

TFC Contract No. 17-025-000
Jacobs Engineering Group Inc.
RFQ No. 303-6-01454 / PO 303-6-7038
Amendment No. 5
Project No. 16-030-8060

**AMENDMENT NO. 5
TO THE
PROFESSIONAL ARCHITECT/ENGINEERING SERVICES
AGREEMENT
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND
JACOBS ENGINEERING GROUP INC.**

This Amendment No. 5 to the Professional Architectural/Engineering Services Agreement (hereinafter referred to as “Amendment No. 5”) is entered into by and between the Texas Facilities Commission (hereinafter referred to as “TFC”), a state agency located at 1711 San Jacinto Boulevard, Austin, Texas 78701, as Owner (as defined in UGC, Section 1.28), and Jacobs Engineering Group Inc. (hereinafter referred to as “Architect/Engineer” or “A/E”), located at 2705 Bee Cave Road, Suite 300, Austin, Texas 78746 (hereinafter referred to collectively as the “Parties”), to amend the Professional Architectural/Engineering Services Agreement between the Parties, as amended.

RECITALS

WHEREAS, on January 27, 2017, the Parties entered into that one certain *Professional Services Architectural/Engineering Services Agreement Between the Texas Facilities Commission and Jacobs Engineering Group Inc.* (hereinafter referred to as the “Agreement”); and

WHEREAS, on May 8, 2018, the Parties executed Amendment No. 1 to provide for Additional Services and Fees and to extend the term of the Agreement; and

WHEREAS, on July 30, 2018, the Parties executed Amendment No. 2 to provide for Additional Services and Fees necessary to comply with certain Austin Energy requirements; and

WHEREAS, on October 2, 2018, the Parties executed Amendment No. 3 to provide for Additional Services and Fees necessary to comply with certain tenant agency requests; and

WHEREAS, on July 23, 2019, the Parties executed Amendment No. 4, providing for Additional Services and Fees and modifying or adding certain provisions, terms and conditions adopted subsequent to the execution of the Agreement and its Amendments numbered 1, 2, and 3, inclusive; and

WHEREAS, the Parties now desire to provide for Additional Services and Fees as more particularly described in Section 2 and 3, below;

NOW THEREFORE, the Parties hereby agree as follows:

1. Unless clearly provided otherwise herein, all terms and phrases in initial caps herein shall

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have the same meaning as the terms and phrases with initial caps in the Agreement.

2. The Parties agree to modify ARTICLE II – SCOPE OF SERVICES, Section 2.1, Description of Project, Subsection 2.1.1, North Austin Complex, by modifying Paragraph 2.2.7.2.1, as added by Amendment No. 3 and modified under Amendment No. 4, to include the following Additional Services:

“Provide additional design and construction administration services for the revised detailing at the garage east façade and elevator/stair towers. The finish shall include a trellis living screen on the east façade and brick face tile on the west side elevator towers as further described in A/E’s Proposal dated August 1, 2019, and consisting of five (5) pages, attached hereto and incorporated herein for all purposes as ‘Exhibit M-5.’”

3. The Parties agree to modify ARTICLE IV – CONSIDERATION, Section 4.1, Contract Limit-Fees and Expenses, Subsection 4.1.1, Fixed Fee, by reflecting additional fees in the amount of Twenty-One Thousand Six Hundred Fifty-Eight and No/100 Dollars (\$21,658.00), thus increasing the total amount of the Agreement from Ten Million Eighty-Eight Thousand Four Hundred One and No/100 Dollars (\$10,088,401.00), to a new total not to exceed amount of Ten Million One Hundred Ten Thousand Fifty-Nine and No/100 Dollars (\$10,110,059.00). Thus, Subsection 4.1.1, shall read in its entirety as follows:

“4.1.1. Fixed Fee. In exchange for the proper performance and timely delivery of the Professional Services as specified by this Agreement, A/E shall be paid a fixed fee of Ten Million One Hundred Ten Thousand Fifty-Nine and No/100 Dollars (\$10,110,059.00). A/E will not be compensated for any Professional Services performed or delivered by A/E prior to the Effective Date of this Agreement or after its termination. Such Fixed Fee shall be paid to A/E pursuant to the A/E’s Fee Schedule and Staffing Plan, ‘Exhibit L’ as modified by ‘Exhibit M-5.’”

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4. All other terms and conditions of the Agreement not expressly amended herein shall remain in full force and effect.

TEXAS FACILITIES COMMISSION

JACOBS ENGINEERING GROUP INC.

DocuSigned by:
By: Mike Novak, Executive Director
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DocuSigned by:
By: Craig McCurley, PE Principal
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Mike Novak

Craig McCurley

Executive Director

Principal

Date of execution: 11/27/2019 | 9:04 AM CST

Date of execution: 11/27/2019 | 8:57 AM CST

GC 

Dir. 

DED 

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Exhibit M-5

A/E's Proposal dated August 1, 2019

JACOBS™2705 Bee Cave Road, Suite 300
Austin, TX 78746
512-314-3100

August 1, 2019

Mark Diaz, RA, CTCM
Project Manager
Facilities Design & Construction
Texas Facilities Commission**Subject: Additional Service Proposal – ASP 05
Form Lined Concrete Remediations – Parking Garage**Project: North Austin Complex
TFC Contract No.: 17-025-000

Mr. Diaz,

Jacobs is pleased to present our proposal for additional services to modify the Contract Documents in order to remediate areas of the parking garage exterior, form-lined, concrete walls where the finish has been deemed unacceptable.

The scope of services includes:

Coordination with TFC to determine the extent of the remediation, onsite meetings to assess potential remedies, preparation of preliminary modifications for review, preparation of Construction Documents, and, review of Contractor's proposed patching materials and methodology. In some locations it was determined that the extent of the problematic concrete finish warranted more than patching. In those locations two solutions have been agreed to with TFC; 1) a metal screen/trellis system planted with greenery for the Level 1 walls on the east side of the parking garage, and 2) brick face tile for Level 1 and level 2 walls on the west side elevator towers.

Jacobs anticipates issuing six (6) new drawing sheets and revising one (1) sheet in order to provide additional elevations, plans, sections, 3D views, and details.

Fee: The services and deliverables required for the scope noted above will be provided for a lump sum fee of \$21,658 (twenty-one thousand six hundred fifty-eight dollars) as shown in the attached fee breakdown (Attachment A) and in conjunction with the Professional Services Agreement between Jacobs Engineering Group Inc and the Texas Facilities Commission.

This proposal assumes one submission of the documents for your review and a final submission to the Contractor for construction. It also assumes the work will be completed within the current construction schedule and will not increase the duration of Jacobs construction administration effort. Jacobs reserves the right to request additional services if these assumptions are not met.

Allowable reimbursable expenses incurred for this task will be submitted for payment against the base contract reimbursable budget. Therefore, there are no additional reimbursable expenses (associated with this task) are included in this proposal.

Jacobs greatly appreciates the opportunity to serve TFC on this project. Should you require clarification or have questions, please do not hesitate to contact me.

Sincerely,

Kenny Houghton, PE
Project ManagerCraig McCurley, P.E.
Principal

		Jacobs		
Task List	Project PM	Arch - Sr	Arch - Mid	
	PM, Programming, Mechanical, Plumbing, Fire Protection, Arch of Record, Electrical, Lab Planning, Cost Estimate			
Project Management	4			
Onsite Meetings	2	2	2	
Preliminary Sketches		6	16	
Construction Documents (7 sheets)		24	60	
Quality Control	1	4		
Submittal Review		1	2	
Hours	7	37	80	
Rates (exhibit K base contract x mult)	\$157	\$215	\$158	
Subtotal	\$1,100	\$7,955	\$12,603	
Total	\$21,658			

LIST OF PROJECT STAFF

A. Project Manager	<p>Jacobs Ken Houghton, P.E. 2705 Bee Cave Road, Suite 300 Austin, Texas 78704 512-314-3164 ken.houghton@jacobs.com</p>
B. Design Director (Sub-Consultant)	<p>STG (Sub-Consultant) Robert Lambert, AIA 828 W 6th St #300 Austin, TX 78703 512.899.3500 rlambert@stgdesign.com</p>
C. Principal-in-Charge	<p>Jacobs Craig McCurley, P.E. 911 Central Pkwy N. #425 San Antonio, TX 78232 210-403-6305 Craig.McCurley@jacobs.com</p>
D. Senior Office Building Design	<p>Jacobs Leonardo Diaz, AIA, LEED AP 2301 Chestnut Street Philadelphia, PA 19103 215.751.2846 Leonardo.diaz@jacobs.com</p>
E. Parking Specialist	<p>Jacobs David White, PE 2705 Bee Cave Road, Suite 300 Austin, Texas 78704 817.347.7940 David.white@jacobs.com</p>
F. Central Utility Plant / Infrastructure Specialist	<p>Jacobs Kevin Fox, PE, CEM, LEED AP 2705 Bee Cave Road, Suite 300 Austin, Texas 78704 817.347.7600 Kevin.fox@jacobs.com</p>

G. City of Austin Liaison (Sub-Consultant)	Garza EMC (Sub-Consultant) Rudy Garza 7708 Rialto Blvd., Suite 125 Austin, Texas 78735 512.971.3510 rgarza@garzaemc.com
H. Project Designer (Sub-Consultant)	STG (Sub-Consultant) Richard Grandt 828 W 6th St #300 Austin, TX 78703 512.899.3500 rgrandt@stgdesign.com
I. Project Architect	Jacobs Nathan Carruth, AIA, LEED AP 2705 Bee Cave Road, Suite 300 Austin, Texas 78704 817.347.5393 Nathan.carruth@jacobs.com
J. Interior Designer (Sub-Consultant)	STG (Sub-Consultant) Shawn Dubiel, RID, AIA LEED AP 828 W 6th St #300 Austin, TX 78703 512.899.3500 sdubiel@stgdesign.com
K. Landscape Architect (Sub-Consultant)	Coleman & Associates (Sub-Consultant) Aan Garrett-Coleman, RLA, LEED AP 9890 Silver Mountain Drive Austin, TX 78737 512.476.2090 aan@colemanandassoc.com
L. Structural Lead, Buildings (Sub-Consultant)	Ensign Haynes Whaley (Sub-Consultant) Mark Merryman, PE, LEED AP 4800 Sugar Grove Blvd, Suite 315 Stafford, TX 77477 512.306.9669 Mark.Merryman@cardno.com
M. Structural Lead, Garage (Sub-Consultant)	Ensign Haynes Whaley (Sub-Consultant) Troy Jamail 4800 Sugar Grove Blvd, Suite 315 Stafford, TX 77477

	512.306.9669 Troy.jamail@hwaparking.com
N. Mechanical Lead	Jacobs Waylon Sodd, PE 911 Central Parkway North, Suite 425 San Antonio, TX 78232 210.403.6341 Waylon.sodd@jacobs.com
O. Electrical Lead	Jacobs Ladonna Davis, PE 777 Main Street Fort Worth, TX 76102 817.735.7138 Ladonna.davis@jacobs.com
P. Civil Lead (Sub-Consultant)	Garza EMC (Sub-Consultant) John Pelham, PE 7708 Rialto Blvd., Suite 125 Austin, Texas 78735 512.298.3284 jpelham@garzaemc.com
Q. Fire Protection Lead	Jacobs Shawn Yates, PE 777 Main Street Fort Worth, TX 76102 817.347.7944 Shawn.yates@jacobs.com
R. IT / Security Lead (Sub-Consultant)	Datacom Design Group (Sub-Consultant) Sean Doyle, RCDD 7600 Burnet Road, Suite 350 Austin, TX 78757 512.478.6001 SDoyle@datacomdesign.com