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

TFC CONTRACT NO. 18-115-000

ASSIGNMENT NO. 11

THIS INDEFINITE DELIVERY INDEFINITE QUANTIY ASSIGNMENT NO. 11 (hereinafter referred to as "Assignment No. 11" 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 asbestos consulting services for the abatement phase in the restrooms on the Ground floor, and floors 2, 3, 4, 8, 9, 10, 11 and 12, of the William B. Travis Building, located at 1701 North Congress Avenue, Austin, Texas. Services shall include, but are not limited to: (i) prepare abatement plans and specifications; (ii) provide air monitoring/inspection services during abatement; and (iii) prepare project closeout documents following abatement operations (hereinafter referred to as the "Project"), as further depicted in "Exhibit A-11," PSP's IDIQ Assignment No. 11 Proposal dated May 4, 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. 4 shall be completed no later than August 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 11.

SPECIAL TERMS AND CONDITIONS OF ASSIGNMENT: Terms and conditions shall be in accordance with the Agreement, any Special Conditions, and with this Assignment No. 11.

SUB-CONTRACTORS TO BE UTILIZED FOR PROJECT: PSP shall perform the services under this Assignment No. 11 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.

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FEE FOR BASIC SERVICES: Fee for the services set forth in this Assignment No. 11 shall not exceed Five Thousand Seven Hundred Ninety and No/100 Dollars ($5,790.00). 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. 11, 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-11."

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

By: DocuSigned by: JOHN RAFF
C29F7F24A756477...

John S. Raff

Interim Executive Director

Date of execution: 07/24/2018 | 12:44 PM CDT

NRG G.C.

MW Dir.

D.E.D.

TERRACON CONSULTANTS, INC.

By: DocuSigned by: James G. Bierschwale
9E565B8776C7480...

James Bierschwale, P.E.

Vice President

Date of execution: 07/24/2018 | 8:50 AM CDT

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TFC CONTRACT NO. 18-115-000

EXHIBIT A-11

PSP'S IDIQ ASSIGNMENT NO. 11 PROPOSAL DATED MAY4, 2018.

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May 4, 2018

Terracon

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

Attention: Mr. Billy Knapp – Project Manager

Telephone: (512) 463-3446
Mobile: (512) 563-9287
E-Mail: william.knapp@tfc.state.tx.us

Re: Proposal for Asbestos Consulting Services
William B. Travis (WBT) Building
Restrooms on Ground, 2nd-4th, and 8th-12th Floors
1701 N. Congress Avenue
Austin, Texas 78701
Terracon Proposal No. P96187377

Mr. Knapp:

Terracon Consultants, Inc. (Terracon) is pleased to submit this proposal to provide asbestos consulting services for the abatement phase of the project at the above referenced location. The scope of services is intended to meet state and federal requirements for asbestos abatement projects conducted prior to renovation or demolition operations of public buildings. Terracon understands the work will include the removal of approximately 1,080 linear feet of asbestos-containing domestic water line mastic and HVAC duct mastic materials from the Restrooms on the Ground, 2nd-4th, and 8th-12th Floors of the William B. Travis (WBT) Building to facilitate planned renovations/upgrades. The asbestos-containing materials (ACM) were identified as part of an asbestos inspection conducted by Terracon on April 18, 2018 (Project No. 96187122). It is understood that the abatement will be conducted in five (5) phases between May 23, 2018, and January 3, 2019.

Terracon proposes to prepare abatement plans and specifications, provide air monitoring/inspection services during abatement and prepare project closeout documents following abatement operations as part of the scope of work in this proposal. Terracon understands that you intend to contract directly with a TDSHS licensed Abatement Contractor for the asbestos abatement services.

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PROPOSED SCOPE OF SERVICES

Task 1 - Asbestos Abatement Design

Terracon will develop a site specific set of asbestos abatement plans and specifications for the removal and disposal of the identified ACM from the above referenced location. The specifications will be prepared by a Texas Department of State Health Services (TDSHS) Licensed Individual Asbestos Consultant in accordance with current local, state and federal regulations. Two (2) copies of the documents will be provided to the Client and the abatement contractor selected for abatement work. The specifications will define abatement practices, procedures and inspection protocols.

Task 2 - Project Implementation

Terracon will provide a licensed asbestos consultant and technicians, who will be available for periodic inspections and air sampling throughout the duration of the removal projects. The asbestos consultant will coordinate operations for the Client and provide abatement project management for the duration of the projects. Terracon will also review all pre-job submittals pertaining to asbestos abatement prior to the beginning of the project. Critical visual inspections conducted prior to the start of work and at the completion of abatement prior to encapsulation, will be conducted by the consultant or a qualified project manager delegated by the consultant. Air monitoring will be conducted during the abatement activities. The air samples collected during the work periods will be analyzed on-site or off-site by Phase Contrast Microscopy (PCM) in accordance with the National Institute of Occupational Safety and Health (NIOSH) Method 7400.

Task 3 - Final Project Documentation

Once the project is completed, Terracon will prepare a final project report. Unless otherwise instructed, one (1) electronic version of the final report will be submitted to the Client. The final project report will include a description of the project, asbestos air monitoring results, and a review of the abatement contractor's documentation. Review of the abatement contractor's documentation will include waste disposal manifests, worker documentation, and all project submittals.

PROJECT BUDGET

The project budget is based on the anticipated scope of work as outlined above. Task 1 is presented as a lump sum charge. Tasks 2 and 3 are presented as time and material charges, which will be based in part on the duration of the abatement project as proposed by the selected Abatement Contractor. It is understood that the abatement will be conducted at night to best interface with the building users.

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The following is an estimate based upon available data and will not be exceeded without Client approval.

- Task 1 - Asbestos Abatement Design Documents

Abatement Design Documents (Lump Sum)	$ 800.00

- Task 2 – Project Implementation

On-site Inspection/Air Monitoring (includes collection and analysis of up to ten PCM air samples/day), $80.00/hour (estimate 50 hours)	$ 4,000.00
Asbestos Abatement Project Management (includes project coordination and other project related work), $125.00/hour (estimate 3 hours)	$ 375.00

- Task 3 - Final Project Documentation

Report Preparation, $95.00/hour (estimate 4 hours)	$ 380.00
Clerical, $55.00/hour (estimate 2.0 hours)	$ 110.00
Consultant Review, $125.00/hour (estimate 1.0 hours)	$ 125.00
Estimated Total Project Consulting Costs:	**$ 5,790.00**

The Client should also be aware that the TDSHS will assess notification fees based on the quantity of asbestos removed. An asbestos reporting unit (ARU) is each 160 square feet or 260 linear feet of asbestos-containing materials to be removed. An invoice (based on a rate of $30 per ARU) will be sent to the Owner of the property by the TDSHS. **The fee for this current project will be approximately $150.00.**

Terracon's invoice will be submitted to the client upon completion of the proposed services. **If conditions are encountered at the site which require significant changes in the scope of services or a significant increase in the anticipated number of hours necessary which will increase the cost of the project, you will be contacted for discussion and approval of such changes before we proceed.**

CONDITIONS

Items to be provided by the Client include:

- The legal right-of-entry to conduct the assessment.
- Any restrictions or special access requirements regarding the site shall be made known to Terracon prior to site mobilization.

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- Any known environmental conditions at the site (i.e., hazardous materials or processes, specialized protective equipment requirements, unsound structural members, etc.) shall also be communicated to Terracon prior to site mobilization.

- A diagram of the building layout such as a scaled architect's drawing or construction drawings (if available) will be provided to Terracon prior to site mobilization.

GENERAL COMMENTS

The analysis, comments and recommendations presented in the written report will be based on the information collected as discussed in this proposal. If requested by the client, Terracon may provide a verbal report prior to completion of a final written report. The content of the final written report takes precedence over any verbal reports which may be provided. Please note that Terracon does not warrant the work of laboratories, regulatory agencies or other third parties supplying information used in the preparation of the report. Terracon cannot guarantee a building or building components to be asbestos free.

The Scope of Work proposed in this proposal and the Proposal for Services shall constitute the exclusive services to be performed for this project.

We appreciate the opportunity to provide this revised proposal and look forward to working with you on this project. If you should have any questions or comments regarding this proposal, please call.

Sincerely,
Terracon Consultants, Inc.

Mitch Stogner
Individual Asbestos Consultant
TDSHS License No.: 105648
mitch.stogner@terracon.com

Richard Ian Howes
Individual Asbestos Consultant
TDSHS License No.: 105406
ian.howes@terracon.com

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TFC CONTRACT NO. 18-115-000

EXHIBIT B-11

LIST OF PSP'S PROJECT MANAGER AND SUBCONTRACTORS

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LIST OF PSP PROJECT MANAGER AND SUBCONTRACTORS
(Name, Company Name, Address & Contact Person (Project Manager))

A. PSP Project Manager:		Richard Ian Howes (Name) Terracon Consultants, Inc. (Company) 5307 Industrial Oaks Blvd., Ste. 160, Austin, TX (Address) (512) 680-4062 (Cell #) Ian.Howes@terracon.com (Email)
Terracon Inspectors		Mitch Stogner (Name) Terracon Consultants, Inc. (Company) 5307 Industrial Oaks Blvd., Ste. 160, Austin, TX (Address) (512) 653-4138 (Cell #) Mitch.Stogner@terracon.com (Email)
		Kenneth Williamson (Name) Terracon Consultants, Inc. (Company) 5307 Industrial Oaks Blvd., Ste. 160, Austin, TX (Address) (512) 563-8439 (Cell #) Kenneth.Williamson@terracon.com (Email)
		Robert Dyer (Name) Terracon Consultants, Inc. (Company) 5307 Industrial Oaks Blvd., Ste. 160, Austin, TX (Address) (512) 636-4194 (Cell #) Robert.Dyer@terracon.com (Email)
		Michael Jenkins (Name) Terracon Consultants, Inc. (Company) 5307 Industrial Oaks Blvd., Ste. 160, Austin, TX (Address) (281) 382-8135 (Cell #) Michael.Jenkins@terracon.com (Email)
B. Subcontractors:		No Subcontractor Personnel will be on site
	1.	(Name) (Company) (Address) (Cell #) (Email)
	2.	(Name) (Company) (Address) (Cell #) (Email)