal assumes one (1) RFI.
3. Change Orders. CobbFendley will assist TFC in negotiation and preparation of change order documents, should they be necessary. This proposal assumes one (1) change order.
4. Record Drawings. CobbFendley will prepare a set of record drawings based on Contractor's redlines in the field.

Reimbursable

CobbFendley will use this line item to cover other direct costs (ODCs) like permitting fees, and other expenses for the effort up to \$3,000. CobbFendley will provide backup for any reimbursables invoiced to the project.

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EXHIBIT B-1

LIST OF PSP'S PROJECT MANAGER AND SUBCONTRACTORS

TFC IDIQ Contract No. 18-128-000
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Exhibit B-1
PSP List of Project Manager and Subcontractors

A. Project Manager	Cobb Fendley & Associates, Inc. Dan Warth 505 East Huntland Drive Suite 100 Austin, TX 78752 512-834-9798 dwarth@cobbfendley.com
B. Civil Lead	Cobb Fendley & Associates, Inc. Stanley Fees 505 East Huntland Drive Suite 100 Austin, TX 78752 512-834-9798 sfees@cobbfendley.com
C. Traffic Lead	Cobb Fendley & Associates, Inc. Carrie Jaeger 505 East Huntland Drive Suite 100 Austin, TX 78752 512-834-9798 cjaeger@cobbfendley.com
D. Traffic QA/QC	Cobb Fendley & Associates, Inc. Brian Castille 1920 Country Place Parkway Suite 310 Pearland, TX 77584 281-993-4952 bcastille@cobbfendley.com