



CENTRAL TEXAS REGIONAL  
**MOBILITY AUTHORITY**

November 18, 2020  
**AGENDA ITEM #10**

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Approve Amendment No. 2 to the contract with  
RS&H, Inc. to extend the termination date for  
construction inspection services for the 183  
South Project

Strategic Plan Relevance: Regional Mobility  
Department: Engineering  
Contact: Justin Word, P.E., Director of Engineering  
Associated Costs: \$0.00 (no additional funding required)  
Funding Source: N/A  
Action Requested: Consider and act on draft resolution

**Project Description/Background** – RS&H, Inc. has served as the Mobility Authority’s construction inspection firm for the 183 South Project since 2016. RS&H, Inc. was procured through a qualifications-based selection conducted in accordance with the Professional Services Procurement Act. RS&H Inc. has provided approximately 13 direct employees and 7 other sub-consultant employees providing inspection expertise for earthwork, roadway, structures, and traffic control activities for the Project.

**Previous Actions/Brief History of the Project/Program** – The Mobility Authority entered into a contract with RS&H Inc. in December 2015. RS&H Inc. has provided construction inspection services from December 2015 to present. The original not-to-exceed contract value was \$18,000,000 and was anticipated to cover construction inspection services through November 2019.

In March 2020, the Board of Directors approved an amendment to the original contract to increase the not-to-exceed contract amount to \$21,600,000 and extend the termination date to December 31, 2020.

**Action requested/Staff Recommendation** - Staff recommends approving amendment #2 to the original construction inspection services contract to revise the current termination date from December 31, 2020 to Final Acceptance of the Project.

**Funding** – No additional funding required

**Backup Provided:** Draft Resolution  
Amendment No. 2

**GENERAL MEETING OF THE BOARD OF DIRECTORS  
OF THE  
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

**RESOLUTION NO. 20-0XX**

**APPROVING AMENDMENT NO. 2 TO THE CONTRACT WITH RS&H, INC.  
FOR CONSTRUCTION INSPECTION SERVICES FOR  
THE 183 SOUTH (BERGSTROM EXPRESSWAY) PROJECT**

WHEREAS, by Resolution No. 15-060, dated September 30, 2015, the Board of Directors awarded a professional services contract (Contract) to RS&H Inc. for construction inspection services for the 183 South (Bergstrom Expressway) Project in an amount not to exceed \$18,000,000; and

WHEREAS, by Resolution No. 20-020, dated March 25, 2020, the Board of Directors approved Amendment No. 1 to the Contract to increase the contract value to \$21,600,000 and to extend the contract term to December 31, 2020; and

WHEREAS, the Mobility Authority requires construction inspection services to continue through the completion of the 183 South (Bergstrom Expressway) Project; and

WHEREAS, the Executive Director and RS&H Inc. have negotiated Amendment No. 2 to the Contract to extend the contract term to the date of Final Acceptance of the Project; and

WHEREAS, the Executive Director recommends approving Amendment No. 2 to the Contract in the form or substantially the same form attached hereto as Exhibit A.

NOW THEREFORE, BE IT RESOLVED that the Board of Directors hereby approves Amendment No. 2 to the contract with RS&H Inc. for construction inspection services for the 183 South (Bergstrom Expressway) Project to extend the contract term to the date of Final Acceptance of the Project and authorizes the Executive Director to finalize and execute proposed Amendment No. 2 in the form or substantially the same form attached hereto as Exhibit A.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 18<sup>th</sup> day of November 2020.

Submitted and reviewed by:

Approved:

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Geoffrey Petrov, General Counsel

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Robert W. Jenkins, Jr.  
Chairman, Board of Directors

**Exhibit A**

**Second Amendment To  
Agreement for Construction Inspection Services  
Between  
Central Texas Regional Mobility Authority  
and  
RS&H, Inc.**

This Second Amendment to the Agreement between Central Texas Regional Mobility Authority (“Mobility Authority”) and RS&H, Inc., (“Engineer”) effective December 15, 2015 is made effective November 18, 2020 and is for the purpose of amending the expiration date of the Agreement.

The Mobility Authority and Engineer hereby agree that:

**PART I.** The Work Schedule, is deleted in its entirety and replaced with Exhibit C-1, Work Schedule, which is hereto attached and made part of this Amendment.

**PART IV.** This Amendment shall become effective on the date of final acceptance of the parties hereto and shall terminate upon completion of the work, unless extended by an Amendment.

**PART V.** This Amendment does not waive the parties’ responsibilities and obligations provided under the Contract.

This Amendment shall become effective on the date of final execution of the parties hereto. All other terms and conditions of Agreement not hereby amended are to remain in full force and effect.

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

**THE ENGINEER**

**CENTRAL TEXAS REGIONAL  
MOBILITY AUTHORITY**

\_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Printed Name)  
\_\_\_\_\_  
(Title)  
\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)  
Mike Heiligenstein  
\_\_\_\_\_  
Executive Director  
\_\_\_\_\_  
(Date)

**Exhibit C-1**

**Work Schedule**

The Engineer will perform Construction Inspection Services as described in this Amendment and will submit deliverables to the Mobility Authority based on the following work schedule.

Original Notice to Proceed.....December 28, 2015

Contract Expiration..... Final Acceptance of Project