

**High Pressure Plane Elevated Water Storage Tank Construction
Work Order For Inspection Services
Norman Utilities Authority**

In accordance with the Agreement for On-Call Engineering Services between City of Norman/Norman Utilities Authority (Owner) and Garver, LLC, (Construction Observer) dated August 25, 2009 ("Agreement"), Owner and Construction Observer agree as follows:

1. **Specific Project Title:** High Pressure Plane Elevated Water Storage Tank Construction
2. **Description:** This project will construct a new 1,000,000 gallon elevated storage tank adjacent to the Hall Park subdivision in Norman, Oklahoma as detailed in the plans and specifications prepared by Professional Engineering Consultants, P.A. (Engineer).
3. **Services of Construction Observer:** In accordance with the Master Agreement; and as described in this Work Order, the basic services include part-time construction observation. More specifically, the Construction Observer will perform the following services:

Construction observation services will be provided by Construction Observer's Resident Project Representative, who will provide or accomplish the following:

- Consult with and advise the Engineer and Owner during the construction period.
- Coordinate with the Engineer providing construction materials quality assurance testing under separate contract with the Owner.
- Maintain a file of quantities incorporated into the work, test reports, certifications, shop drawings and submittals, and other appropriate information.
- Maintain a project diary which will contain information pertinent to each site visit.
- Prepare and distribute a daily observation reports noting progress, personnel and equipment on site, working conditions, site photos, and a construction duration.
- Attend and participate in one (1) final inspection and develop punch list.
- Attend and participate in one (1) punch list inspection.

The Construction Observer's Resident Project Representative shall be Randy Marsee or Owner approved equivalent. The representative shall provide on-call services to the Owner when given 24-hour advance notice by the Owner.

The proposed fee for part-time construction observation is based on approximately two (2) hours per day, seven (7) days per week for a 450-calendar-day construction contract performance time. If the construction time extends beyond the time established in this agreement or if the Owner wishes to increase the time or frequency of the observation, the Owner will pay Construction Observer an additional fee agreed to by the Owner and Construction Observer.

In performing construction observation services, Construction Observer will endeavor to protect the Owner against defects and deficiencies in the work of the Contractor(s); but Construction Observer cannot guarantee the performance of the Contractor(s), nor be

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responsible for the actual supervision of construction operations or for the safety measures that the Contractor(s) takes or should take. However, if at any time during construction the representative observes that the Contractor's work does not comply with the construction contract documents, Construction Observer will notify the Contractor of such non-compliance and instruct him to correct the deficiency and/or stop work, as appropriate for the situation. Construction Observer will also record the observance, the discussion, and the actions taken. If the Contractor continues without satisfactory corrective action, Construction Observer will notify the Engineer and Owner immediately, so that appropriate action under the Owner's contract with the Contractor can be taken.

4. **Project Deliverables:** The following will be submitted to the Owner, or others as indicated, by the Construction Observer:

- Daily Observation reports distributed by email.
- Punch list distributed by email.

5. **Extra Work:** The following items are not included with the scope of this agreement but such services are available from Construction Observer and will be considered as extra work:

- Submittals or deliverables in addition to those listed herein.
- Survey of any kind.
- Material testing of any kind.
- Services after construction, such as warranty follow-up, operations support, etc.

The scope for Additional Services may be authorized at a later time under separate work orders to the Master Agreement.

6. **Services not Included:** The following items are not intended to be provided by the Construction Observer as part of this work order:

- Engineering or design services of any kind.
- Preparation of design changes or change orders during construction.
- Construction submittal review or progress payment review.
- Coordination of construction contract close-out documents.

7. **Owner's Responsibilities:** As indicated in Master Agreement, and provide all construction contract administration activities to include:

- Project management
- Conduct pre-construction meeting
- Pay application review and approval
- Material testing
- Equipment and material submittal review and approval
- Prepare and negotiate change orders

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- Conduct final inspection
 - Conduct punch list inspection
 - Prepare record drawings
 - Prepare operational and maintenance documents
8. **Schedule:** Discounting unforeseen conditions and circumstances beyond the Construction Observer's control, and the time associated with Owner review, the Construction Observer shall complete the work in accordance with the construction schedule anticipated to begin in May 2015 and continue for 450 calendar days.
9. **Payment to Construction Observer:** For the work described under Section 3, Services of Construction Observer, the Owner will pay Construction Observer on an hourly rate basis. The Owner represents that funding sources are in place with the available funds necessary to pay Construction Observer.

If any payment due Construction Observer under this Work Order is not received within 60 days from date of invoice, Construction Observer may elect to suspend services under this agreement without penalty or liquidated damages assessed from the Owner.

The Owner will pay Construction Observer, for time spent on the project, at the rates shown in attached Project Hourly Rate Schedule for each classification of Construction Observer. The total amount paid to Construction Observer under this Work Order is estimated to be \$152,700. The actual total fee may exceed this estimate with written approval from Owner. For informational purposes, a breakdown of Construction Observer's estimated costs is attached to this work order with approximate current hourly rates for each employee classification. The rates shown in the Project Hourly Rate Schedule will be increased annually with the first increase effective on or about June 30, 2016.

No overtime charges will be considered by the Owner. Unless otherwise approved by the owner.

Expenses other than salary costs that are directly attributable to performance of our professional services will be billed as follows:

- Direct cost for construction observation supplies, outside reproduction and presentation material preparation, and mail/courier expenses.
- Charges similar to commercial rates for documents, reports, plan sheets, presentation materials, etc.

The Owner will pay Construction Observer on a monthly basis, based upon statements submitted by Construction Observer to the Owner for the scope of services described in this agreement. Payments not received within 60 days of invoice date will be subject to a one percent monthly simple interest charge.

Any unused portion of the fee, due to delays beyond Construction Observer's control, will be increased 4% annually with the first increase effective on or about June 30, 2016.

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Additional Services (Extra Work). For work not described or included in Section 3, Services of Construction Observer, but requested by the Owner in writing, the Owner will pay Construction Observer, for time spent on the project, at the rates shown in the Project Hourly Rate Schedule for each classification of Construction Observer.

10. Subconsultants: None.

11. Other Amendments to Master Agreement: None.

12. Attachments: Project Hourly Rate Schedule, Construction Observer's Estimated Costs.

13. Approval and Acceptance

Approval and Acceptance of this Work Order, including attachments listed above, shall incorporate this document as part of the Agreement. Construction Observer is authorized to begin performance upon receipt of a copy of this Work Order signed by the Owner.

The Effective Date of the Work Order is _____, 2015.

Construction Observer:
GARVER, LLC

Owner:
NORMAN UTILITIES AUTHORITY

Signature

Michael J. Graves

Signature

Vice President

Title

Title



**NORMAN UTILITIES AUTHORITY
HIGH PRESSURE PLANE ELEVATED WATER STORAGE TANK
Construction Observation Hourly Rate Schedule**

Classification	Rates
Engineers / Architects	
E-1.....	\$ 98.00
E-2.....	\$ 113.00
E-3.....	\$ 138.00
E-4.....	\$ 160.00
E-5.....	\$ 206.00
E-6.....	\$ 244.00
E-7.....	\$ 322.00
Planners / Environmental Specialist	
P-1.....	\$ 118.00
P-2.....	\$ 147.00
P-3.....	\$ 188.00
Designers	
D-1.....	\$ 91.00
D-2.....	\$ 107.00
D-3.....	\$ 127.00
D-4.....	\$ 147.00
Technicians	
T-1.....	\$ 71.00
T-2.....	\$ 91.00
T-3.....	\$ 110.00
Surveyors	
S-1.....	\$ 44.00
S-2.....	\$ 58.00
S-3.....	\$ 78.00
S-4.....	\$ 112.00
S-5.....	\$ 147.00
S-6.....	\$ 168.00
2-Man Crew (Survey).....	\$ 179.00
3-Man Crew (Survey).....	\$ 223.00
2-Man Crew (GPS Survey).....	\$ 200.00
3-Man Crew (GPS Survey).....	\$ 244.00
Construction Observation	
C-1.....	\$ 87.00
C-2.....	\$ 111.00
C-3.....	\$ 138.00
C-4.....	\$ 166.00
Management/Administration	
M-1.....	\$ 322.00
X-1.....	\$ 57.00
X-2.....	\$ 76.00
X-3.....	\$ 107.00
X-4.....	\$ 145.00

Valid through June 30, 2016

**NORMAN UTILITIES AUTHORITY
HIGH PRESSURE PLANE ELEVATED WATER STORAGE TANK**

CONSTRUCTION OBSERVER'S ESTIMATED COSTS

WORK TASK DESCRIPTION	E-5	C-3	X-1
	\$206.00	\$138.00	\$57.00
	hr	hr	hr
1. Construction Observation			
Oversight and Invoicing (2 hours per month)	30		30
Preconstruction Meeting		0	
Part-Time Observation (2 hours per day / 7 days per week)		900	
Daily Construction Reports (2 hours per week)		130	
Final Inspection		4	
Develop Punch List		2	
Punch List Inspection		4	
Subtotal - Construction Observation	30	1040	30

Salary Costs	\$6,180.00	\$143,520.00	\$1,710.00
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SUBTOTAL - SALARIES: **\$151,410.00**

DIRECT NON-LABOR EXPENSES

Document Printing/Reproduction/Assembly	\$290.00
Construction Observation Supplies	\$1,000.00
Travel Costs	\$0.00

SUBTOTAL - DIRECT NON-LABOR EXPENSES: **\$1,290.00**

SUBTOTAL: **\$152,700.00**

SUBCONSULTANTS FEE: **\$0.00**

TOTAL FEE: **\$152,700.00**