

TFC Contract No. 18-099-000  
Terracon Consultants, Inc.  
Assignment No. 5  
Project No. 19-008-2500

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

**TFC CONTRACT NO. 18-099-000**

**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 Terracon Consultants, Inc., located at 5307 Industrial Oaks Boulevard, Suite 160, Austin, Texas 78735 (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 Headquarters Driveway Replacement Project located at 5808 North Lamar Boulevard, Austin, Texas (hereinafter referred to as the “Project”), as further depicted in “Exhibit A-5,” PSP’s IDIQ Assignment No. 5 Proposal dated March 5, 2019, attached hereto and incorporated herein for all purposes and consisting of ten (10) 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 Five Thousand Seven Hundred Four and 50/100 Dollars (\$5,704.50). 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**

**TERRACON CONSULTANTS, INC.**

By:  DocuSigned by:  
BTC9FC0A8020417...

By:  DocuSigned by:  
9E565B8776C7480...

Mike Novak

James Bierschwale, P.E.

Executive Director

Vice President

Date of execution: 06/19/2019 | 10:18 AM CDT

Date of execution: 06/19/2019 | 9:24 AM CDT

NRG GC

lmH Dir

n DED

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**EXHIBIT A-5**

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

March 5, 2019



Texas Facilities Commission  
Facilities Design and Construction Division  
1711 San Jacinto Boulevard  
Austin, Texas 78701

Attn: Mr. Bill Munoz  
P: (512) 463.3388  
E: Bill.Munoz@tfc.state.tx.us

Re: Proposal for Geotechnical Engineering Services  
DPS HQ Complex Driveway Replacement  
5808 North Lamar Boulevard  
Austin, Texas  
Terracon Proposal No. P96175172, Revision 3

Dear Mr. Munoz:

We appreciate the opportunity to submit this proposal to Texas Facilities Commission to provide Geotechnical Engineering services for the above referenced publicly-funded project. The following are exhibits to the attached to this proposal.

- |           |   |
|-----------|---|
| Exhibit A | Project Understanding                                 |
| Exhibit B | Scope of Services                                     |
| Exhibit C | Compensation and Project Schedule                     |
| Exhibit D | Site Location   |
| Exhibit E | Summary of Estimated Costs                            |
| Exhibit F | List of Contractor Project Manager and Subcontractors |

This proposal may be accepted by executing a signed Purchase Order/Work Order and returning the executed copy to Terracon. The Scope of Work proposed in this proposal and the Proposal for Services and accompanying limitations agreed to in the Indefinite Quantity Professional Services Agreement (TFC Contract No. 18-099-000 / RFQ No. 303-7-01593) shall constitute the exclusive services to be performed for this project.

Sincerely,  
Terracon Consultants, Inc.

  
Diego Munar Castaneda, P.E.  
Project Geotechnical Engineer

  
Bryan S. Moulin, P.E.  
Senior Principal, Geotechnical Department Manager

Terracon Consultants, Inc. 5307 Industrial Oaks Boulevard, Suite 160 Austin, TX 78735  
Registration No. F-3272 P (512) 442 1122 F (512) 442 1181 terracon.com

**Proposal for Geotechnical Engineering Services**

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## EXHIBIT A - PROJECT UNDERSTANDING

Our Scope of Services is based on our understanding of the project as described by Partner, McKinney York Architects and the expected subsurface conditions as described below. We have not visited the project site to confirm the information provided. Aspects of the project, undefined or assumed, are highlighted as shown below. We request the design team verify all information prior to our initiation of field exploration activities.

### Site Location and Anticipated Conditions

Item	Description
<b>Parcel Information</b>	The project is located at 5808 North Lamar Boulevard in Austin, Texas.
<b>Existing Improvements</b>	Driveways and parking lot.
<b>Current Ground Cover</b>	Asphaltic concrete pavement.
<b>Existing Topography</b> (from Google Earth®)	Per Google Earth®, the ground surface appears to slope from ~EL 681 feet in the west downhill to ~EL 675 feet in the east. Once a professional topographic survey is available, please provide such information to Terracon.
<b>Site Access</b>	We expect the site, and all exploration locations, are accessible with our truck-mounted drilling equipment.

### Project Description

Item	Description
<b>Proposed Improvements</b>	The project will include the replacement of pavement areas (with an area of approximately 30,000 square feet) that are currently used by large truck traffic. The existing asphalt paving will be replaced with concrete paving. We understand that reconstruction is also planned for a small driveway (used only by small cars) that extends to Building A's courtyard. This driveway is located adjacent to an existing below grade structure.
<b>Pavement Reconstruction</b>	Concrete paving.
<b>Expected Traffic</b>	We understand that box trucks, garbage trucks and food delivery trucks use the driveway and docking area daily.
<b>Grading</b>	None anticipated.

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## EXHIBIT B - SCOPE OF SERVICES

Our proposed Scope of Services consists of field exploration, laboratory testing, and engineering/project delivery. These services are described in the following sections.

### Field Exploration

The field exploration program consists of the following:

Planned Location	Number of Borings	Planned Boring Depth (feet) <sup>1</sup>
Proposed Pavement Reconstruction Areas	2	10 feet
	4	5 feet
TOTAL	6	Maximum Footage of 40 feet

<sup>1</sup>. Below ground surface.

**Boring Layout and Elevations:** We will use handheld GPS equipment to locate borings with an estimated horizontal accuracy of +/-10 feet. Field measurements from existing site features may be utilized. If available, approximate elevations will be obtained by interpolation from a site specific, surveyed topographic map or Google Earth.

**Subsurface Exploration Procedures:** We will advance soil borings with a truck-mounted drill rig using continuous flight augers (solid stem and/or hollow stem, as necessary, depending on soil conditions). Soil sampling is typically performed using thin-wall tube and/or split-barrel sampling procedures. In the thin-walled tube sampling procedure, a thin-walled, seamless steel tube with a sharp cutting edge is pushed hydraulically into the soil to obtain a relatively undisturbed sample. In the split barrel sampling procedure, a standard 2-inch outer diameter split barrel sampling spoon is driven into the ground by a 140-pound automatic hammer falling a distance of 30 inches. The number of blows required to advance the sampling spoon the last 12 inches of a normal 18-inch penetration is recorded as the Standard Penetration Test (SPT) resistance value. The SPT resistance values, also referred to as N-values, are indicated on the boring logs at the test depths. The samples will be placed in appropriate containers, taken to our soil laboratory for testing, and classified by a Geotechnical Engineer. In addition, we will observe and record groundwater levels during drilling and sampling.

Our exploration team will prepare field boring logs as part of standard drilling operations including sampling depths, penetration distances, and other relevant sampling information. Field logs include visual classifications of materials encountered during drilling, and our interpretation of subsurface conditions between samples. Final boring logs, prepared from field logs, represent the Geotechnical Engineer's interpretation, and include modifications based on observations and laboratory tests.

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**Property Disturbance:** Please note that during our drilling operations, vehicle and pedestrian access to those areas (about 40 feet by 40 feet square area) around each boring will be restricted. We will backfill borings with auger cuttings and/or bentonite upon completion. Pavements will be patched with cold-mix asphalt and/or ready mixed concrete, as appropriate. Our services do not include repair of the site beyond backfilling our boreholes and patching existing pavements. No pressure-washing or street-sweeping services are proposed. Excess auger cuttings will be dispersed in the general vicinity of the borehole. Because backfill material often settles below the surface after a period, we recommend boreholes to be periodically checked and backfilled, if necessary. We can provide this service, or grout the boreholes for additional fees, at your request.

**Safety**

Terracon is not aware of environmental concerns at this project site that would create health or safety hazards associated with our exploration program; thus, our Scope considers standard OSHA Level D Personal Protection Equipment (PPE) appropriate. Our Scope of Services does not include environmental site assessment services, but identification of unusual or unnatural materials encountered while drilling will be noted on our logs and discussed in our report.

Exploration efforts require borings into the subsurface, therefore Terracon complies with local regulations to request a utility location service Texas 811 (aka One-Call). We consult with the owner/client regarding potential utilities, or other unmarked underground hazards. Based upon the results of this consultation, we consider the need for alternative subsurface exploration methods, as the safety of our field crew is a priority.

Private utilities should be marked by the owner/client prior to commencement of field exploration. Terracon will not be responsible for damage to private utilities not disclosed to us. If the owner/client is unable to accurately locate private utilities, Terracon can assist the owner/client by coordinating or subcontracting with a private utility locating services. Fees associated with the additional services are not included in our current Scope of Services and will be forwarded to our client for approval prior to initiating. The detection of underground utilities is dependent upon the composition and construction of the utility line; some utilities are comprised of non-electrically conductive materials and may not be readily detected. The use of a private utility locate service would not relieve the owner of their responsibilities in identifying private underground utilities.

**Site Access:** Terracon must be granted access to the site by the property owner. By acceptance of this proposal, without information to the contrary, we consider this as authorization to access the property for conducting field exploration in accordance with the Scope of Services.

**Laboratory Testing**

The project engineer will review field data and assign laboratory tests to understand the engineering properties of various soil strata. Exact types and number of tests cannot be defined until completion of field work. The anticipated laboratory testing may include the following:

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- Water content
- Unit dry weight
- Atterberg limits
- Grain size analysis

Our laboratory testing program often includes examination of soil samples by an engineer. Based on the material's texture and plasticity, we will describe and classify soil samples in accordance with the Unified Soil Classification System (USCS).

**Engineering and Project Delivery**

Results of our field and laboratory programs will be evaluated by a professional engineer. The engineer will develop a geotechnical site characterization, perform the engineering calculations necessary to evaluate foundation alternatives, and develop appropriate geotechnical engineering design criteria for earth-related phases of the project.

Your project will be delivered using our **GeoReport®** system. Upon initiation, we provide you and your design team the necessary link and password to access the website (if not previously registered). Each project includes a calendar to track the schedule, an interactive site map, a listing of team members, access to the project documents as they are uploaded to the site, and a collaboration portal. The typical delivery process includes the following:

- Project Planning – Proposal information, schedule and anticipated exploration plan will be posted for review and verification
- Site Characterization – Findings of the site exploration
- Geotechnical Engineering – Recommendations and geotechnical engineering report

When utilized, our collaboration portal documents communication, eliminating the need for long email threads. This collaborative effort allows prompt evaluation and discussion of options related to the design and associated benefits and risks of each option. With the ability to inform all parties as the work progresses, decisions and consensus can be reached faster. In some cases, only minimal uploads and collaboration will be required, because options for design and construction are limited or unnecessary. This is typically the case for uncomplicated projects with no anomalies found at the site.

When services are complete, we upload a printable version of our completed geotechnical engineering report, including the professional engineer's seal and signature, which documents our services. Previous submittals, collaboration and the report are maintained in our system. This allows future reference and integration into subsequent aspects of our services as the project goes through final design and construction.

The geotechnical engineering report will provide the following:

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- Boring logs with field and laboratory data
- Stratification based on visual soil (and rock) classification
- Groundwater levels observed during and after the completion of drilling
- Site Location and Exploration Plans
- Subsurface exploration procedures
- Description of subsurface conditions
- Subgrade preparation/earthwork recommendations
- Recommended pavement options and design parameters
- Comments about alternatives for pavement reconstruction of driveway adjacent to existing below grade structure.
- City of Austin (COA) Municipal Solid Waste Landfill Determination Form

**Additional Services**

In addition to the services noted above, the following are often associated with geotechnical engineering services. Fees for services noted above **do not** include the following:

**Review of Plans and Specifications:** Our geotechnical report and associated verbal and written communications will be used by others in the design team to develop plans and specifications for construction. Review of project plans and specifications is a vital part of our geotechnical engineering services. This consists of review of project plans and specifications related to site preparation, foundation, and pavement construction. Our review will include a written statement conveying our opinions relating to the plans and specifications' consistency with our geotechnical engineering recommendations.

**Observation and Testing of Pertinent Construction Materials:** Development of our geotechnical engineering recommendations and report relies on an interpretation of soil conditions. This is based on widely spaced exploration locations, and assuming construction methods will be performed in a manner sufficient to meet our expectations, and is consistent with recommendations made at the time the geotechnical engineering report is issued. We should be retained to conduct construction observations, and perform/document associated materials testing, for site preparation, foundation, and pavement construction. This allows a more comprehensive understanding of subsurface conditions and necessary documentation of construction, to confirm and/or modify (when necessary) the assumptions and recommendations made by our engineers.

**Perform Environmental Assessments:** Our Scope for this project does not include, either specifically or by implication, an environmental assessment of the site intended to identify or quantify potential site contaminants. If the client/owner is concerned about the potential for such conditions, an environmental site assessment should be conducted. We can provide a proposal for an environmental assessment, if desired.

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## EXHIBIT C - COMPENSATION AND PROJECT SCHEDULE

### Compensation

Based upon our understanding of the site, the project as summarized in Exhibit A, and our planned Scope of Services outlined in Exhibit B, our base fee is shown in the following table:

Task	Lump Sum Fee
Subsurface Exploration, Laboratory Testing, Geotechnical Consulting & Reporting	\$5,704.50 <sup>1</sup>

1. Please refer to Exhibit E for a Summary of Estimated Costs.

Additional services not part of the base fee include the following:

Additional Services (see Exhibit B)	Lump Sum Fee	Initial for Authorization
Private Utility Locate Service <sup>1</sup>	\$400 per boring	
Plans and Specifications Review	\$500	
Construction Materials Testing Services	\$TBD	

1. If the owner/client is unable to accurately locate private utilities, we can subcontract a private utility locating firm and/or utilize geophysical equipment, if necessary. The detection of underground utilities is dependent upon the composition and construction of utility lines. Some utilities are comprised of non-electrically conductive materials and may not be readily detected. The use of a private locate service does not relieve the owner of their responsibilities in identifying private underground utilities.

Our Scope of Services does not include services associated drilling outside normal business hours (07:00 AM through 06:00 PM on weekdays), site clearing, wet ground conditions, the use of ATV or track-mounted drilling equipment, tree or shrub clearing, or repair of/damage to existing landscape. If such services are desired by the owner/client, we should be notified so we can adjust our Scope of Services.

Unless instructed otherwise, we will submit our invoice(s) to the address shown at the beginning of this proposal. If conditions are encountered that require Scope of Services revisions and/or result in higher fees, we will contact you for approval, prior to initiating services. A supplemental proposal stating the modified Scope of Services as well as its effect on our fee will be prepared. We will not proceed without your authorization.

### Project Schedule

We developed a schedule to complete the Scope of Services based upon our existing availability and understanding of your project schedule. However, this does not account for delays in field exploration beyond our control, such as weather conditions, permit delays, or lack of permission

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Exhibit A-5

Assignment No. 5

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to access the boring locations. In the event the schedule provided is inconsistent with your needs, please contact us so we may consider alternatives.

<b>GeoReport® Delivery</b>	<b>Posting Date from Notice to Proceed <sup>1, 2</sup></b>
Project Planning	3 days
Site Characterization	3 to 4 weeks
Geotechnical Engineering	5½ to 6 weeks

1. Upon receipt of your notice to proceed we will activate the schedule component of our **GeoReport®** website with specific, anticipated calendar days for the three delivery points noted above as well as other pertinent events such as field exploration crews on-site, etc.
2. We will maintain a current calendar of activities within our **GeoReport®** website. In the event of a need to modify the schedule, the schedule will be updated to maintain a current awareness of our plans for delivery.

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Exhibit A-5

Assignment No. 5

**EXHIBIT D – SITE LOCATION**

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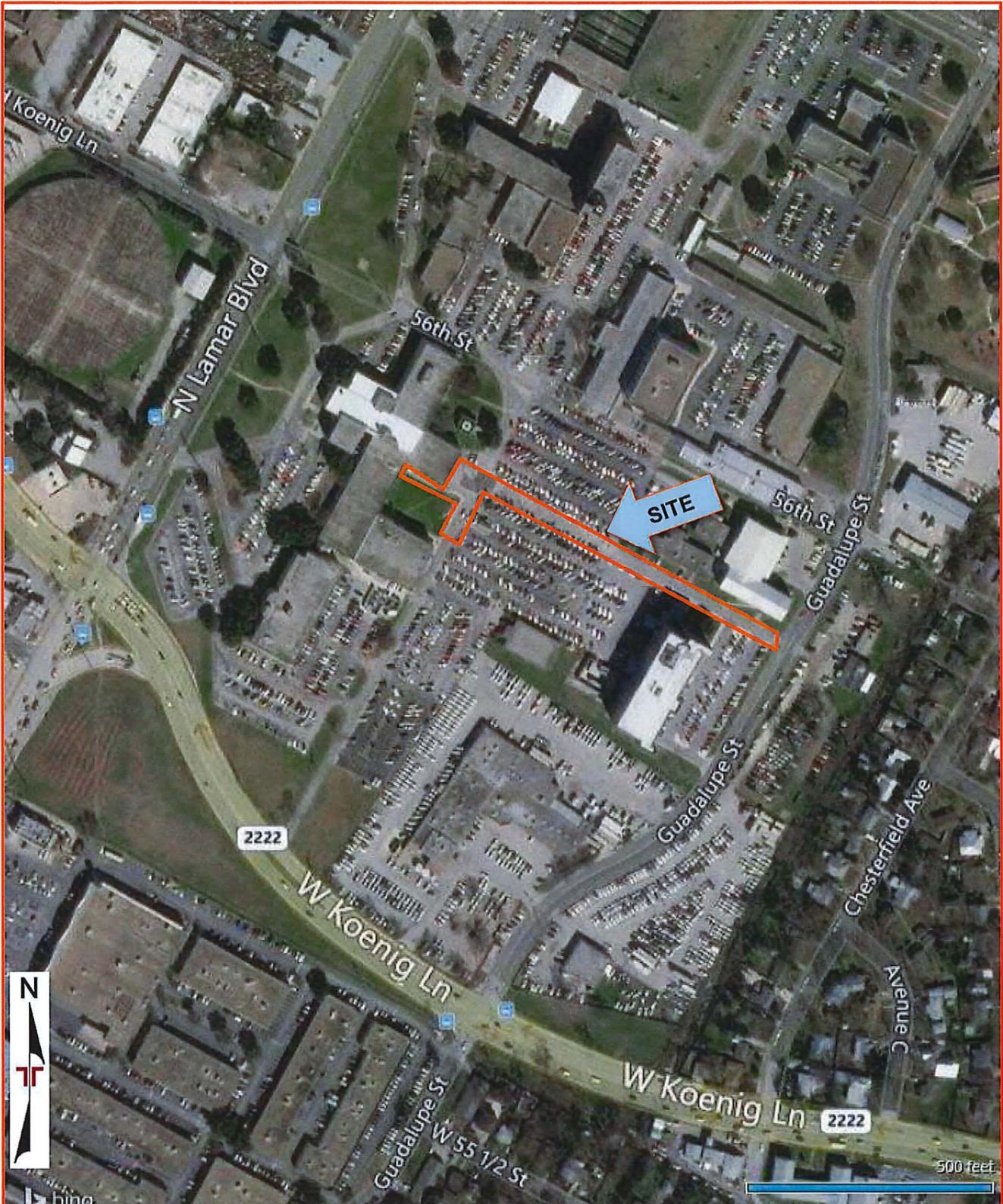


DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES

MAP PROVIDED BY MICROSOFT BING MAPS

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Exhibit A-5

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**EXHIBIT E – SUMMARY OF ESTIMATED COSTS**

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SERVICE	UNIT COST	ESTIMATED UNITS	ESTIMATED TOTAL
<b>Field Program</b>			
Drill Rig Mobilization, local (within 50-mile radius), each	\$ 400.00	1	\$ 400.00
Hourly rate for standby/clean-up, per hour	\$ 250.00	4	\$ 1,000.00
Soil Test Boring, per foot (0 to 50 feet)	\$ 16.00	40	\$ 640.00
Staking & One-Calling, per hour	\$ 80.00	6	\$ 480.00
Vehicle Charge, per day	\$ 45.00	2	\$ 90.00
Project Manager, per hour	\$ 135.00	2	\$ 270.00
<b>Subtotal-Field Program</b>			<b>\$ 2,880.00</b>
<b>Laboratory Testing</b>			
Atterberg Limits, each	\$ 55.00	6	\$ 330.00
Moisture Content, each	\$ 8.00	24	\$ 192.00
Percent Passing the No. 200 Sieve, each	\$ 45.00	6	\$ 270.00
<b>Subtotal-Lab Testing</b>			<b>\$ 792.00</b>
<b>Engineering &amp; Report Preparation</b>			
Principal, Geotechnical Engineer, P.E., per hour	\$ 175.00	2.5	\$ 437.50
Project Manager, per hour	\$ 135.00	11	\$ 1,485.00
Draftsman, per hour	\$ 85.00	1	\$ 85.00
Clerical/Administrative Staff, per hour	\$ 50.00	0.5	\$ 25.00
<b>Subtotal-Engr &amp; Report Prep</b>			<b>\$ 2,032.50</b>
<b>Total Estimated Cost using Unit Rates</b>			<b>\$ 5,704.50</b>
<b>Total Lump Sum Cost to Client</b>			<b>\$ 5,704.50</b>

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**EXHIBIT B-5**

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

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Exhibit B-5

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**EXHIBIT F**

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**LIST OF CONTRACTOR PROJECT MANAGER  
AND  
SUBCONTRACTORS  
Terracon Consultants, 5307 Industrial Oaks Blvd. #160;  
Austin, TX 78735; Diego Munar, P.E.**

A. Project Manager:		Name: Diego Munar, P.E. Company: Terracon Consultants, Inc. Address: 5307 Industrial Oaks Blvd. #160; Austin, TX 78735 Phone: 512-442-1122 Email: diego.munar@terracon.com
B. Subcontractors:		
	1	Name: Sam Ramirez Company: CoreTech Drilling Address: 3663 Bee Caves RD. # 4A; Westlake Hills, TX 78746 Phone: 512-748-1586 Email: coretechinc@centurytel.net
	2	Name: David Hagenmayer Company: Ground Penetrating Radar Systems, LLC Address: PO BOX 932, Toledo, OH 43697 Phone: 512-516-2898 Email: David.Hagenmayer@gprsinc.com
	3	Name: Company: Address: Phone: Email: