

TFC Contract No. 18-118-000  
Professional Service Industries, Inc.  
Assignment No. 1  
Project No. 19-012-2510

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

**TFC CONTRACT NO. 18-118-000**

**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 Professional Service Industries, Inc., located at 2600 McHale Court, Suite 125, Austin, Texas 78758 (hereinafter referred to as “PSP”) (TFC and PSP are hereinafter referred to individually as a “Party” or collectively as “Parties”), to be subject to the terms and conditions that follow:

**DESCRIPTION OF PROJECT:** The project for which PSP agrees to provide Professional Services is generally described as providing asbestos, lead-based paint, and mold/indoor air quality inspection services for Buildings 1 – 7 of the Texas Department of Transportation Camp Hubbard Complex located at 3712-4000 Jackson Avenue, Austin, Texas (hereinafter referred to as the “Project”), as further depicted in “Exhibit A-1,” PSP’s IDIQ Assignment No. 1 PSI Proposal No. 0435-278665-Revised dated November 8, 2019, attached hereto and incorporated herein for all purposes and consisting of three (3) pages.

**DURATION OF ASSIGNMENT:** The scope of services of this Assignment No. 1 shall be completed no later than August 31, 2020, 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 Thirty-Eight Thousand Twenty and No/100 Dollars (\$38,020.00). No more frequently than once per month, PSP shall submit a Pay Application to TFC for services performed

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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      PROFESSIONAL SERVICE INDUSTRIES, INC.**

By: DocuSigned by:  
Mike Novak  
B1CGFC0A8020417

By: DocuSigned by:  
Ed Pruske  
8CCDCA213342404

Mike Novak

Print Name: Ed Pruske

Executive Director

Print Title: Business Development Manager

Date of execution: 11/20/2019 | 5:32 PM CST

Date of execution: 11/20/2019 | 2:25 PM PST

GC 

Dir 

DED 

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**EXHIBIT A-1**

**PSP'S IDIQ ASSIGNMENT NO. 1 PSI PROPOSAL NO. 0435-278665-REVISED  
DATED OCTOBER 17, 2019**



November 8, 2019

Texas Facilities Commission  
1711 San Jacinto Boulevard  
Austin, Texas 78701

Attn: Ms. Dorothy Spearman, Senior Project Manager, Facilities Design & Construction  
[dorothy.spearman@tfc.state.tx.us](mailto:dorothy.spearman@tfc.state.tx.us)

RE: Asbestos & Lead-Based Paint Survey/Inspection  
Services & Hazardous Materials Inventory  
Texas Department of Transportation  
Camp Hubbard Buildings 1-7  
3712-4000 Jackson Avenue  
Austin, Texas  
PSI Proposal No.: 0435-278665-*Revised*

Dear Ms. Spearman:

Professional Service Industries, Inc. (PSI) is pleased to submit the following proposal for the asbestos, lead-based paint, and mold/indoor air quality (IAQ) inspection services requested for Buildings 1-7 of the TxDOT Camp Hubbard Complex on Jackson Avenue in Austin, Texas. PSI understands that the client is requesting assessment services based on prior reports of asbestos-containing materials, and the need for a comprehensive survey to identify the presence and location of asbestos-containing materials (ACM) and lead-based paint (LBP). Indoor Air Quality (IAQ) testing will also be done to measure baseline conditions and assess if elevated spore counts occur in occupied spaces.

PSI proposes to perform the asbestos and lead-based paint survey/inspection services in general compliance with Federal and State regulations using a team of Texas Department of State Health Services (DSHS) licensed Asbestos Consultants, Lead Risk Assessors and Inspectors. Non-destructive sampling methods will be utilized unless otherwise directed. PSI will contact you before beginning any of the inspection work to coordinate access to the areas. The work will be performed during weekdays (7:00 AM to 6:00 PM) as much as access to the survey area is permitted. Complete access to all areas of the structure, including the roof, must be provided. Please be advised that if roof samples are requested, PSI will only provide a temporary patch of the roofs in areas where bulk samples are collected and does not warrant against future water leaks. If available, construction drawings of the building on CADD would be appreciated.

The purpose of the survey/inspection services is to determine whether lead-based paint (LBP) or asbestos-containing materials (ACM) are present, to define the nature and condition of assumed or confirmed LBP or ACM, and to provide recommendations on the removal of assumed or confirmed LBP or ACM. An IAQ assessment of baseline conditions will also be provided.

Analysis of asbestos bulk samples collected will be performed by PSI's DSHS licensed laboratory on a normal turnaround basis. The suspect ACM bulk samples will be analyzed by Polarized Light Microscopy

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with dispersion staining. If requested and at additional cost, ACBM bulk samples with a confirmed content of 10% or less can be analyzed utilizing the point count method.

The asbestos, IAQ and lead-based paint survey/inspection reports will be prepared at the completion of the fieldwork. Estimated extents and locations of ACM, as well as recommendations on the removal of these materials, will be included.

### **SCOPE OF SERVICES**

PSI proposes to provide the following services:

#### *Field Services*

- Visual inspection by DSHS licensed personnel to determine the presence and approximate locations of exposed and/or accessible LBP and ACM.
- Bulk sampling of suspect ACM in accordance with DSHS guidelines.
- LBP inspection using an XRF lead paint analyzer.
- Spot measurements of temperature & relative humidity in conjunction with IAQ mold sampling.

#### *Laboratory Services*

- Bulk sample analysis of up to 762 samples of suspect ACBM by polarized light microscopy with dispersion staining (PLM/DS).
- Standard quality control program with ACM bulk sample re-analysis.
- Laboratory analysis of up to 62 air and 62 surface samples for total fungal spores.

#### *Final Reports*

- Survey and sampling methodology.
- Extent and location of LBP & ACM.
- Recommendations for LBP & ACM identified.
- Estimated cost for remediation of ACM identified.
- Baseline fungal spore concentrations of occupied spaces compared to outside, control samples.
- Analytical results and chain-of-custody documentation.

### **SCHEDULE**

PSI proposes to deliver the final reports in approximately twenty to twenty-five (20-25) working days after written authorization to proceed has been received. Please be advised that completion of the project may be affected by access to the building and other factors.

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**PROFESSIONAL FEE**

It is proposed that the fee for the performance of the LBP, ACM and mold/IAQ survey/inspections as outlined above be a unit rate basis of up to 762 bulk asbestos samples as shown below:

Asbestos Survey.....	\$18,825.00
IAQ Survey.....	\$15,945.00
Lead-Based Paint Survey.....	\$3,250.00
<b>TOTAL.....</b>	<b>\$38,020.00</b>

If more than 762 samples are required, they will be analyzed for an additional \$15.00 per sample. It is also proposed that the scope of work outlined above, be performed pursuant to the current TFC Environmental IDIQ 18-118-000.

**COMMENCEMENT OF WORK**

We appreciate the opportunity to propose on your project. After review of this proposal, if you have any questions, please feel free to contact us. The project can be scheduled upon receipt of a signed copy of this proposal. We look forward to working with you.

Respectfully Submitted,  
**PROFESSIONAL SERVICE INDUSTRIES, INC.**



John Langan  
Department Manager

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**EXHIBIT B-1**

**LIST OF PSP'S PROJECT MANAGER AND SUBCONTRACTORS**

**LIST OF PSP PROJECT MANAGER  
AND  
SUBCONTRACTORS**  
(Name, Company Name, Address & Contact Person (Project Manager))

A. PSP Project Manager:		<u>Steve Bohannon</u> (Name) <u>Intertek-PSI</u> (Company) <u>3 Burwood Lane, San Antonio, TX 78216</u> <u>512/529-8324</u> (Cell #) <u>steve.bohannon@intertek.com</u> (Email)
B. Subcontractors:		
	1.	<u>Christy Youngblood</u> (Name) <u>Moody Labs</u> (Company) <u>2051 Valley View Lane Farmers Branch, TX</u> (Address) <u>972/241-8460</u> (Cell #) <u>report-distribution@moodylabs.com</u> (Email)
	2.	_____ (Name) _____ (Company) _____ (Address) _____ (Cell #) _____ (Email)
	3.	_____ (Name) _____ (Company) _____ (Address) _____ (Cell #) _____ (Email)
	4.	_____ (Name) _____ (Company) _____ (Address) _____ (Cell #) _____ (Email)