

STATE OF TEXAS

§

§

COUNTY OF FORT BEND

§

WORK AUTHORIZATION NO. 2
SOQ 17-042
AGREEMENT FOR PROFESSIONAL SERVICES

THIS WORK AUTHORIZATION is made pursuant to the terms and conditions of Section 5 of the Professional Services Agreement for Construction Management for the FBC Public Transportation Bus Facilities Project (hereinafter "Agreement") signed on September 26, 2017, and entered into by and between Fort Bend County, (hereinafter "County"), a body corporate and politic under the laws of the State of Texas, and Huitt-Zollars (hereinafter "Consultant"), a company authorized to conduct business in the State of Texas

PART I. Scope of Work. The Contractor will perform professional services as defined in the attached Exhibit A "Scope of Work".

PART II. Maximum Compensation. The maximum amount payable under this Work Authorization is eight hundred forty thousand six hundred sixty six dollars and no/100 (\$840,666.00), of which seven hundred eighty-seven thousand nine hundred sixty six dollars and no/100 (\$787,966.00) is for the payment of basic fees and fifty-two thousand seven hundred dollars and no/cents (\$52,700.00) is for the payment of contingency fees. This amount is based upon fees set forth in Exhibit B of the Agreement, "Compensation, Cost, and Payment Schedules and Hourly Rate Sheet".

PART III. Payment to the Contractor for the services established under this Work Authorization shall be made in accordance with Section 2 of the Agreement.

PART IV. This Work Authorization shall become effective on the date of final acceptance of the parties hereto and shall terminate on December 31, 2019, unless extended by an Amendment to this Work Authorization as provided in the Agreement.

PART V. This Work Authorization does not waive the parties' responsibilities and obligations provided under the Agreement.

{Execution Page Follows}
{Remainder Intentionally Left Blank}

IN WITNESS WHEREOF, this Work Authorization is executed in duplicate counterparts and hereby accepted and acknowledged below.

FORT BEND COUNTY

HUITT-ZOLLARS

Robert E. Hebert, County Judge



Authorized Agent- Signature

Date

DANIEL MENENDEZ

Authorized Agent- Printed Name

ATTEST:

VICE PRESIDENT

Title

Laura Richard, County Clerk

Date

Reviewed by:

Paulette Shelton, Director of Public Transportation

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$_____ to accomplish and pay the obligation of Fort Bend County under this contract.

Robert Ed Sturdivant, County Auditor

IN WITNESS WHEREOF, this Work Authorization is executed in duplicate counterparts and hereby accepted and acknowledged below.

FORT BEND COUNTY

HUITT-ZOLLARS

Robert E. Hebert, County Judge

Authorized Agent- Signature

Date

DANIEL MENENDES
Authorized Agent- Printed Name

ATTEST:

VICE PRESIDENT
Title

Laura Richard, County Clerk

9/18/18
Date

Reviewed by:

Paulette Shelton, Director of Public Transportation

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$_____ to accomplish and pay the obligation of Fort Bend County under this contract.

Robert Ed Sturdivant, County Auditor

EXHIBIT A

SCOPE OF WORK

Scope

Construction Phase Services

Billing

The Construction Manager will review all billings for not only accuracy in relation to services rendered, but in accordance with the necessary FTA guidelines governing project funding.

- Perform quality surveys, reviews, and verifications if the contractor's monthly application for progress payments.
- Review and verify Construction General Contractor's (GC's) project record drawings and schedule are updated to reflect all changes and work completed before each monthly progress payment.
- Obtain field measurements for verification of unit price items.
- Maintain record of obligated contract amount, billed amount, and at no time, exceed the amount of contract.
- Responsible for determining progress on a monthly basis and recommending payment based on criteria given in contract.
- Documentation should include:
 - Payment Report
 - Certified Payrolls
 - Quantity Verification sheets
 - Monthly Progress Report and schedule of values
 - Revised construction Schedule
 - Certification of as-built drawings
 - Contractor's Quality Control(CQC) daily reports submitted to date
 - Test log up to date
 - Deficiency log up to date
 - Submittal control document up to date
 - Submittal file up to date
 - Insurance certifications
 - City inspections
 - Monthly photo log update
- Monitor environmental concerns and coordinate all efforts and/or requirements with appropriate parties.
 - Ensure documentation of all DBE activities with each invoice submittal to include:
 - Verification of subcontractor presence and work onsite.
 - Completion of Fort Bend County Vendor Payment Report.
 - Verification prompt payments to subcontractors.

Compliance

The Construction Manager Shall be responsible for ensuring all aspects of the project

adhere to the guidelines and regulations of FTA and TxDOT necessary to guarantee continued funding.

- Generate monthly site visit reports describing general events, problems, and unusual events.
- Take appropriate photographs that document construction progress and conformity with contract documents.
 - Progress of work
 - Unusual construction techniques
 - Accidents or damage
 - Unsafe or hazardous working conditions
 - Reinforcing steel prior to being covered
 - Areas or activities where claims and/or changes are anticipated
- Investigate and report differing site conditions within one (1) business day.
- Conduct inspections of the construction as follows:
 - Periodically inspect for progress, workmanship, and conformance with the contract documents.
 - Coordinate and track all county testing.
 - Review special inspection and material testing reports to verify conformance with the contract documents.
 - When work is found to be in non-conformance, document the deficiencies and promptly provide notification of the deficiencies to the Architect, County, and Construction GC.
 - Verify that deficiencies have been corrected and/or approved by applicable party.
 - Issue inspection deficiency list to the Architect, County, and Construction GC within two (2) business days.
 - Conduct inspections and track deficiencies through correction.
- Monitor contractor's compliance with contract technical specifications related to environmental compliance, soil erosion, sediment control, and water pollution.
- Ensure documentation of all labor laws to include:
 - Verification of Davis-Bacon Act (subcontractor fee and pay rate schedule).
 - Verification of Contract Work-Hours and Safety Standards Act.
 - Verification of the Copeland Anti-Kickback Act.
- Ensure ongoing compliance with NEPA requirements.
- Ensure all Buy America requirements are met and properly documented throughout the course of the project.
- Ensure the project adheres to all applicable FTA Regulations and Guidance.
- Ensure all appropriate TxDOT construction forms are completed and submitted on time.

Construction

The Construction Manager shall serve as the on-site representative for the county ensuring day to day activities are conducted in accordance with the GC contract.

- Coordinate construction logistics between the Construction GC and the County.
- Assure contractor's design, manufacturing and construction are accomplished in accordance with contract. Provide Quality Assurance.
- Personally observe major assemblies placed in to construction for general compliance to contract documents and supplemental instructions from Architect. Support the quality assurance efforts of the Inspector(s).
- Ensure that appropriate materials and equipment testing are completed on time.
- Review and analyze proposed change orders and make recommendations to County.
- Coordinate preparation of the punch-list and implement corrective work.
- Recommend conditional and final acceptance.
- Coordinate turnover of all construction related work.
- Recommend to the County issuance of stop orders to contractor whenever necessary.
- Observe contractor performance and ensure:
 - Progress coincides with reported progress.
 - Contractor is appropriately supervising performance of work.
 - Contractor is implementing a Quality control program.
 - Contractor is confining operations to areas permitted by the contract.
 - Contractor is adequately protecting existing site conditions.
 - Contractor is maintaining good housekeeping practices.
- Ensure Contractor has an established and appropriate accident Prevention Program.
- Ensure auditable documentation of changes and accurateness of contract drawings.
- Ensure quantity, quality, acceptability, manner of work, and rate of progress of work achieved by contractor.
- Monitor utility work performed, the quality work of utility work performed, and handle communication with utility company.
- Monitor storage of all products brought on-site by contractor and sub-contractors.
- Ensure all appropriate Federal and State required notifications are posted on site.
- Monitor location limit marks, base lines, grades and all items in connection with layout and control work in the specifications.

Contract Administration

The Construction Manager will ensure the General Contractor adheres to the terms and conditions set forth in the contract between Fort Bend County and the GC and that the project is completed on time and within budget.

- Maintain through knowledge of the plans and specifications.
- Establish and maintain communication protocol between the County, architect, and GC.
- Review and process Construction GC submittals and contract modifications.
- Track submittals as required through completion of the process.
- Review requests for information (RFI) and architect's supplemental instructions (ASI).
- Review Construction GC schedule of values/cost breakdown and construction schedule and recommend approval/changes and disapproval.
- Assess and evaluate pricing on all change order requests taking the lead in negotiating fair and equitable resolutions and managing schedule impacts.
- Monitor overall budget and schedule and advise the County of any trends that affect the timely procedures and cost effective completion of the project.
- Attend, arrange and conduct a variety of meetings, as requested by the County.
- Facilitate resolution of disagreements with contractor within the scope of contract.
- Forward all disagreements which cannot be resolved.
- Responsible for monitoring, verifying, and arranging for physical completion of the contract and effecting transfer of the contract documentation to appropriate follow-on operations and storage(punch-list) and final inspection).
- Ensure all aspects of project adhere to FTA Civil Right/ADA regulations and guidance.

Safety & Security Monitoring

The Construction Manager shall be responsible for monitoring Contractor's development and management of overall project- wide safety and security and reporting the status of such to County.

- Responsible for advising County and monitoring the development, implementation, administration, enforcement and coordination of construction safety policies and security requirements to be inclusive of statutory and regulatory programs and requirements.
- Review Contractor's documentation necessary protocol for equipment security, daily inspections, operations, motor vehicle operations, fall protection, scaffolding systems, and reporting. Should also include safety guidelines for authority tours, special events, and non-compliance.

- Confirm that a job-site safety Bulletin Board is established and maintained to include all legally required posting and relevant safety posters/ information and report and failure of Contractor to post such.
- Monitor Contractor's implementation of acceptable policies, work practices and standards to promote the goals of the safety and security program.
- Confirm Contractor's policies address existing federal, state and local statutory and regulatory safety and health laws, standards, codes, regulations, etc.
- Review contractor's visitor's log to record visitors to the site.
- Monitor Contractor's application of safety and accident prevention procedures and policies.
- Review any investigations of accidents, assess any corrective action takes by contractor, and report any claims files to county.
- Attend Contractor's weekly safety meetings.
- Confirm Contractor had provided workers with proper protective equipment and tools.
- Monitor for safe practices and conditions: report and correct unsafe conditions.
- Confirm contractor has provided appropriate first-aid, medical treatment is provided and administered to injured employees and direct stoppage of construction activities when stoppage is warranted for protection of life and/or property.