

TFC Contract No. 18-101-000
Raba Kistner Consultants, Inc.
Assignment No. 5
Project No. 19-005-0405

**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. 5

THIS INDEFINITE DELIVERY INDEFINITE QUANTITY ASSIGNMENT NO. 5

(hereinafter referred to as “Assignment No. 5” 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 Geotechnical Engineering Services for the Department of Public Safety Emergency Vehicle Operations Center Motorcycle Skills Pad Project located at 820 County Road 240, Florence, Texas (hereinafter referred to as the “Project”), as further depicted in “Exhibit A-5,” PSP’s IDIQ Assignment No. 5 Proposal dated May 9, 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. 5 shall be completed no later than December 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. 5.

SPECIAL TERMS AND CONDITIONS OF ASSIGNMENT: Terms and conditions shall be in accordance with the Agreement, any Special Conditions, and with this Assignment No. 5.

SUB-CONTRACTORS TO BE UTILIZED FOR PROJECT: PSP shall perform the services under this Assignment No. 5 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. 5 shall not exceed the sum of Nine Thousand Three Hundred and No/100 Dollars (\$9,300.00). No more frequently than once per month, PSP shall submit a Pay Application to TFC for services

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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. 5, 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-5."

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

RABA KISTNER CONSULTANTS, INC.

By: 
B1C9FC0A8020417...

By: 
0A3E92D54991417...

Mike Novak

Gabriel Ornelas, Jr.

Executive Director

Senior Vice President

Date of execution: 06/12/2019 | 9:39 AM CDT

Date of execution: 06/12/2019 | 9:11 AM CDT

NRG GC

ymw Dir

M DED

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EXHIBIT A-5

PSP'S IDIQ ASSIGNMENT NO. 5 PROPOSAL DATED MAY9, 2019

TFC Contract No. 18-101-000

Exhibit A-5

Assignment No. 5

[Delivery by Email: Bill.Munoz@tfc.state.tx.us]

Proposal No. PAA19-057-00, Revision 1

May 9, 2019



8100 Cameron Road

Ste. B-150

Austin, TX 78754

www.rkci.com

P 512.339.1745 F 512.339.6174

TBPE Firm F-3257

Mr. Bill Munoz, Project Manager
 Texas Facilities Commission
 Facilities Design & Construction
 1711 San Jacinto Boulevard
 Austin, Texas 78701

**RE: Proposal for Geotechnical Engineering Study
 Department of Public Safety - Emergency Vehicle Operations Center
 Motorcycle Skills Pad, Parking Area and Service Drive
 810 County Road 240
 Florence, Texas**

Dear Mr. Munoz:

RABA KISTNER Consultants Inc. (RKCI) is pleased to submit this proposal for Geotechnical Engineering Services for the above referenced project. The broad objectives of our study will be to determine soil conditions at the site and to develop pavement design recommendations and construction guidelines for a new skills pad, parking area and service drive at the Texas Department of Public Safety Emergency Vehicle Operations Center in Florence, Texas.

Our services will be performed in general accordance to the *Indefinite Delivery Indefinite Quality Professional Services Agreement* contract between Texas Facilities Commission and Raba Kistner Consultants, Inc. (TFC Contract No.: 18-101-00 effective September 25, 2017). Described in this proposal are:

- our understanding of pertinent project characteristics;
- our proposed scope for field and laboratory study;
- our proposed scope for engineering evaluation and reporting;
- our tentative project schedule; and
- our lump sum study cost.

Project Description

The facility being considered in this study is a new motorcycle skills pad addition to the existing Texas Department of Public Safety Emergency Vehicle Operations Center (EVOC) located at 810 County Road 240, approximately 1 mile east of its intersection with Texas State Highway 195 in Florence, Texas. Based on a Google Earth aerial image, the site is generally an open grass-covered tract of land, with isolated stands of trees. There is an existing all-weather pad and service drive that occupies this area.

We understand the scope of the project consists of the design and construction of a 60,000 sq ft asphalt paved motorcycle skills pad and concrete curb. Additional, improvements include a service drive and a 65 ft by 90 ft parking area.

Field Study

Based on the site plan provided, RKCI will conduct the following drilling program in order to assess subsurface conditions at the subject site.

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May 9, 2019

Proposed Structure	Number of Borings	Depth, ft	Total Depth, ft
Motorcycle Skills Pad	4	10	40
Service Drive	2	10	20
Parking Area	1	10	10
Total Drilling Footage			70 ft

All borings will be advanced to their targeted completion depths and/or to auger refusal into competent limestone, whichever, occurs first. Borings will be located in the field utilizing tape and right angle measurements from existing benchmarks or using a recreational grade Global Positioning System (GPS) device. Our scope of services does not include surveying of the boring locations. However, RKCI will stake boring locations for surveying by others.

A truck mounted drilling rig will be used to access and traverse the job site. Soil samples will be taken using conventional split-spoon, Shelby tube, and NX rock core sampling techniques. Representative portions of the samples will be sealed, identified, packaged, and transported to our laboratory for subsequent testing and classification.

Samples collected will be retained in our laboratory for 30 days after submittal of the final geotechnical report.

Laboratory Testing

Upon completion of the subsurface exploration, a testing program will be designed to define the strength and classification characteristics of the subgrade soils. The laboratory testing program is anticipated to include moisture content tests, Atterberg Limits (plasticity) tests, unconfined compression tests, and grain size analyses. However, the actual type and number of laboratory tests will be based on the subsurface conditions encountered in the borings. The laboratory testing will be performed in general accordance with applicable ASTM standards.

Engineering Report

The results of the field and laboratory phases of the study will be reviewed by our staff of engineers and geologists. The results of our review, together with the supporting field and laboratory data, will be presented in a written, engineering report. The Geotechnical Engineering Report will include the following information and recommendations, if applicable:

- A summary of the field and laboratory sampling and testing program,
- A boring location map, and boring logs;
- A summary of the laboratory test results;
- A review of general site conditions, the subsurface stratigraphy, groundwater conditions, and the presence and condition of fill materials, if encountered.
- Flexible pavement component thickness recommendations for the motorcycle skills pad;
- Flexible pavement component thickness recommendations for the parking area and service drive;
- Construction considerations for flexible pavements.

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Final site grading plans will be helpful information in the preparation of our foundation and pavement engineering recommendations. In the absence of site grading information, we will prepare recommendations based on the existing topography.

Specific information concerning anticipated traffic loadings and frequencies for the pavement areas will be critical in the preparation of pavement recommendations. The final report will be reproduced in an electronic copy delivered via PDF.

Tentative Project Schedule

Based on our present workload and weather permitting, we anticipate that we could begin the field exploration phase of this study within 3 to 5 working days of receiving your written authorization, provided the site is accessible to our truck-mounted drill rig. The field exploration and laboratory testing phase of the study is expected to take approximately 5 to 7 working days to complete. Engineering analyses and preparation of the engineering report is expected to take an additional two and a half to three weeks to complete. We will be pleased to provide the design team with verbal design information as the data becomes available, once drilling has been completed.

Recently central Texas has experienced weeks of consistent rain events thus contributing to wet and very soft ground surfaces, which have created conditions that prohibit drilling access. The provided timeline above is based on immediate accessibility and does not take into account weather delays and/or accessibility due to inclement weather. RKCI will have better understanding of existing site conditions and accessibility of a drilling rig once we have had an opportunity to visit and stake the site.

Project Cost

The total lump sum cost for the study scope outlined herein is **\$9,300**.

Should unusual soil conditions be encountered in the field that indicates the desirability of significantly broadening the scope of the study, we will contact you to receive authorization before proceeding with any additional work. Additional services will be billed on a unit basis in accordance with our standard fees as indicated on the attached Schedule of Fees for Professional Services.

If available, we request that the Client provide RKCI with a recent plat of the project site, a drawing illustrating existing and proposed construction locations, and preliminary site grading plans prior to the start of our field exploration services. Also, it is our understanding that the Client will provide access to all boring locations for a conventional, truck-mounted drilling rig and that the Client will provide underground utility clearance. RKCI will assist in locating underground utilities, provided the Client submits documentation of existing utility locations. RKCI will take all precautions to prevent damage to property; however, RKCI cannot be responsible for tire rutting, or damage of landscaping.

It should be noted that our study scope and project cost does not include professional time and travel expenses for participation in design team meetings. Furthermore, our estimate does not include professional time for plan review to determine whether the drawings comply with the intent of the geotechnical recommendations.

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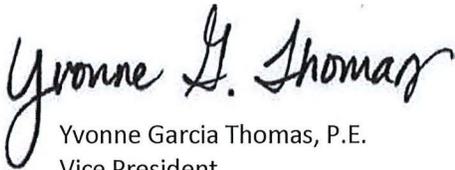
Acceptance

We appreciate the opportunity of submitting this contract and look forward to working with you in the development of this project, which will be carried out in accordance with **TFC Contract No.: 18-101-00 effective September 25, 2017.**

RKCI considers the data and information contained in this proposal to be proprietary. This statement of qualifications and any information contained herein shall not be disclosed and shall not be duplicated or used in whole or in part of any purpose other than to evaluate this proposal.

Very truly yours,

RABA KISTNER CONSULTANTS, INC.

A handwritten signature in black ink that reads "Yvonne G. Thomas". The signature is written in a cursive, flowing style.

Yvonne Garcia Thomas, P.E.
Vice President

YGT: me
Attachment II
Copies Submitted: Above (1)

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Attachment II



SCHEDULE OF FEES FOR PROFESSIONAL SERVICES

<u>PERSONNEL:</u>	Principal.....	\$135 to \$250/hour
	Professional.....	\$70 to \$200/hour
	Auto Cad Operator.....	\$65 to \$110/hour
	Technical/Clerical/Administrative	\$40 to \$80/hour

The specific hourly rate within each classification listed above depends on the experience, special training, and qualifications of the personnel needed for the project. For projects requiring work at any hazardous waste site, there will be a \$10 per hour surcharge added to the normal billing rate for all personnel. Consultants to Raba Kistner (RK) will be charged according to their professional classification.

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EXHIBIT B-5

LIST OF PSP'S PROJECT MANAGER AND SUBCONTRACTORS

**LIST OF PSP PROJECT MANAGER
AND
SUBCONTRACTORS**

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Exhibit B-5

**DPS Emergency Vehicle Operations Center
Motorcycle Skills Pad, Parking Area and Service Drive**

Raba Kistner Consultants, Inc. - Project Manager

Yvonne Garcia Thomas, P.E.
Vice President
Raba Kistner Consultant's, Inc.
8100 Cameron Road, Suite B-150
Austin, Texas 78754
Phone: (512) 339-1745

Raba Kistner Consultants, Inc. - Project Engineer

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Drilling Sub Consultant

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Aaron Hernandez, Operator
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Eddie Garcia, Owner
Owner/Operator
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