

**INDEFINITE DELIVERY INDEFINITE QUANTITY
PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND
HOLT ENGINEERING, INC.**

TFC CONTRACT NO. 18-100-000

ASSIGNMENT NO. 1

THIS INDEFINITE DELIVERY INDEFINITE QUANTITY ASSIGNMENT NO. 1 (hereinafter referred to as the "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 Holt Engineering, Inc., located at 2220 Barton Skyway, Austin, Texas 78704 (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 providing moisture/density field testing and inspection services for the Texas Commission on Environmental Quality parking lot improvements located at 12100 Park 35 Circle, Austin, Texas. Services shall include, but are not be limited to: (i) perform testing on subgrade, select fill, roadway base and utility trench backfill; (ii) perform testing on each lift of fill prior to placement of subsequent lifts; (iii) verify that appropriate proctor is being used and that material used as fill meets written requirements in the plans and specifications; (iv) perform field sieves for lime stabilized subgrades; and (iv) submit written report(s) to TFC that include work performed, date, time and location of all tests and other pertinent information (hereinafter referred to as the "Project"), as further depicted in "Exhibit A-1," PSP's IDIQ Assignment No. 1 Proposal dated November 28, 2017, attached hereto and incorporated herein for all purposes and consisting of four (4) pages.

DURATION OF ASSIGNMENT: The scope of services of this Assignment No. 1 shall be completed no later than August 31, 2019, 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 Two Thousand One Hundred Sixty Three and 42/100 Dollars (\$2,163.42). No more frequently than once per month, 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.

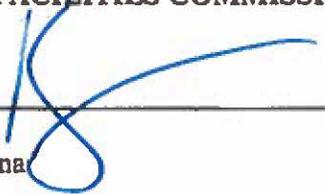
The Project Manager and Subcontractors identified in the List shall not be replaced by PSP, nor shall any other subcontractors be engaged by PSP, unless prior written consent is obtained from TFC, which consent shall not be unreasonably withheld, conditioned, or delayed.

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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.

TEXAS FACILITIES COMMISSION

HOLT ENGINEERING, INC.

By: 

By: 

Kay Molina

~~Linda Holt~~ Travis Holt Bryant

General Counsel

President Project Engineer

Date of execution: 1/22/18

Date of execution: 1/19/18

 G.C.

 Dir.

 D.E.D.

TFC CONTRACT NO. 18-100-000

HOLT ENGINEERING, INC.

EXHIBIT A-1

PSP'S IDIQ ASSIGNMENT NO. 1 PROPOSAL DATED NOVEMBER 28, 2017

GEOTECHNICAL ENGINEERING
DRILLING & SAMPLING
FOUNDATION DESIGN

HOLT
ENGINEERING, INC.

CONSTRUCTION OBSERVATION
LABORATORY TESTING
MATERIALS TESTING

28 November 2017

Texas Facilities Commission
Facilities Design & Construction
1711 San Jacinto Blvd
Austin, Texas 78701

Attn: Mr. Jim Overton, PM

Re: Cost Estimate for Materials Testing and Observation
TCEQ Park 35 Campus
Parking Lot Improvements –
Austin, Texas

TFC Project No. 15-021-6069

Contract No: IDIQ-18-100-000/Assignment 1

Dear Mr. Overton:

This letter is a request for cost for Assignment 1 for additional services to complete the Materials Testing and Observation at the above referenced project. Additional services were required due to changes in contract sequence of contractor schedule requiring additional site visits. Revised sequence or construction allowed the contractor to expedite the construction completion. This cost is based on projected additional work and our firm's unit fee schedule. The scope of our services includes the items checked below.

Scope of Services

- Moisture/Density Field Testing – Includes moisture/density testing on subgrade, select fill, roadway base, and utility trench backfill. Tests will be made on each lift of fill prior to placement of any subsequent lifts. The technician will verify that appropriate proctor is being used and that material used as fill (including select fill or roadway base) meets any written requirements in the plans and specifications. For lime stabilized subgrades, field sieves are performed to ensure gradation requirements are met.

Written reports provided include work performed, date, time and location of all tests and other pertinent information. Any test failures will be reported to the Contractor/Owner within 24 hours. All testing reports will be reviewed and signed by a registered professional engineer.

Included is an itemized cost estimate for the additional materials testing services listed above. We anticipate Assignment 1 additional service costs to be \$2,163.42. Final project cost is \$16,463.42 original contract (\$14,300.00) plus Assignment 1 (\$2,163.42) = \$16,463.42. Our testing and observations services will be dependent on the contractor and/or Owner scheduling the work. All on-site testing services must be scheduled via telephone with the office dispatch or through Randy Beaver or another designated on-call employee. In-office dispatch is available Monday through Friday 7:00AM – 5:00PM at 512-447-8166. Onsite scheduling, cancellations, changes or other needs made via text message, voice mail, fax or other methods may not be honored

Mr. Overton
TCEQ Park 35 Campus, Parking Lot Improvements IDIQ Contract No. 18-100-000 / Assignment 1
11/28/2017
Page 2 of 2

If you should have any questions regarding this cost estimate, please do not hesitate to call.

Sincerely,



Randy Beaver
Materials Testing and Laboratory Supervisor

Enclosures: Cost Estimate / Unit Fee Schedule / Project Contact List

THE ATTACHED COST ESTIMATE IS BASED ON THE FOLLOWING CONDITIONS:

1. The attached cost estimate will change based on changes or alterations to the scope of services. Additional costs may be incurred for testing that fails or does not meet specifications and must be re-tested, consultation with the Engineer, and/or Contractor, Client or other representative, or for other changes or alterations to the scope of services that were not disclosed or presented at the time of this cost estimate being issued.
2. Scheduling, canceling and dispatch for on-site testing is only accepted/processed via phone with a company employee. Our office phone lines are staffed from 7:00 AM to 5:00 PM at 512-447-8166 Monday through Friday with exception for some Holidays. In the event that scheduling must be done outside of these hours, our Laboratory Supervisor, Randy Beaver, is available at 512-848-3647. Scheduling requests, changes, or cancelations will not be accepted via text message, voice mail, email, standard mail, fax or other means.
3. Client understands that testing and observation is not continuous or exhaustive. Our testing and observation services are meant to aid in reducing, not eliminating, project risk. Holt is not responsible for the Contractor's means and methods, quality and completeness of work or adherence to the project documents.

We appreciate the opportunity to submit this proposal and look forward to working with you on this project. Please call us if we can be of any additional assistance.

HOLT ENGINEERING, INC.

2220 BARTON SKYWAY - AUSTIN, TEXAS 78704
512-447-8166 PHONE / 512-447-0852 FAX

COST ESTIMATE**Date:** November 13, 2017

Client: Texas Facilities Commission
Facilities Design & Construction
1711 San Jacinto Blvd
Austin, Texas 78701

Project: TCEQ Park 35 Campus Parking Lot Improvements
IDIQ Contract No. 18-100-000/Assignment 1
Austin, Texas

Contact: Mr. Jim Overton, PM**Cost Estimate for Materials Testing, Inspection, and Observation Services**

	<i>Quantity</i>	<i>Cost per Each</i>	<i>Total Cost:</i>
Moisture Density Field Testing: Technician with Nuclear Gauge			
Moisture Density Tests (Single Test)	12	\$18.00	\$216.00
Technician Time - Regular Hours	12	\$65.00	\$780.00
<i>Subtotal: Moisture Density Testing</i>			\$996.00
Engineering Time:			
Engineering Time - Regular Hours	7.5	\$150.00	\$1,125.00
<i>Subtotal: Engineering Time</i>			\$1,125.00
Administration Costs:			
Administration Fee - 2% of Monthly Invoice	\$2,121.00	2.00%	\$42.42
<i>Subtotal: Administrative Fees</i>			\$42.42
Total Estimate Amount for Services Indicated:			\$2,163.42

FEE SCHEDULE
MATERIALS TESTING AND INSPECTION
2017

Laboratory Testing (Soils):

Moisture/Density Relationship (Proctor)	\$	230.00/ea.
Permeability Test	\$	360.00/ea.
Atterberg Limits	\$	85.00/ea.
Sieve Analysis (Dry Gradation).....	\$	95.00/ea.
Minus 200.....	\$	50.00/ea.
Lime Series Curve	\$	260.00/ea.
pH	\$	33.00/ea.

Field Density Testing:

Technician Rate (3 Hour Minimum Charge*)	\$	65.00/hr.
Density Tests w/Nuclear Gauge	\$	18.00/ea.

Pier Inspection:

Technician Rate (3 Hour Minimum Charge*)	\$	65.00/hr.
Project Manager Rate	\$	95.00/hr.
Engineer Rate	\$	150.00/hr.

Concrete Testing:

Technician Rate (3 Hour Minimum Charge*)	\$	65.00/hr.
Project Manager Rate	\$	95.00/hr.
Engineer Rate	\$	150.00/hr.
Compression Test Cylinders (6 x 12)	\$	25.00/ea.
Compression Test Cylinders (4 x 8)	\$	21.00/ea.
Mortar Cube.....	\$	19.00/ea.
Unit Weight	\$	55.00/ea.
Grout Samples (Masonry)	\$	19.00/ea.

Structural Steel Inspection:

AWS Certified Welding Inspector.....	\$	100.00/hr.
AWS - CAWI	\$	65.00/hr.
AWS - CWI, NACE Level III	\$	186.00/hr.
Ultrasonic Testing.....	\$	Quote/Job
HILTI Ferrosan	\$	Quote/Job
Liquid Penetrant	\$	Quote/Job
Radiographic Testing (X-ray).....	\$	Quote/Job
Plant Inspection	Expenses+ \$	186.00/hr.

Asphalt Testing:

Coring (Minimum 3 Ea.)	\$	100.00/ea.
Extraction/Gradation	\$	213.00/ea.
Specific Gravity	\$	69.00/ea.
Hveem Stability (Set of 3)	\$	75.00/ea.
Molding Specimens (Set of 3)	\$	80.50/ea.
Laboratory Density (Set of 3).....	\$	57.50/ea.
Technician Rate (3 Hour Minimum Charge*)	\$	65.00/hr.

Miscellaneous:
 Overtime is time in excess of 8 hours/day and before 6 A.M. and after 6 P.M.
 Weekends, overtime and holidays are charged at 1.5 times hourly rate.

Administration Costs

Mileage	2% of Monthly Services	\$	0.70/mi.
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TFC CONTRACT NO. 18-100-000

HOLT ENGINEERING, INC.

EXHIBIT B-1

LIST OF PSP'S PROJECT MANAGER AND SUBCONTRACTORS

A. CMT Project Manager:		<u>Randy Beaver</u> (Name) <u>2220 Barton Skyway Austin, Texas 78704</u> (Address) <u>512-848-3647</u> (Cell #) <u>r.beaver@holteng.com</u> (Email)
B. Subcontractors:		N/A – No Subs will be used – Testing Services will performed by Holt Engineering, Inc.
	1.	_____ (Name) _____ (Address) _____ (Cell #) _____ (Email)
	2.	_____ (Name) _____ (Address) _____ (Cell #) _____ (Email)
	3.	_____ (Name) _____ (Address) _____ (Cell #) _____ (Email)
	4.	_____ (Name) _____ (Address) _____ (Cell #) _____ (Email)
	5.	_____ (Name) _____ (Address) _____ (Cell #) _____ (Email)