

**INDEFINITE DELIVERY INDEFINITE QUANTITY  
PROFESSIONAL SERVICES AGREEMENT  
BETWEEN  
THE TEXAS FACILITIES COMMISSION  
AND  
SURVEYING AND MAPPING, LLC (SAM)**

**TFC CONTRACT NO. 18-133-000**

**AMENDMENT NO. 1 TO ASSIGNMENT NO. 1**

**This Indefinite Delivery Indefinite Quantity Amendment No. 1 to Assignment No. 1** (hereinafter referred to as "Amendment No. 1 to Assignment No. 1") 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 Surveying and Mapping, LLC ("SAM") located at 4801 Southwest Parkway, Building Two, Suite 100, Austin, Texas 78753 (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.

**RECITALS.**

WHEREAS, the parties entered into that one certain Indefinite Delivery Indefinite Quantity Professional Services Agreement, TFC Contract No. 18-133-000 and dated January 2, 2018 (hereinafter referred to as the "Agreement"); and

WHEREAS, pursuant to the terms of the Agreement, the Parties entered into Assignment No. 1 dated May 4, 2018, (hereinafter referred to as "Assignment No. 1"); and

WHEREAS, the parties now desire to amend Assignment No. 1 to include Additional Services and corresponding fees;

NOW THEREFORE, the parties hereby agree as follows:

1. The parties hereby agree to modify DESCRIPTION OF PROJECT to include Additional Services: (i) vacuum excavation pot holes at ten (10) additional locations along the proposed alignment and mapping services for same; and (ii) additional pot holes for mapping underground utilities within ten (10) feet of the proposed electric feed as more specifically set forth in PSP's Proposal No. 1017038967 SQA # 1, dated September 27, 2018, attached hereto and incorporated herein for all purposes as Exhibit A-1-1.

2. The parties hereby agree to modify FEE FOR BASIC SERVICES to reflect an increase of Twenty Thousand Three Hundred and No/100 Dollars (\$20,300.00), for which purpose FEE for BASIC SERVICES is deleted in its entirety and replaced with the following:

**"FEE FOR BASIC SERVICES:** The fee for the services set forth in this Assignment No. 1 shall not exceed Fifty-Four Thousand Three Hundred and No/100 Dollars (\$54,300.00). No more frequently can 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 (Maximum Reimbursable Expenses) of the Agreement."

3. Except as amended and supplemented by this Amendment No. 1 to Assignment No. 1, the terms and conditions of the Agreement and of Assignment No. 1 shall remain in full force and effect.

IN WITNESS WHEREOF the parties hereto have made and executed this Amendment No. 1 to Assignment No. 1 to be effective as of the date of the last party to sign.

TEXAS FACILITIES COMMISSION      SURVEYING AND MAPPING, LLC (SAM)

By: JSR

John Raff

Interim Executive Director

Date of execution: 11/8/18

By: Patrick A. Smith

Print Name: Patrick A. Smith

Title: Vice President

Date of execution: 11/08/2018

NRL G.C.

YNN Dir.

M D.E.D.

TFC Contract No. 18-133-000  
Surveying & Mapping, LLC (SAM)  
Amendment No. 1 to Assignment No. 1  
Project No.: 15-003-0405

**EXHIBIT A-1-1**

TFC Contract No. 18-133-000  
Exhibit A-1-1



Amendment No. 1 to Assignment No. 1  
Surveying And Mapping, LLC  
4801 Southwest Parkway, Building Two, Suite 100, Austin, TX 78735  
Ofc 512.447.0575 Fax 512.326.3029  
info@sam.biz www.sam.biz TX Firm # 10064300

Via Email: Cheryl.Taylor@tfc.state.tx.us

September 27, 2018

Cheryl Taylor  
Texas Facilities Commission  
1711 San Jacinto Boulevard  
Austin, Texas 78701

**RE: DPS Headquarters Utility Mapping and Vacuum Excavation Services Supplemental  
SAM Proposal No.: 1017038967 SWA #1**

Dear Ms. Taylor:

Surveying And Mapping, LLC (SAM) appreciates the opportunity to provide this proposal for supplemental utility mapping and vacuum excavation services to the Texas Facilities Commission (TFC) for the DPS Headquarters Primary Electrical Service project. SAM proposes to provide this work under the terms and conditions of our IDIQ Professional Services agreement No. 18-133-000 with the Texas Facilities Commission.

If you have any questions or comments regarding the attached scope of services, fee, or delivery schedule, please do not hesitate to give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ashlin Day', is written over a horizontal line.

Ashlin Day  
Project Manager  
Surveying And Mapping, LLC (SAM)  
512-354-6348  
aday@sam.biz



## **PROJECT OVERVIEW**

Surveying And Mapping, LLC (SAM) proposes to provide supplemental vacuum excavation pot holes at ten (10) additional locations (to supplement the 12 currently existing in the contract) along the proposed electric feed alignment. Eighteen (18) proposed pothole locations are shown as pink circles on the attached Exhibit "A", with the remaining 4 holes to be performed as needed. Supplemental utility investigation will also be performed on the portion of the alignment shown as a red line on the attached Exhibit "A".

## **ASSUMPTIONS**

The following assumptions were made for the preparation of this Scope of Services. If these assumptions do not prove correct, a modification to the scope and budget for this project may be required.

- The accuracy of subsurface data can be influenced by factors beyond our control such as conductivity of materials and their surroundings, soil moisture content, proximity of other underground utilities or structures, depth of utility, etc. Therefore, only the accuracy of data obtained by actual physical verification (through vacuum excavation or otherwise) can be guaranteed to applicable engineering and/or surveying standards.
- Paint markings placed on the ground by SAM are to be used for design purposes only, not for construction. The use of designating information provided does not relieve any contractor or the TFC from the duty to comply with applicable utility damage prevention laws and regulations, including, but not limited to, giving notification to utility owners or One-Call centers before excavation. SAM will not be responsible for any omission of utility information that is not obtainable via electromagnetic, sonic, or acoustical designating methods.
- Non-metallic piping such as PVC irrigation lines, clay/concrete piping, inactive electric and/or communication lines may or may not be found by electromagnetic, sonic or acoustical designating practices. SAM does not warrant and/or guarantee that all existing utilities will be found.
- The Client will provide a DGN or DWG electronic file of recent 2D planimetric mapping showing the existing right-of-way and/or easements, etc. and/or limits of the subsurface utility information to be collected. This file will be used as background information and as part of our deliverables to the Client for this project.
- The scope of services for this project does not include SAM establishing and/or re-establishing existing horizontal and vertical control. If this work is required it will be provided as an additional service.
- The Client will provide all site control data prior to project mobilization.
- The Client will provide SAM with record information and profile drawings of all the utilities within the project site the Client has available.
- Survey Feature Codes will be shown as per SAM current Feature Library and Line Styles.
- SAM is to provide Services only within a 10 foot corridor, centered on the electrical alignment shown on Exhibit A.
- SAM will not be working in any hazardous or contaminated areas. If SAM employees on site discover hazardous or contaminated areas in the course of their work, they will cease work and SAM will coordinate with the Client immediately.
- All work will be performed during daytime hours.
- The Client will be the liaison for the SAM field crews to access the Project Work Area.



- SAM will be notified, prior to mobilizing of any special requirements for access and the performance of the work on the project.
- SAM Personnel will have unrestricted access to the work areas on a ten (10) hour per day basis for each day approved to perform work.
- SAM will provide normal traffic control for designating services. This includes standard placement of traffic cones, freestanding warning signage and vehicle-mounted traffic directional sign. Traffic control requiring lane closures, traffic detouring, flagging operations, police, etc., are considered special traffic control measures. If special traffic control is to be provided by SAM this service will be subcontracted to an approved subcontractor and billed to the Client at cost.
- It is assumed that permitting will not be required to conduct this work and any time and cost associated with permitting through any authority are not included in this fee.
- It is assumed that excavated material will be sufficient to be used as backfill of all potholes.
- It is assumed that coring and pavement cutting will be performed at 18 locations along the proposed alignment. Any additional locations may include additional charges.

### **SCOPE OF SERVICES**

**Designating Service (Horizontal Location of Utilities)** - Designating is to indicate, by marking with paint, the presence and approximate horizontal location of subsurface utilities using geophysical prospecting techniques including, without limitations, electromagnetic, sonic and acoustical techniques. SAM will provide the following designating services to aid the Client in the design of site, ROW, construction plans or project development plans, or for other purposes as agreed to by the parties. SAM will:

- Provide utility designating along the electric feed alignment, as depicted in Exhibit A as a red line.
- Provide all equipment, personnel and supplies required for performing designating services. SAM shall determine which equipment, personnel and supplies are required to perform these designating services.
- Designate the existing underground utilities crossing a 10' corridor centered on a proposed electric service feed. Utilities which may consist of water, wastewater, gas, petroleum pipelines, telephone, fiber optics, cable TV, and electrical utilities within the project area previously described.
- Conduct appropriate investigation of site conditions.
- Mark the utilities on the ground to be surveyed. SAM will provide survey crew to collect all field data marked by SAM designating crews only.
- Analyze and correlate all of the field-collected information with the collected record information for ensuring continuity of the information collected.

**Pothole Services** – Pothole services is to locate the accurate horizontal and vertical position of subsurface utilities by excavating a pothole using vacuum excavation techniques and equipment that is non-destructive to utilities. In performing vacuum excavations services, SAM will:

- Provide potholing services at 10 additional locations requested by the Client. Current locations have been chosen by the client based on results from utility mapping.
- SAM will provide limited designation services to lay out proposed excavation locations.
- Potholes will be surveyed by SAM.



- Provide all equipment, personnel and supplies required to perform potholing services. SAM shall determine which equipment, personnel and supplies are required to perform such services.
- Excavate potholes to expose the utility to be measured in such a manner that ensures the safety of the excavation and the integrity of the utility to be measured. In performing such excavations, SAM shall comply with applicable utility damage prevention laws. Excavations will be performed using specially developed vacuum excavation equipment that is non-destructive to existing facilities. If contaminated soils are discovered during the excavation process, SAM will notify the Client.
- Furnish and install survey markers directly above the centerline of utility structure.
- Investigate, evaluate, measure and record:
  - Actual depth to top of utility referenced to a survey marker installed directly above the centerline of the exposed utility structure.
  - Outside diameter of utility and configuration of non-encased, multi conduit systems, when possible.
- Backfill around the exposed facility using the excavated materials compacted in six inch lifts.
- In grass and landscape areas, restoration shall be as reasonably possible to the condition that existed prior to excavation.
- In pavement areas, restoration shall be with asphaltic cold mix.
- If required, access to a water source within project area will be provided by Client.
- All areas where potholes are required shall be accessible by standard driving with vacuum excavation vehicle.
- Pothole locations will be excavated to depth of utility or impenetrable rock layer. Pot holes deeper than 8 feet may be subject to additional fees based on production impacts.

### **PROJECT DELIVERABLES**

A 2D AutoCAD or DGN file depicting all designated utilities will be prepared for this project. No hardcopy deliverables will be prepared for the utility mapping portion of the project. The utilities shown in the CAD deliverable will be referenced by the type of utility, color coded to American Public Works Association standards. A PDF summary sheet of data relating to the potholing work will be provided.

### **PROJECT SCHEDULE**

SAM will begin any required security clearance / badging related activities upon receipt of a notice to proceed (NTP). We anticipate being able to mobilize within fifteen (15) working days following receipt of a NTP, provided any security clearance / badging requirements have been completed. The supplemental designating field work is estimated to be complete in one (1) work day, the potholing services in eight (8) work days, field surveying in one (1) work day and office processing is expected to be completed in ten business(10) days following completion of the field work. The project schedule does not reflect inclement weather or work stoppage beyond the control of SAM.



**FEE SCHEDULE**

The supplemental utility mapping fee will be billed lump sum and the supplemental vacuum excavation work will be billed as unit prices. The unit price assumes no less than 3 potholes in a single mobilization. The fee for the previously described scope of services will be billed to the Client as follows:

Description	Qty.	Unit	Fee	Total
Utility Mapping Services	1	EA	\$1,800.00	\$1,800.00
Vacuum Excavation Pot holes	10	EA	\$1,850.00	\$18,500.00
<b>Total</b>				<b>\$20,300.00</b>

Thank you for the opportunity to provide you with this scope of service and associated fee for providing utility designating services. We are looking forward to working with you and your staff on this important project. If there are any questions concerning the information presented or if we can be of additional assistance please feel free to contact us.



### Exhibit "A"

