

**HIDALGO COUNTY**  
**Professional Engineering Services**  
**Contract # C-12-246-10-16**  
**Work Authorization Form**

**WORK AUTHORIZATION NO. 5**

THIS WORK AUTHORIZATION is made pursuant to the terms and conditions of Article 1 of the Agreement made by and between HIDALGO COUNTY, action herein by and through the Commissioner's Court, hereinafter called the "Owner," and, L&G Consulting Engineers, Inc. d/b/a L&G Engineering, professional engineers of Mercedes, Texas hereinafter called "Engineer".

**PART 1. SCOPE OF WORK**

The purpose of this Work Authorization is for the Engineer to provide Engineering Services required for Project Management, Local Let Bid Documentation and Construction Management for the Liberty Road project from US 83 to Mile 3.

The scope of services to be provided by the Owner is identified in *EXHIBIT "A" - Scope of Services to be provided by the Owner* attached hereto.

The scope of services to be provided by the Engineer is identified in *EXHIBIT "B" - Scope of Services to be provided by the Engineer* attached hereto.

**PART 2. ESTIMATED COST**

The estimated cost for services under this Work Authorization is \$264,000.00. This amount is based upon the costs outlined in the Estimated Cost Proposal attached hereto as *EXHIBIT "D-1" - Estimated Man-hour Breakdown*.

**PART 3. PAYMENT**

Compensation and payment to the Engineer for the services established under this Work Authorization shall be made in accordance with Article 6 of the Agreement.

**PART 4. FUNDING**

This Work Authorization No. 5 shall be funded through funding source:

Account No. 0-1315-431-00-123-128-0-841

Requisition Number \_\_\_\_\_ (MUST BE INCLUDED AFTER CC APPROVAL)

**PART 5. PERIOD OF SERVICE**

This Work Authorization shall become effective on the date of final acceptance of the parties hereto, and terminate upon completion of scopes of the work authorization, as identified on *EXHIBIT "C" - Work Schedule*.

**PART 6. RESPONSIBILITIES AND OBLIGATIONS**

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

**PART 7. ACKNOWLEDGEMENT AND CONFIRMATION**

Acknowledgement and confirmation by Hidalgo County Precinct No. 3, Commissioner Joe Flores as to the content and detail of this Work Authorization No. 5.

**HIDALGO COUNTY  
COMMISSIONER PRECINCT NO. 3**

BY: 

**PART 8. ACCEPTANCE AND APPROVAL**

This Work Authorization is hereby accepted, approved by Hidalgo County Commissioners' Court on \_\_\_\_\_ as indicated below.

**THE ENGINEER:  
L&G ENGINEERING**

  
By: Jacinto Garza, P.E.  
President

**THE OWNER:  
HIDALGO COUNTY**

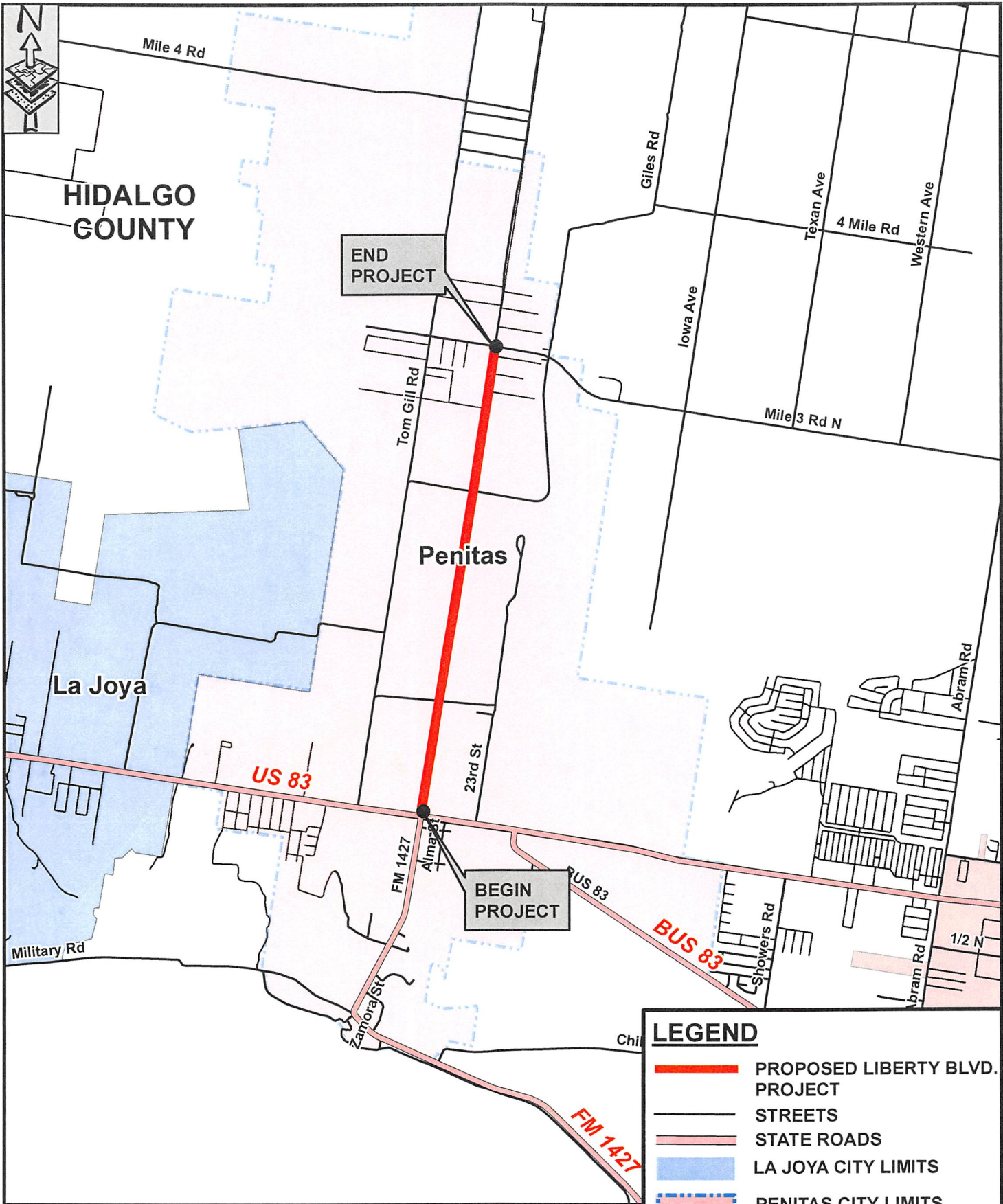
\_\_\_\_\_  
By: Richard Cortez,  
County Judge

**ATTEST:**

\_\_\_\_\_  
By: Arturo Guajardo, Jr., County Clerk

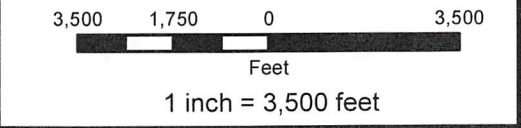
**LIST OF EXHIBITS**

- Location Map
- Exhibit A - Services to be provided by Owner
- Exhibit B - Services to be provided by Engineer
- Exhibit C - Work Schedule
- Exhibit D-1 - Fee Schedule and Estimated Man-hour Breakdown



**LEGEND**

- PROPOSED LIBERTY BLVD. PROJECT
- STREETS
- STATE ROADS
- LA JOYA CITY LIMITS
- PENITAS CITY LIMITS



**LIBERTY BOULEVARD  
LOCATION MAP**

FROM US 83 TO MILE 3  
APPROX. PROJECT LENGTH 2.4 MILES

**EXHIBIT "A"**  
**SERVICES TO BE PROVIDED BY THE OWNER**

1. The COUNTY will issue work authorization to initiate all required services and designate the authorized representative of the coordination of each work authorization.
2. The COUNTY will provide the ENGINEER with on-going guidance, timely reviews, and decisions necessary to complete services required by the work authorization in order to permit the ENGINEER to maintain an agreed upon project schedule.
3. The COUNTY will process all acceptable requests for payment in a timely manner.

**EXHIBIT "B"**  
**SCOPE OF SERVICES TO BE PROVIDED BY THE ENGINEER**

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**SECTION 1-PROJECT DESCRIPTION**

The services designated herein as "Services provided by the ENGINEER" shall include the performance of all engineering services for the following described facility:

COUNTY/CITY: Hidalgo County

CONTROL: CSJ: 0921-02-194

PROJECT/DESCRIPTION: Project Management, Local Letting, Construction Management

LENGTH: 2.4 Miles

HIGHWAY: Liberty Rd

LIMITS: From US 83 TO MILE 3

**PROJECT CLASSIFICATION**

(Place an "X" in only one Project Classification)

- Surface Treatment
- Overlay
- Rehabilitation Existing Road (Scarify & Reshape)
- Convert Non-Freeway to Freeway
- Widen Freeway
- Widen Non-Freeway
- New Location Toll Freeway
- New Location Non-Freeway
- Interchange (New or Reconstruct)
- Bridge Widening or Rehabilitation
- Bridge Replacement
- Upgrade to Standards - Freeway
- Upgrade to Standards - Non-Freeway
- Miscellaneous Studies (Use Function Code 110 for All Tasks)

ENGINEER shall mean L&G Engineering.

STATE shall mean Texas Department of Transportation.

COUNTY shall mean Hidalgo County.

CITY shall mean the City of N/A.

**EXHIBIT "B"**  
**SCOPE OF SERVICES TO BE PROVIDED BY THE ENGINEER**

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**SECTION 12 - CONSTRUCTION PHASE SERVICES**

(Function Code 320)

Services  
Provided By:  
ENGINEER CITY/COUNTY

YES      NO      **CONSTRUCTION MANAGEMENT SERVICES:**

The ENGINEER will provide engineering support services for and during the construction of the Project or portions of the Project approved by the COUNTY. Specific (basic and special) services for CONSTRUCTION MANAGEMENT AND SUPPORT by the ENGINEER will include the following:

YES      NO      **Construction Bidding:**

- 1) The ENGINEER will furnish the COUNTY the necessary copies of approved plans, specifications, notices to bidders, and proposals as prepared under PS&E.
- 2) The ENGINEER will assist the COUNTY on the tabulation of bids, recommendations to the Owner as to the proper action on all bid proposals received, and the preparation of formal contract documents for the award of each construction contract.

YES      NO      **Construction Contract Administration and Inspection:**

- 3) In general, the ENGINEER will provide the management and engineering support/data required for consultation and advisement to the COUNTY and act as the COUNTY's representative as provided in the General Condition of the Construction Contract.
- 4) The ENGINEER will assist in coordinating and attend the pre-construction conference (if required).
- 5) Defects and Deficiencies. The ENGINEER will use his best efforts to protect the COUNTY against defects and deficiencies in the work of the Contractor. The ENGINEER will promptly notify the COUNTY of any such defect or deficiency.
- 6) The ENGINEER will provide Project site inspection of the authorized construction contract as follows:
  - a) Project Engineer. The ENGINEER will provide visits by the Project Engineer or a competent representative of the ENGINEER to the site of construction for the purpose of monitoring the progress and conformance to the construction contract plans and specifications.

- NO      NO      b) Resident Engineer and/or Construction Inspector(s). The ENGINEER will furnish the services of a Resident Engineer and/or Construction Inspector(s) for on the site inspection construction to monitor/inspect the Contractor's daily progress and conformance to TxDOT's PS&E specifications.

EXHIBIT "B"  
SCOPE OF SERVICES TO BE PROVIDED BY THE ENGINEER

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- |            |           |   |
|------------|-----------|---|
| <u>YES</u> | <u>NO</u> | <b><u>Miscellaneous Technical Activities:</u></b>   |
|            |           | 7) Shop Drawings. The ENGINEER will review and check design related shop or working drawings furnished by the Contractor.   |
|            |           | 8) Change Orders. When applicable the ENGINEER will prepare the engineering data, including plan sheet drawings, and specifications for the preparation of construction contract change orders, which may be required due to design plan omissions. |

<u>N/A</u>	<u>N/A</u>	<b><u>CONSTRUCTION MATERIAL TESTING:</u></b>
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The ENGINEER will provide the COUNTY with construction material testing services for the Project. The services to be provided include sampling and testing of all construction materials as required by the project plans and specifications. All sampling frequencies and test procedures will be performed in general accordance with the Texas Department of Transportation TEX methods (or ASTM methods as required) as outlined in the Guide Schedule for Sampling and Testing (11/07). The construction material testing includes, but is not limited to the following:

- (a) Sampling and laboratory testing of soils and base materials proposed for use in the construction of Project (Roads/Bridges/Misc.) to determine compliance of these materials with project plans and specifications.
- (b) Field density testing of soils and base materials to ensure proper compaction as required by project plans and specifications.
- (c) Field sampling and testing of fresh concrete, and laboratory testing of hardened concrete to determine compliance with project plans and specifications.
- (d) Field compaction testing of asphalt to ensure proper compaction during lay down operations.
- (e) Field inspection, sampling and laboratory testing of asphalt materials to determine their material properties and their compliance with project plans and specifications.
- (f) The ENGINEER will be responsible for concrete batching as well as the asphalt testing at the plants to insure delivery of acceptable material to the job site.
- (g) Any additional laboratory testing as required/requested by the COUNTY and the project plans and specifications.
- (h) Providing accurate and timely reports to the COUNTY and all/other recipients as designated by the COUNTY.
- (i) The ENGINEER will verify the concrete and asphalt designs to assure it is in accordance with TxDOT specifications to be developed by the contractor.

**EXHIBIT "B"**  
**SCOPE OF SERVICES TO BE PROVIDED BY THE ENGINEER**

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**PROJECT MANAGEMENT & ADDITIONAL RESONSIBILITIES**

**Easements, Letters of Permission, Etc.**

The ENGINEER shall be responsible for delineating easements. The ENGINEER will be responsible for securing the necessary legal instruments.

**Coordination of Utilities**

The ENGINEER shall furnish the COUNTY prints of a project layout which will be distributed by ENGINEER to various utility companies to determine which utilities are in the limits of the project. These shall be preliminary layouts. Upon completion of the preliminary drainage plans and U&D sheets, the ENGINEER shall distribute to the various utility companies and request return. Upon return of these prints, the ENGINEER will schedule a meeting with the various utility companies to discuss potential conflicts and conformance with the State's Utility Accommodation Policy. The ENGINEER is responsible for coordination with the various utility companies for exposing potential conflicts and field ties to uncover utilities in potential conflict areas.

**Meetings**

Meetings will be held with the FHWA, State Officials, local governments, property owners, utility owners, railroad companies, other consulting firms, etc., as needed or required by the COUNTY. The ENGINEER shall coordinate through the COUNTY for the development of this project with any local entity having jurisdiction or interest in the project (i.e., city, county, etc.).

**Specifications, Special Provisions, Special Specifications**

Use the State's standard specifications or previously approved special provisions and/or special specifications. If a special provision and/or special specification is developed for this project, it shall be in the State's format and incorporate references to approved State test procedures.

**Project Manager/Engineer Communication**

The ENGINEER shall designate one Texas Registered Professional Engineer to be responsible throughout the project for project management and all communications, including billing, with the COUNTY's Director. Any replacements to the ENGINEER's designated Project Manager/Engineer must be approved by the COUNTY.

Engineering documents produced for the department's engineering projects shall be signed, sealed and dated or CADD sealed in accordance with Administrative Order No. 5-89 and Administrative Circular No. 26-91.

**Design Responsibilities**

The ENGINEER is responsible for design errors and/or omissions that become evident before, during or after construction of the project. The ENGINEER's responsibility for all questions arising from design errors and/or omissions will be determined by the COUNTY and all decisions shall be final and binding. This would include, but not necessarily be limited to:

1. All design errors and/or omissions resulting in additional design work to correct the errors and/or omissions.
2. Preparation of design documents and detail drawings necessary for a field change due to design errors and/or omissions.
3. Revision of original tracings to the extent required for a field change due to design errors and/or omissions.

The ENGINEER shall promptly make necessary revisions or corrections resulting from the ENGINEER's errors, omissions or negligent acts without additional compensation. Acceptance of the work by the COUNTY will not relieve the ENGINEER of the responsibility for subsequent correction of any such errors or omissions or for clarification of any ambiguities.

**EXHIBIT "B"**  
**SCOPE OF SERVICES TO BE PROVIDED BY THE ENGINEER**

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**Document and Information Exchange**

ENGINEER will provide hard copies Bid Proposal Packets to County and potential bidders. If requested, ENGINEER can provide PDF's of such documents.

If requested by COUNTY, ENGINEER may provide such documents on 8 GB USB flash drive.

**Proposal Time**

The time indicated in the proposal and the contract shall include time necessary for reviews, approval, etc.

**Office Location**

The ENGINEER will perform the services to be provided under this agreement out of their office or offices listed below:

<u>Service</u>	<u>Office Location</u>
Project Management	Mission Office
Local Let Bid Documentation	Mission Office
Construction Management	Mission Office

The work effort will be managed out of the \_\_\_\_\_ Mission  
(City)  
office located at 900 S Stewart Rd,  
(Address)  
Mission, Texas.  
(City) (State)

EXHIBIT "B"  
SCOPE OF SERVICES TO BE PROVIDED BY THE ENGINEER

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Services

Provided By:

ENGINEER   CITY/COUNTY

YES

NO

**PROJECT LOCAL LETTING** - The following is a list of work associated with locally letting the project. See attached **Texas Department of Transportation "Local Government Project – Plan Development Review Check list"** (Pages 1-10).



Local Government Project – Plan Development Review Checklist

Project CSJ#: \_\_\_\_\_

Project Info: \_\_\_\_\_

Local Government: \_\_\_\_\_

TxDOT District: \_\_\_\_\_

Item	Not Applicable	Plans or Project Manual Page No.	Task Completion Verified By LG (insert name below):	LG Date Verified	Task Completion Verified By TxDOT (insert name below):	TxDOT Date Verified
<b>Advanced Funding Agreement</b>						
<b>DOCUMENTATION/COORDINATION ITEMS</b>						
LG DUNS # and Zip Code +4 provided to TxDOT district	<input type="checkbox"/>					
District verifies DUNS # and forwards DUNS # and Zip Code +4 to FIN-LM	<input type="checkbox"/>					
AFA map of project matches PS&E layout.	<input type="checkbox"/>					
Project budget and description matches TxDOT finance information (DCIS).	<input type="checkbox"/>					
Engineering design guidelines for geometrics are specified (e.g. AASHTO, TxDOT, ADAAG, etc.).	<input type="checkbox"/>					
Clear statement of project development responsibilities between TxDOT and LG (ROW mapping and acquisition, utility relocation, environmental, design, construction).	<input type="checkbox"/>					
Statement of applicability of LGPP and need for "Qualified Person."	<input type="checkbox"/>					
Statement of latest allowable letting date (if responsibility of LG) or risk of having funding withdrawn.	<input type="checkbox"/>					
Statement of milestones LG must accomplish including dates to allow project to be added to TxDOT's 24-month letting schedule.	<input type="checkbox"/>					
On MPO agreements, statement that CMAQ funds (if applicable) may be withdrawn if not committed to project that advances within a specified year.	<input type="checkbox"/>					
Document signed and dated by appropriate signing authority for LG and TxDOT.	<input type="checkbox"/>					
Statement indicating if there is any retainage withheld from LG on interim reimbursements.	<input type="checkbox"/>					
All amendments to AFA meet above requirements.	<input type="checkbox"/>					



Local Government Project – Plan Development Review Checklist

Professional Services Procurement Review						
<b>DOCUMENTATION ITEMS</b>						
TxDOT verifies LGPP training for LG "Qualified Person."	<input type="checkbox"/>					
TxDOT pre-approval of LG procurement process.	<input type="checkbox"/>					
LG issues Notices of Intent/Request for Qualifications (NOI/RFQ) or advertisement.	<input type="checkbox"/>					
LG receives Letters of Interest/Statements of Qualifications (LOI/SOQ).	<input type="checkbox"/>					
LG performs screenings/evaluations of LOIs/SOQs and related correspondence.	<input type="checkbox"/>					
LG issues invitations to providers selected for interviews.	<input type="checkbox"/>					
LG evaluation of interviewed providers.	<input type="checkbox"/>					
LG notifies highest-ranked provider and requests scope, manhour and price proposal.	<input type="checkbox"/>					
LG reviews proposal from highest ranked proposer and negotiates contract.	<input type="checkbox"/>					
All state and federal required contract clauses must be included in contract.	<input type="checkbox"/>					
LG and selected provider execute contract.	<input type="checkbox"/>					
LG submits copy of Professional Services Contract to TxDOT.	<input type="checkbox"/>					
LG sends letters/correspondence to provider(s) not selected.	<input type="checkbox"/>					
LG retains documentation indicating a qualifications-based procurement process.	<input type="checkbox"/>					
<b>Engineering and Architectural Design Schematics and Layout Checklist</b>						
<b>DESIGN SCHEMATICS AND LAYOUT</b>						
Project schematics and layout match AFA map.	<input type="checkbox"/>					
On-system design complies with TxDOT's Access Management Manual and TxDOT's Roadway Design Manual.	<input type="checkbox"/>					
LG prepares Interstate Access Justification Report and traffic analysis	<input type="checkbox"/>					
LG prepares Design Concept Conference Summary Report.	<input type="checkbox"/>					
LG prepares Form 1002 (PS&E Submission Data), Page 3 - Basic Design Data.	<input type="checkbox"/>					
Design exceptions submitted to TxDOT for approval (with conditions noted, if any).	<input type="checkbox"/>					
Design waiver requests submitted to TxDOT (granted with conditions, if any).	<input type="checkbox"/>					
Design variance requests submitted to TxDOT (granted with conditions, if any).	<input type="checkbox"/>					
LG submits plans to TDLR or RAS PS&E for review of pedestrian elements, if greater than \$50,000.	<input type="checkbox"/>					
LG submits schematic layout (or 30% drawings) to TxDOT for approval.	<input type="checkbox"/>					
Other TxDOT approvals (describe).	<input type="checkbox"/>					



**Local Government Project – Plan Development Review Checklist**

Right-of-Way Review Checklist - On System						
DOCUMENTATION/COORDINATION ITEMS						
A final Right-of-Way Map listing all right-of-way parcels (fee title and/or easements/drainage easements) required for the project, including the grantor's names and the recording references.	<input type="checkbox"/>					
A Right-of-Way Map checklist available or on file documenting the Right-of-Way Map is in conformance with TxDOT's Right-of-Way Manual.	<input type="checkbox"/>					
TxDOT has entered project and parcel information into the Right-of-Way Information System (ROWIS).	<input type="checkbox"/>					
All of the original deeds, easements and/or condemnation judgments that have been recorded in the real property official records of the proper county, conveying title into the state of Texas, for all right-of-way parcels listed on the final right-of-way map.	<input type="checkbox"/>					
Title insurance policies insuring title in the name of the State of Texas for all rights of way and/or easements acquired.	<input type="checkbox"/>					
TxDOT completion of a Title III audit of the right-of-way parcel files utilizing TxDOT's separate Title III Parcel Review Checklist. (If no, a TxDOT representative should arrange to complete a review of the parcel acquisition documentation utilizing the Title III Parcel Review Checklist.)	<input type="checkbox"/>					
Evidence that identified deficiencies in the Title III audit been corrected or satisfied.	<input type="checkbox"/>					
Certification that any ROW parcels which will not be cleared prior to commencement of construction contract will be cleared so as not to affect construction activities other than as defined in the construction contract documents.	<input type="checkbox"/>					
Certification provided that all ROW is cleared.	<input type="checkbox"/>					
Utilities Review Checklist						
DOCUMENTATION/COORDINATION ITEMS						
A complete inventory, description and location of all utilities that were relocated and/or adjusted and permitted to remain within the right of way.	<input type="checkbox"/>					
Copies of any and all use and occupancy agreements (Form ROW-U-JUAA or MNT 1082) for those utilities that were relocated and/or adjusted and permitted to remain within the right of way.	<input type="checkbox"/>					
Certification for any utilities that will not be relocated prior to commencement of construction contract will be completed so as not to affect construction activities other than as defined in the construction contract documents.	<input type="checkbox"/>					
Utility certifications stating that all utilities needing to be adjusted and/or relocated for completion of the construction activity have been adjusted in accordance with applicable state laws, regulations, rules, policies and procedures (43 TAC Chapter 21, Subchapters B & C and the TxDOT ROW Utility Manual).	<input type="checkbox"/>					
Evidence all exceptions to Utility Accommodation Rules have been approved and documented (Form ROW-U-CFA).	<input type="checkbox"/>					



**Local Government Project – Plan Development Review Checklist**

Engineering and Architectural Design Checklist						
<b>DESIGN REVIEW</b>						
Verify if TxDOT or federal oversight project.	<input type="checkbox"/>					
Drainage complies with TxDOT's Hydraulic Design Manual.	<input type="checkbox"/>					
Coordination with FEMA performed, if necessary.	<input type="checkbox"/>					
Bridge designs reviewed by TxDOT (complies with TxDOT Bridge Design Manual).	<input type="checkbox"/>					
Bridges over waterway approved by USCOE or other agencies.	<input type="checkbox"/>					
LG has constructability review performed.	<input type="checkbox"/>					
Construction sequencing reviewed and approved by TxDOT.	<input type="checkbox"/>					
Traffic design complies with design criteria.	<input type="checkbox"/>					
Traffic design complies with TMUTCD.	<input type="checkbox"/>					
Traffic control plans (maintenance of traffic) reviewed and approved by TxDOT.	<input type="checkbox"/>					
Pavement design based upon traffic data from district reviewed and approved by TxDOT.	<input type="checkbox"/>					
Geotechnical Investigation report reviewed and approved by TxDOT.	<input type="checkbox"/>					
Landscape design in accordance with TxDOT Landscape and Aesthetics Design Manual.	<input type="checkbox"/>					
Longitudinal barriers, including bridge rail, in accordance with TxDOT manuals and standards.	<input type="checkbox"/>					
Road closure/detour plans reviewed and approved by TxDOT.	<input type="checkbox"/>					
Includes TxDOT Standard Specifications, Special Specifications and required Special Provisions as required in funding agreement or previously approved by TxDOT.	<input type="checkbox"/>					
Special Provisions or alternate specifications, if allowed by state regulation, have TxDOT approval.	<input type="checkbox"/>					
No proprietary materials or processes specified, unless approved by TxDOT.	<input type="checkbox"/>					
Environmental Permits Issues and Commitments (EPIC) sheet in plans.	<input type="checkbox"/>					
Storm Water Pollution Prevention Plans included in plans.	<input type="checkbox"/>					
Existing and proposed ROW lines (including control of access lines) shown on plans.	<input type="checkbox"/>					
Existing and proposed utility locations shown on plans.	<input type="checkbox"/>					
District obtains plan and estimate approval from TRF on Safe Routes to Schools projects	<input type="checkbox"/>					
Value engineering study completed for project >\$50M or bridge cost >\$40M.	<input type="checkbox"/>					
<b>Bid Document Checklist</b>						
<b>BID DOCUMENT REVIEW</b>						
<b>Bonding</b>						
1. Bid document indicate performance bonds are required if the contract is in excess of \$100,000.	<input type="checkbox"/>					
2. Bid document indicate payment bonds are required if the contract is in excess of \$25,000 (\$50,000 for municipalities).	<input type="checkbox"/>					
<b>Buy America</b>						
1. If there are federal funds, LG includes contract provisions in bid document addressing Buy America.	<input type="checkbox"/>					
2. Assurance that, if there are federal funds, LG prepared any requests for waivers and submitted the request through TxDOT to FHWA for approval prior to advertisement for receipt of bids.	<input type="checkbox"/>					
<b>Child Support Documentation</b>						
1. LG includes certification of Child Support Statement and form for Business Ownership (list of names and Social Security numbers of all individuals owning 25% or more of company) required by Family Code §231.006 in all bid documents.	<input type="checkbox"/>					



Local Government Project – Plan Development Review Checklist

<b>Contract Time</b>									
1. TxDOT reviews and concurs in LG time determination. Calendar days or work days clearly defined.									
<b>Debarment Certification</b>									
1. LG includes debarment certification in all bid documents for projects with federal funds.									
<b>Designated Material Sources/Disposal Sites</b>									
1. If LG wants to furnish material to a contractor, designate a source of material for the contractor or require the contractor to use designated disposal sites, LG makes a formal finding that it is in the public's interest to do so.									
2. Public interest determination must have TxDOT concurrence. For federal oversight projects, FHWA approval required.									
3. All materials specifications approved by TxDOT, including any designated source. For federal oversight projects, FHWA approval required.									
<b>Disadvantaged Business Enterprises (DBEs), Historically Underutilized Businesses (HUBs), and Small Business Enterprises (SBEs)</b>									
1. Participation in TxDOT's approved DBE program required for projects with federal funds. LG executes Memorandum of Understanding with TxDOT.									
2. TxDOT-OCR established project goal included in bid document.									
3. DBE provisions included in bid document.									
<b>Title VI and Nondiscrimination Program</b>									
1. LG adopts TxDOT's EEO program or submits and receives approval from FHWA of alternate program.									
2. Federal EEO requirements language included in bid document.									
3. In accordance with 23 CFR Part 230 and Form FHWA-1273, LG ensures all federal-aid construction contractors and subcontractors with contracts of \$10,000 or greater do not discriminate and will take affirmative action to assure equal employment opportunity for all persons attendant to the contract. To assure nondiscrimination, LG must have done the following: a. All contractors and subcontractors accepted the following as their operating EEO policy verbatim: "It is the policy of the Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color or national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training." b. All contractors and subcontractors designated and identified an EEO officer. c. All contractor and subcontractor personnel authorized to hire, supervise, promote and discharge employees must be fully cognizant of, and will implement, the EEO policy. d. All contractors and subcontractors, when recruiting for employees, included in all advertisements for employees the notation: "An Equal-Opportunity-Employer." Contractors and subcontractors also implemented additional recruitment efforts such as utilizing public and private employee-referral services and employee referrals.									
<b>Equipment Rental Rates</b>									
1. LG adopts TxDOT specifications for equipment rental rates or develop procedures based on 48 CFR 31. If LG developed its own rental rates, TxDOT reviews and approves the rates for compliance with the policy before including the rates in a contract proposal.									



**Local Government Project – Plan Development Review Checklist**

<b>FHWA Final Rule on Temporary Traffic Control Devices</b>					
1. LG adopts TxDOT's program or submits an alternate for TxDOT approval.	<input type="checkbox"/>				
2. Include bid items for traffic control features and operations and, if used, law enforcement in the bid documents.	<input type="checkbox"/>				
<b>Form FHWA 1273</b>					
1. LG includes Form FHWA-1273 verbatim into all contracts and ensures prime contractor incorporates the provisions into all subcontracts and purchase orders.	<input type="checkbox"/>				
<b>Liquidated Damages and Incentive/Disincentive</b>					
1. LG develops liquidated damage rates to recover the cost of construction engineering and other allowable costs. Must be approved by TxDOT.	<input type="checkbox"/>				
2. LG submits any other desired provisions, such as incentive/disincentive, to TxDOT for approval.	<input type="checkbox"/>				
<b>Lobbying Certification</b>					
1. LG includes certification in all bid documents for projects with federal funds.	<input type="checkbox"/>				
<b>Local Hiring Preference</b>					
1. For projects with federal funds, do not include any state or local hiring preferences in bid documents or request for proposals.	<input type="checkbox"/>				
<b>Materials</b>					
1. LG adopts TxDOT Standard Specifications or submits alternate, comparable specifications to TxDOT for approval.	<input type="checkbox"/>				
<b>Method of Construction (or Method of Bidding)</b>					
1. LG submits its competitive bidding process to TxDOT for approval or submits written cost-effective justification of emergency condition if procurement other than competitive bidding is desired.	<input type="checkbox"/>				
<b>Non-Collusion Statement</b>					
1. Includes non-collusion statement in bid package or in the request for proposal.	<input type="checkbox"/>				
<b>Non-Discrimination Against Persons with Disabilities</b>					
1. All new and existing transportation facilities must be designed and constructed to comply with the provisions of all cited statutes.	<input type="checkbox"/>				
<b>Non-Responsive Bid</b>					
1. On design-bid-build, LG adopts Article 2.7 of TxDOT Standard Specification (Non-Responsive Proposals) or submits alternate for TxDOT approval.	<input type="checkbox"/>				
<b>Non-Segregated Facilities</b>					
1. Advises potential bidders that submission of a bid constitutes the certification of compliance with FHWA Form 1273.	<input type="checkbox"/>				
2. Contractor must get certification from all subcontractors and materials suppliers of greater than \$10,000.	<input type="checkbox"/>				
<b>Quality Assurance Plan</b>					
1. LG adopts TxDOT Quality Assurance program or submits alternate program through TxDOT for FHWA approval.	<input type="checkbox"/>				
<b>Patented/Proprietary Products</b>					
1. LG does not specify patented or proprietary products in its contracts without prior written approval from TxDOT.	<input type="checkbox"/>				



**Local Government Project – Plan Development Review Checklist**

<b>Prequalification</b>					
1. For projects on the State Highway System, require bidders to be prequalified by TxDOT.	<input type="checkbox"/>				
2. LG submits any additional, desired pre-qualifying/qualifying/licensing procedures to TxDOT for approval.	<input type="checkbox"/>				
3. Does not include a requirement for a contractor to obtain a license as a condition of submitting a bid.	<input type="checkbox"/>				
4. Bid document may require the successful bidder to obtain a license if applied to all bidders if they are successful.	<input type="checkbox"/>				
<b>Prevailing Minimum Wage</b>					
1. Includes FHWA-1273 provisions, including Davis-Bacon wage rates, in contract, request for proposals or concessionaire agreement. Current wages may be obtained at <a href="http://www.access.gpo.gov/davisbacon/">www.access.gpo.gov/davisbacon/</a> or include appropriate wage rates in bid document in accordance with state statute if no federal funds are used.	<input type="checkbox"/>				
<b>Prison Produced Materials</b>					
1. Prohibits the use of convict-produced materials in bid document.	<input type="checkbox"/>				
<b>Publicly-Owned Equipment</b>					
1. Does not include contract provisions requiring use of LG equipment unless approved in writing by TxDOT.	<input type="checkbox"/>				
<b>Railroad Insurance Provision</b>					
1. Verify LG coordinated with railroad, if necessary.	<input type="checkbox"/>				
2. Includes provision for contractor's railroad liability insurance and other railroad provisions in bid documents, request for proposals or concessionaire agreement.	<input type="checkbox"/>				
<b>Retainage</b>					
1. If retainage is not kept, adopts TxDOT spec Article 9.6 (Progress Payments) including FHWA-approved special provision and includes in bid documents, request for proposals or concessionaire agreement.	<input type="checkbox"/>				
2. Verify that if retainage is kept, incremental final acceptance of subcontracted work will be made.	<input type="checkbox"/>				
<b>Safety: Accident Prevention (OSHA)</b>					
1. Includes provisions in contract to implement OSHA.	<input type="checkbox"/>				
<b>State or Local Preference</b>					
1. If federal funds are used, no state or local preference provisions allowed in contract.	<input type="checkbox"/>				
<b>Subcontracting</b>					
1. LG adopts TxDOT Standard Specification Article 8.8 (Subcontracting) or submits alternate for TxDOT approval.	<input type="checkbox"/>				
2. Includes Contractor's Assurance in bid documents.	<input type="checkbox"/>				
<b>Termination or Default of Contract</b>					
1. LG either adopts Article 8.6 of TxDOT Standard Specs (Abandonment of Work or Default of Contract) or develops comparable contract language for default of contract and includes in bid documents, request for proposals or concessionaire agreement.	<input type="checkbox"/>				
<b>Trench Safety</b>					
1. Includes the required provisions in the bid documents.	<input type="checkbox"/>				
<b>Warranties and Warranty Clauses</b>					
1. LG provides TxDOT with procedures to be used and includes only TxDOT-approved procedures in bid document.	<input type="checkbox"/>				



**Local Government Project – Plan Development Review Checklist**

Engineering and Architectural Letter of Authority Checklist					
<b>LETTER OF AUTHORITY (LOA)</b>					
Environmental documents completed and project cleared.	<input type="checkbox"/>				
Railroad agreements completed.	<input type="checkbox"/>				
Updated project cost estimate submitted.	<input type="checkbox"/>				
No funding overruns or adjusted additional funding provided.	<input type="checkbox"/>				
Necessary plans and documents submitted to FHWA, if required.	<input type="checkbox"/>				
FPAA request created by FIN-LM. Confirm FPAA matches AFA on funding amount and percentages.	<input type="checkbox"/>				
Signed Federal Procurement Authorization Agreement (FPAA) received.	<input type="checkbox"/>				
FHWA approves Letter of Authority on federal-oversight projects	<input type="checkbox"/>				
District issues State Letter of Authority on state-oversight projects	<input type="checkbox"/>				
Signed Plans Title Sheet and copies of LOA and FPAA sent by District to LG giving authorization to advertise.	<input type="checkbox"/>				
<b>Letting and Award Checklist</b>					
<b>LETTING AND AWARD REVIEW</b>					
<b>Advertising</b>					
1. TxDOT (or FHWA, if it has oversight) authorization prior to advertisement.	<input type="checkbox"/>				
2. Documentation supporting minimum 3 weeks (21 days) in advance of bid opening.	<input type="checkbox"/>				
3. Documentation that advertisement informed potential bidders of place and time bids are to be opened and read.	<input type="checkbox"/>				
4. Documentation supporting newspaper advertisements started after LOA and at least 3 weeks prior to bid opening and ran consecutive weeks.	<input type="checkbox"/>				
<b>Addenda</b>					
1. TxDOT (or FHWA, if it has oversight) approval of all addenda prior to release to bidders.	<input type="checkbox"/>				
2. Assurance all addenda made available to all bidders.	<input type="checkbox"/>				
3. Bidders must acknowledge receipt of all addenda in their bids.	<input type="checkbox"/>				
<b>Bid Opening and Tabulation</b>					
1. Verify all bids were sealed and filed with the LG and opened in a public meeting; bidders were not prohibited from attending the public meeting; and all bids were opened and publicly read in the presence of the meeting attendees at time and location listed in advertisement.	<input type="checkbox"/>				
2. Verify all unit prices are provided and mathematical extensions are correct in bid tabulations.	<input type="checkbox"/>				
3. Verify bidder provided documentation of railroad insurance, if applicable.	<input type="checkbox"/>				
4. Receive lobbying certification form from bidder.	<input type="checkbox"/>				
5. Verify Child Support Statement certification and Business Ownership form (list of names and Social Security numbers of all individuals owning 25% or more of company) are included in bid. If not, bid is non-responsive.	<input type="checkbox"/>				
<b>Debarment Certification</b>					
1. LG ensures plans and specifications are not furnished to federal suspended or debarred bidders or TxDOT debarred bidders.	<input type="checkbox"/>				
2. LG checks to verify contractor is not debarred as part of the bid tabulation process.	<input type="checkbox"/>				
<b>Distribution of Bid Documents</b>					
1. Verify approved bid documents were available at least 3 weeks prior to bid opening.	<input type="checkbox"/>				
<b>Non-Collusion Statement</b>					
1. LG ensures all bidders submit a non-collusion statement. If bidder fails to submit statement, its bid may not be opened, read and considered for contract award.	<input type="checkbox"/>				
2. Retain statement for all bidders.	<input type="checkbox"/>				



Local Government Project – Plan Development Review Checklist

<b>Non-Resident Bidder</b>						
1. Verify there are no resident preference provisions on projects with federal funds.	<input type="checkbox"/>					
<b>Non-Responsive Bid</b>						
1. Check submitted bids or proposal for compliance with reasons that make a proposal non-responsive.	<input type="checkbox"/>					
2. Do not consider non-responsive bids for award.	<input type="checkbox"/>					
<b>Bid Analysis and Contract Award</b>						
1. Were all addenda acknowledged?	<input type="checkbox"/>					
2. Was the correct Bid List used if it was changed by addenda?	<input type="checkbox"/>					
3. Are all required forms submitted and all required pages signed?	<input type="checkbox"/>					
4. Is the engineer's final pre-bid estimate correct for items changed in addenda?	<input type="checkbox"/>					
5. Evaluation of bids.	<input type="checkbox"/>					
6. Determination of lowest responsible/responsive bidder.	<input type="checkbox"/>					
7. Request for TxDOT Concurrence Letter submitted to TxDOT for processing.	<input type="checkbox"/>					
8. Submit the following information to the district for concurrence:	<input type="checkbox"/>					
a. Letter of recommendation from the LG and engineer.	<input type="checkbox"/>					
b. Bid tabulation with all bids and engineer's estimate.	<input type="checkbox"/>					
c. Documentation of minimum 21-day advertising period.	<input type="checkbox"/>					
d. Verification the contractor is not currently debarred from receiving federal- or state-funded contracts.	<input type="checkbox"/>					
e. Documentation of non-collusion, child support information, lobbying certification, etc.	<input type="checkbox"/>					
f. Other information required to support LG's recommendation.	<input type="checkbox"/>					
9. The district seeks concurrence from TxDOT Construction Division. CST will need the following:	<input type="checkbox"/>					
a. District recommendation memo.	<input type="checkbox"/>					
b. TxDOT determination of whether or not a bid is unbalanced.	<input type="checkbox"/>					
c. The proposal, if requested.	<input type="checkbox"/>					
10. CST makes a recommendation to the Deputy Executive Director.	<input type="checkbox"/>					
11. Formal concurrence in award from TxDOT. Request must include the tabulation of bids. FHWA concurrence on federal oversight projects.	<input type="checkbox"/>					



Local Government Project – Plan Development Review Checklist

<b>Contract Execution Checklist</b>						
<b>CONTRACT EXECUTION</b>						
<b>Bonding</b>						
1. Verify contractor performance bonds meet minimum requirements.				<input type="checkbox"/>		
2. Verify contractor payment bonds meet minimum requirements.				<input type="checkbox"/>		
<b>Disadvantaged Business Enterprises (DBEs), Historically Underutilized Businesses (HUBs) and Small Business Enterprises (SBEs)</b>						
1. Review of DBE participation plan to ensure contract goals are committed to in accordance with provisions contained in bid document prior to contract execution or evaluate and document "Good Faith Effort."				<input type="checkbox"/>		
2. Ensure DBEs certified under Texas Unified Certification Program.				<input type="checkbox"/>		
<b>Railroad Insurance Provisions</b>						
1. Verify contractor submitted required insurance, if required.				<input type="checkbox"/>		
2. Verify railroad agreement executed prior to contract execution, if required.				<input type="checkbox"/>		
<b>Workers' Compensation Insurance</b>						
1. Written certification from contractor that workers' compensation insurance coverage is provided to each contractor and subcontractor employee working on the project.				<input type="checkbox"/>		



**EXHIBIT D-1**  
**PROJECT FEE SCHEDULE AND**  
**ESTIMATED MANHOUR BREAKDOWN**

LIBERTY ROAD PROJECT  
(from US 83 to Mile 3)

	MANHOURS												Sub-Contract Amounts / ROW COST	TOTAL LINE ITEM COST
	Senior Project Manager	Senior Engineer	Senior Environmental Scientist /Specialist	Project Engineer	Design Engineer	EIT	Senior Engineer Tech	Environmental Scientist /Specialist	Engineer Tech	CADD Operator	Admin / Clerical	TOTAL HOURS		
<b>CONTRACT RATE</b>	212.06	176.72	126.65	126.65	111.92	76.58	73.63	73.63	70.69	61.85	53.02			
<b>WORK AUTHORIZATION NO. 5</b>														
1 Project Management	95	245		265			244			150	89.64	1089	\$ -	\$ 129,000.28
2 Construction Management	80	160		160			105			90	27.582	623	\$ -	\$ 60,000.05
3 Local Let/Bid Documents	71	110		110			170			167	70.3	698		\$ 75,000.32
<b>SUB-TOTAL</b>	<b>175</b>	<b>405</b>	<b>0</b>	<b>425</b>	<b>0</b>	<b>0</b>	<b>519</b>	<b>0</b>	<b>0</b>	<b>240</b>	<b>117.222</b>	<b>1881.222</b>	<b>\$</b>	<b>264,000.65</b>

Subtotal Manhour Fee with Sub-Consultant Costs:	\$ 264,000.65
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<b>* Total Project Fee:</b>	<b>\$ 264,000.00</b>
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\*Rounded Figure