

TFC Contract No. 18-101-000  
Raba Kistner Consultants, Inc.  
Assignment No. 6  
Project Number 18-004-8803

**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. 6**

**THIS INDEFINITE DELIVERY INDEFINITE QUANTITY ASSIGNMENT NO. 6** (hereinafter referred to as “Assignment No. 6” 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 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 material testing services for the Toddler Learning Center and the Central Services Center at the Texas School for the Deaf, Congress Avenue, located at 1102 South Congress Avenue, Austin, Texas (hereinafter referred to as the “Project”), as further depicted in Exhibit A-6 Proposal and List of Project Manager and Subcontractors No. PAD20-053-00 Revision 2, dated May 8, 2020, 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. 6 shall be completed no later than December 31, 2021, 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. 6.

**SPECIAL TERMS AND CONDITIONS OF ASSIGNMENT:** Terms and conditions shall be in accordance with the Agreement, any Special Conditions, and with this Assignment No. 6.

**SUB-CONTRACTORS TO BE UTILIZED FOR PROJECT:** PSP shall perform the services under this Assignment No. 6 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.

TFC Contract No. 18-101-000  
Raba Kistner Consultants, Inc.  
Assignment No. 6  
Project Number 18-004-8803

**FEE FOR BASIC SERVICES:** Fee for the services set forth in this Assignment No. 6 shall not exceed the sum of Twenty-Three Thousand Four Hundred Fifty-Nine and 40/100 Dollars (\$23,459.40). No more frequently than once per month, PSP 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. 6, PSP has identified the Project Manager, PSP's employees and all subcontractors assigned to this Project on the List of Project Manager and Subcontractors included in Exhibit A-6.

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.

[This Space Intentionally Left Blank]

TFC Contract No. 18-101-000  
Raba Kistner Consultants, Inc.  
Assignment No. 6  
Project Number 18-004-8803

**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.**

DocuSigned by:  
By: Mike Novak, Executive Director  
B1C9FC0A8020417...

DocuSigned by:  
By: Gabriel Ornelas, Jr., Senior Vice President  
0A3E92D54991417...

Mike Novak

Gabriel Ornelas, Jr.

Executive Director

Senior Vice President

Date of execution: 06/09/2020 | 1:54 PM CDT

Date of execution: 06/09/2020 | 11:36 AM PDT

PM 

GC 

Dir 

DED 

TFC Contract No. 18-101-000  
Raba Kistner Consultants, Inc.  
Assignment No. 6  
Project Number 18-004-8803

**EXHIBIT A-6**

**PROPOSAL NO PAD20-053-00, REVISION 2, DATED MAY 8, 2020**



[Delivered by Email to: [Daniel.Yen@tfc.state.tx.us](mailto:Daniel.Yen@tfc.state.tx.us)]

PAD20-053-00, Revision 2  
May 8, 2020

Mr. Daniel Yen  
Texas Facilities Commission  
1711 San Jacinto Boulevard  
Austin, Texas 78701

8100 Cameron Road, Suite B-150  
Austin, TX 78754

P 512.339.1745  
F 512.339.6174  
TBPE Firm F-3257

[WWW.RKCI.COM](http://WWW.RKCI.COM)

**Re: Construction Materials Testing Services  
TSD Early Learning Center & CSC, Austin – GMP 1  
1102 S. Congress Avenue  
Austin, Texas 78704**

Dear Mr. Yen:

**RABA KISTNER Consultants, Inc. (RKCI)** is pleased to submit our proposal to provide the construction materials observation and testing services on the project referenced above. These services will be provided in accordance with the Texas Facilities Commission Contract No. XX (To Be Determined) between RKCI and Texas Facilities Commission.

We propose an estimated budget of **\$23,459.40** for 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 cost-estimate spreadsheet attached to this proposal. The scope of work includes the observation and testing of the following construction materials:

- Soils laboratory testing, in-place field nuclear density testing,
- Reinforcing steel observations,
- Concrete compressive strength specimen sampling, testing, and reporting,
- Drilled pier observations
- Structural steel inspections, and
- Asphalt aggregate sampling and observations

This proposal may serve as RKCI's work agreement for the referenced project. Please sign this proposal, initial every page of each attachment, fill out the Report Distribution List, and return one signed original to our office as authorization for RKCI to provide these services. If you choose to issue your own purchase order or work agreement, please reference our proposal number.

PAD20-053-00, Revision 2  
May 8, 2020

2

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 proposal or need any additional information, please call us at (512) 339-1745.

Very truly yours,

RABA KISTNER CONSULTANTS, INC.



David A. Brown  
CoMET Estimating Project Manager  
DB:me

Attachments: Cost Estimate Breakdown  
Scope of Work  
Report Distribution

Approved  
By:

(Signature)

(Printed or Typed Name)

(Title)

(Company Name)

(Date)

*Acceptance by  
specification of assignment  
No. 3*

PAD20-053-00, Revision 2  
May 8, 2020

3

COST ESTIMATE BREAKDOWN				
Project Name:	TFC - TSD - Early Learning Center & CSC , Austin TX - GMP 1			
Project Location:	1102 S Congress Ave, Austin TX			
Contact Name:	Daniel Yen			
Client:	Texas Facilities Commission			
Address:	1711 San Jacinto Blvd.			
City/State /Zip	Austin, TX 78701			
Phone Number:	512-463-8320 o 512-872-9623 m			
E-Mail:	<a href="mailto:daniel.yen@tfc.state.tx.us">daniel.yen@tfc.state.tx.us</a>			
TESTING/OBSERVATION ITEM	UNIT COST	UNIT	ESTIMATED QUANTITY	COST EXTENSION
<b>SOILS</b>				
<b>Laboratory Testing</b>				
Moisture Density Relationship, TxDOT or ASTM (Includes Atterberg Limits and Sieve Analysis)	\$350.00	each	4	\$1,400.00
<b>Field Testing/Observation</b>				
In-Place Nuclear Densities	\$12.00	each	89	\$1,068.00
Materials Technician	\$57.00	hour	85	\$4,845.00
Materials Technician (overtime)	\$74.10	hour	0	\$0.00
Daily Equipment Usage Fee	\$40.00	trip	28	\$1,120.00
<b>Subtotal</b>				<b>\$8,433.00</b>
<b>REINFORCING STEEL OBSERVATIONS</b>				
<b>Field Observation/Testing</b>				
Materials Technician	\$57.00	hour	30	\$1,710.00
Daily Equipment Usage Fee	\$40.00	trip	10	\$400.00
<b>Subtotal</b>				<b>\$2,110.00</b>
<b>CONCRETE</b>				
<b>Laboratory Testing</b>				
Concrete Compressive Strength Cylinders	\$18.00	each	85	\$1,530.00
<b>Field Testing/Observation</b>				
Materials Technician	\$57.00	hour	89	\$5,073.00
Materials Technician (overtime)	\$74.10	hour	4	\$296.40
Daily Equipment Usage Fee	\$40.00	trip	27	\$1,080.00
<b>Subtotal</b>				<b>\$7,979.40</b>
<b>PIER OBSERVATIONS (Assumed a pier construction production rate of an average of about 6 piers/day)</b>				
<b>Laboratory Testing</b>				
Concrete Compressive Strength Cylinders	\$18.00	each	15	\$270.00
<b>Field Testing/Observation</b>				
Materials Technician	\$57.00	hour	8	\$456.00
Materials Technician (overtime)	\$74.10	hour	0	\$0.00
Geotechnical Engineer	\$140.00	hour	4	\$560.00
Daily Equipment Usage Fee	\$40.00	trip	2	\$80.00
<b>Subtotal</b>				<b>\$1,366.00</b>
<b>STRUCTURAL STEEL INSPECTION (4 Hour Minimum Trip Charge for CWI)</b>				
<b>Field Testing/Observation</b>				
CWI Inspector	\$102.00	hour	4	\$408.00
Daily Equipment Usage Fee	\$40.00	trip	1	\$40.00
<b>Subtotal</b>				<b>\$448.00</b>
<b>ASPHALT</b>				
<b>Laboratory Testing</b>				
Bag Sample (Extraction, Gradation, A/C content, Molding Specimens, Laboratory Density of Moldec Specimens, Stability Test, Hveem, Maximum Theoretical Specific Gravity)	\$340.00	each	2	\$680.00
Density of Asphalt Cores	\$80.00	each	4	\$320.00
<b>Field Testing/Observation</b>				
Materials Technician	\$57.00	hour	8	\$456.00
Daily Equipment Usage Fee	\$40.00	trip	2	\$80.00
<b>Subtotal</b>				<b>\$1,536.00</b>
<b>PROJECT ADMINISTRATION</b>				
Project Coordinator	\$67.00	hour	6	\$402.00
Project Engineer	\$155.00	hour	3	\$465.00
Clerical	\$60.00	hour	12	\$720.00
<b>Subtotal</b>				<b>\$1,587.00</b>
<b>GRAND TOTAL</b>				<b>\$23,459.40</b>

PAD20-053-00, Revision 2  
May 8, 2020

4

**SCOPE OF WORK**  
**Construction Materials Testing Services**  
**TSD Early Learning Center & CSC, Austin – GMP 1**  
**1102 S. Congress Avenue**  
**Austin, Texas 78704**

**General:**

1. We understand that Texas Facilities Commission will require the services of experienced engineering technicians as scheduled by you or your representatives. Client will incur a 3-hour minimum charge per each site visit. 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. Travel shall be in compliance with TFC contract section 4.1.3.
4. Our total cost of services is based upon the assumption that this project will require a technician on site during normal work hours as well as during early morning concrete placements. Services requested during days and/or outside of normal work hours will be assessed a 1.3 overtime factor. Normal work hours are defined as Monday through Friday, 7:00 am to 5:00 pm. Overtime rates will be assessed after eight (8) hours of work per day and/or when working outside of normal hours.
5. 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.

PAD20-053-00, Revision 2  
May 8, 2020

5

### PSP's LIST OF PROJECT MANAGER AND SUBCONTRACTORS

- |                      |                                  |
|----------------------|----------------------------------|
| A. Project Managers: | Gabriel Ornelas<br>James Dedrick |
| B. Sub-Consultants   | 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