

**INDEFINITE DELIVERY INDEFINITE QUANTITY  
PROFESSIONAL SERVICES AGREEMENT  
BETWEEN  
THE TEXAS FACILITIES COMMISSION  
AND  
RABA KISTNER CONSULTANTS, INC.**

**TFC CONTRACT NO. 18-101-000**

**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 Raba Kistner Consultants, Inc. located at 8100 Cameron Road, Suite B-150, Austin, Texas 78754 (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 material testing services for the William P. Hobby Building plaza renovation project located at 333 Guadalupe Street, Austin, Texas 78701 (hereinafter referred to as the "Project"), as further depicted in "Exhibit A-1," PSP's IDIQ Assignment No. 1 Proposal No. PAD18-006-00, including Cost Breakdown, dated January 11, 2018, 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 July 30, 2018, 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 Six Thousand Six Hundred Fifty-Five and No/100 Dollars (\$6,655.00). 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**

**RABA KISTNER CONSULTANTS, INC.**

By: JSR

By: Gabriel Ornelas, Jr.

John S. Raff

Gabriel Ornelas, Jr.

Interim Executive Director

Senior Vice President

Date of execution: 2-8-18

Date of execution: 3/1/2018

NRC G.C.

YMW Dir.

M D.E.D.

TFC Contract No. 18-101-000  
Raba Kistner Consultants, Inc.  
Assignment No. 1  
Project No.: 16-002-5191

**TFC CONTRACT NO. 18-101-000**

**EXHIBIT A-1**

**PSP'S IDIQ ASSIGNMENT NO. 1 PROPOSAL DATED JANUARY 11, 2018**

[Delivered by E-Mail to [Lissi.Riedel@TFC.state.tx.us](mailto:Lissi.Riedel@TFC.state.tx.us)]

PAD18-006-00  
January 11, 2018

Ms. Lissi Reidel  
Texas Facilities Commission – Facilities Design and Construction  
1711 San Jacinto Blvd  
Austin, Texas 78701

Re: **Construction Materials Testing Services**  
**TFC Hobby Plaza Renovation**  
**Austin, Texas**



Raba Kistner  
Consultants, Inc.  
8100 Cameron Road, Suite B-150  
Austin, TX 78754  
[www.rkci.com](http://www.rkci.com)

P 512 :: 339 :: 1745  
F 512 :: 339 :: 6174  
TBPE Firm P-3257

Dear Ms. Reidel:

Raba Kistner Consultants, Inc. (RKCI) is pleased to submit our estimate to provide the construction materials observation and testing services on the above-referenced project. These services will be provided in accordance with the Texas Facilities Commission Contract No. 18-101-000 between RKCI and Texas Facility Commission executed on June 4, 2014, IDIQ Contract No. 14GEO03-01-00.

We propose estimated budgets of \$6,655.00 for construction materials testing and observation services for the referenced project. This budget is based on our understanding of the project, an estimate of quantities, and past experience with similar projects. A cost estimate breakdown is presented in the attached spreadsheet. Construction sequencing, delays, and the number of times that the client or their representative requests our services will affect the suggested budget. Services will be provided on a call out basis for the unit fees attached to this proposal. The scope of work includes the observation and testing of the following construction materials:

- Reinforcing steel observations,
- Concrete compressive strength specimen sampling, testing and reporting, and
- Certified welding inspections

Thank you for allowing RKCI the opportunity to submit our proposal for the construction materials observation and testing services. We have a fully equipped AASHTO Accredited laboratory and we look forward to providing these services to you during the construction of this project. If you have any questions concerning our scope of work or need any additional information, please call us at (512) 339-1745.

Very truly yours,

RABA KISTNER CONSULTANTS, INC.

A handwritten signature in black ink that reads 'Gabriel Ornelas, Jr.' with a stylized flourish at the end.

Gabriel Ornelas, Jr., P.E., PMP  
Vice President

GO:wdd

Attachments: **Cost Estimate**  
**Scope of Work**  
**Report Distribution List**

COST ESTIMATE BREAKDOWN		Date:	January 11, 2018	
		Proposal Number:	PAD18-006-00	
<b>Project Name:</b>	TFC Hobby Plaza Renovation			
<b>Project Location:</b>	333 Guadalupe Street, Austin, TX			
<b>Contact Name:</b>	Lissi Riedel			
<b>Client:</b>	Texas Facilities Commission			
<b>Address:</b>	1711 San Jacinto Blvd.			
<b>City/State /Zip</b>	Austin, TX 78701			
<b>Phone Number::</b>	512-463-7127 direct 512-804-8436 mobile			
<b>E-Mail:</b>	Lissi.riedel@tfc.state.tx.us			
TESTING/OBSERVATION ITEM	UNIT COST	UNIT	ESTIMATED QUANTITY	COST EXTENSION
<b>REINFORCING STEEL OBSERVATIONS</b>				
<b>Field Observation/Testing</b>				
Materials Technician	\$55.00	hour	12	\$660.00
Daily Equipment Rental	\$25.00	day	4	\$100.00
<b>Subtotal</b>				<b>\$760.00</b>
<b>CONCRETE</b>				
<b>Laboratory Testing</b>				
Concrete Compressive Strength Cylinders	\$16.00	each	55	\$880.00
<b>Field Testing/Observation</b>				
Materials Technician	\$55.00	hour	40	\$2,200.00
Materials Technician (overtime)	\$77.00	hour		\$0.00
Daily Equipment Rental	\$25.00	day	12	\$300.00
<b>Subtotal</b>				<b>\$3,380.00</b>
<b>STRUCTURAL STEEL INSPECTION</b>				
<b>Field Testing/Observation</b>				
CWI Inspector	\$98.00	hour	18	\$1,764.00
Daily Equipment Rental	\$25.00	day	3	\$75.00
<b>Subtotal</b>				<b>\$1,839.00</b>
<b>PROJECT ADMINISTRATION</b>				
<b>Project Coordinator</b>				
Project Coordinator	\$67.00	hour	2	\$134.00
<b>Project Engineer</b>				
Project Engineer	\$155.00	hour	2	\$310.00
<b>Clerical</b>				
Clerical	\$58.00	hour	4	\$232.00
<b>Subtotal</b>				<b>\$676.00</b>
<b>GRAND TOTAL</b>				<b>\$6,655.00</b>

PAD18-006-00  
January 11, 2018

**SCOPE OF WORK**  
**Texas Facilities Commission**  
**Hobby Plaza Renovation**  
**333 Guadalupe St**  
**Austin, Texas**

**General:**

1. We understand that Texas Facilities Commission will require the services of experienced engineering technicians as scheduled by you or your representatives. We request twenty-four (24) hour notification to properly schedule our work.
2. Service charges are based on the hourly rates stated herein and will be assessed from the time the Engineer or Technician leaves our office until he returns from the project.
3. Our total cost of services is based upon the assumption that this project will require a technician on site during normal work hours. Services requested during days and/or hours requiring overtime rates may significantly increase the total cost of services shown herein. Normal work hours are defined as Monday through Friday, 8:00 am to 5:00 pm. Overtime rates at 1.4 times the normal hourly rate will be assessed after eight (8) hours of continuous work per day.
4. Raba-Kistner will utilize the on-site initial field curing facilities provided by the contractor. The cost of providing and maintaining these initial curing facilities is not included in our proposal.

**TFC CONTRACT NO. 18-101-000**

**EXHIBIT B-1**

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

**PSP LIST OF PROJECT MANAGER  
AND  
SUBCONSULTANTS**

A. Project Manager:	Gabriel Ornelas and James Dedrick
B. Subconsultants:	N/A

**Gabriel Ornelas, Jr. , P.E., PMP**  
Vice President  
[gornelas@rkci.com](mailto:gornelas@rkci.com)  
8100 Cameron Road, Suite B-150  
Austin, Texas 78754

**James Dedrick, P.E.**  
COMET Manager  
[jdedrick@rkci.com](mailto:jdedrick@rkci.com)  
8100 Cameron Road, Suite B-150  
Austin, Texas 78754