

Amendment No. 1
of
Contract No. NI150000011
Interlocal Agreement
for
Equipment Operator and Training Assessment
between
Texas A&M Engineering Extension Service
and the
City of Austin

- 1.0 The City hereby exercises the extension option for the above-referenced contract. Effective December 15, 2015, the term for the extension option will be December 15, 2015 to December 14, 2016 one option remain.
- 2.0 The total contract amount is increased by \$11,000.00 for the extension option period. The total Contract authorization is recapped below:

Term	Action Amount	Total Contract Amount
Basic Term: 12/15/14 - 12/14/15	\$35,000.00	\$35,000.00
Amendment No. 1: Option 1		
12/15/15 12/14/16	\$11,000.00	\$46,000.00

- 3.0 MBE/WBE goals were not established for this contract.
- 4.0 By signing this Amendment the Contractor certifies that the Contractor and its principals are not currently suspended or debarred from doing business with the Federal Government, as indicated by the General Services Administration (GSA) List of Parties Excluded from Federal Procurement and Non-Procurement Programs, the State of Texas, or the City of Austin.
- 5.0 All other terms and conditions remain the same.

BY THE SIGNATURES affixed below, this Amendment is hereby incorporated into and made a part of the above-referenced contract.

CITY OF AUSTIN:

James Scarboro

Purchasing Officer

TEXAS A&M ENGINEERING EXTENSION

SERVICES

11-30-15

21-10/1604

INTERLOCAL COOPERATION CONTRACT FOR EQUIPMENT OPERATOR TRAINING AND ASSESSMENT BETWEEN THE CITY OF AUSTIN AND TEXAS A&M ENGINEERING EXTENSION SERVICE

THIS AGREEMENT has an effective date of December 15, 2014 ("Effective Date") and is by and between the CITY OF AUSTIN, a home-rule Texas municipal corporation, hereinafter referred to as "City" and Texas A&M Engineering Extension Service, a member of the Texas A&M University System, and Texas institution of higher education, hereinafter referred to as "TEEX." The City and TEEX shall be referred to throughout this agreement collectively as the "Parties," or individually as a "Party," as determined by context.

City and TEEX have the authority to enter into this interlocal Cooperation Agreement through "The Interlocal Cooperation Act," Texas Government Code, Chapter 791.

In consideration of the hereinafter set forth agreements, covenants and payments, the sufficiency of which are acknowledged, City and County agree to the terms and conditions stated in this Agreement as follows:

I. SPECIFIC TERMS AND CONDITIONS

- A. <u>Scope of Services</u>: TEEX shall perform all the necessary services under this agreement for the provision of equipment operator training and assessment in connection with and respecting, the proposal attached as Exhibit "A," (the "Services"). Exhibit A is incorporated fully into this agreement and all statements as to pricing, types of services offered, quality of services offered, and any other statement as to the services to be rendered and TEEX's qualifications shall be binding on TEEX as if those statements, obligations, warranties, and representations, were stated fully herein.
- B. <u>Compensation</u>: Compensation shall be paid in a total amount not to exceed \$35,000 for the initial 12 month period beginning with the Effective Date of this agreement. Payments shall be made as invoiced by TEEX in accordance with applicable state law.

C. Term and Time of Performance:

This agreement has an initial term of 12 months that begins on the Effective Date and
may be renewed for two additional 12 month terms upon the written agreement of the
Parties. Renewal under this section shall not require prior approval of the respective
governing bodies of either Party.

- 2. The Services to be provided by TEEX shall be completed within 12 months of the Effective Date. For each renewal of this agreement, the Services shall be completed within the 12 month term of the renewal.
- D. <u>Contact Person</u>: City's contact person for this Contract will be Brenda L Jimenez, Contracts Compilance Specialist, 512/974-7955.

II. GENERAL TERMS AND CONDITIONS

- 1. To the extent applicable to the services provided hereunder, TEEX may not assign any of its rights or obligations under this agreement to a third party without prior written approval of the City.
- 2. Any notice or statement required to be delivered pursuant to this Agreement must be in writing and shall be deemed delivered by actual delivery, by facsimile with receipt of confirmation, or by depositing the same in the United States mail, certified with return receipt requested, postage prepaid, addressed to the appropriate party at the following addresses:

TEEX

Infrastructure Training & Safety Institute Rickie Lemons, Training Manger 200 Technology Way College Station, Texas 77845-3424

979/845-3003 Rickie.lemons@teex.tamu.edu

CITY

Public Works University
Louise Madden
Business Process Consultant
4411-A Meinardus Dr
Austin, Texas 78744

512/974-5636 Louise.madden@austintexas.gov

3. This Agreement is not intended to confer any rights, privileges or causes of action upon any third party.

- 4. It is acknowledged and agreed by the parties that the terms of this agreement are not intended to and shall not be deemed to create any partnership or joint venture among the parties.
- 5. Any amounts paid by the City under this agreement shall be made only from current funds that are actually available to the City.
- 6. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and all of which, taken together, shall constitute but one and the same instrument, which may be sufficiently evidenced by one counterpart

[Signature pages follow]

IN WITNESS WHEREOF, the City and TEEX have executed this Contract as of the date first above written.

Robert Goode, Asst. City Manager, City of Austin

Texas A&M Engineering Extension Services Greg Cohen, Business Manager

Equipment Operator Trainingand Assessment

City of Austin Public Works Department

Provided to: Louise Madden

Business Process Consultant

Public Works University

City of Austin

louise.madden@austintexas.gov

Provided by: Texas A&M Engineering Extension Service

200 Technology Way

College Station, Texas, 77845-3424

Contact Information: Rickie Lemons

Training Manager

Infrastructure Training and Safety Institute

979-845-3003

rickie.lemons@teex.tamu.edu

Date: August 15, 2014

Equipment Operator Training and Assessment City of Austin Public Works Department

Overview

The Texas A&M Engineering Extension Service (TEEX) can provide a consistent and formalized assessment for the City of Austin equipment operators on multiple major heavy equipment machines. TEEX can develop curricula, train employees and provide assessment for the machine operators as part of their advancement in various positions. This will include clearly defined, progressively more complex skill sets for the equipment common to each position, along with the necessary knowledge about the equipment and its use to include training if needed. The process will also involve both written and practical assessments that are progressively more rigorous. These steps will be fully integrated to provide logical and smooth progression across all promotional steps. One advantage of this approach is that everyone involved will have a clear view of what is necessary for promotion on each machine. It will follow the City of Austin Civil Service Guidelines to foster objectivity and consistency. Having one provider for these services will provide greater visibility for employees and be more cost effective for the City.

Statement of Work

Develop curricula

TEEX offers the highest standards in training materials and is known worldwide for its development process used to achieve these standards. The curriculum development process is conducted by a team consisting of curriculum coordinators, instructional designers, multimedia project specialists, subject matter experts, stakeholders, translators and the Training Manager. The team is responsible for analyzing, developing, and revising training materials. TEEX has highly qualified subject matter experts which are available for timely review and advice. The team ensures training materials meet the heavy equipment industry standards. Courses are constantly revised and updated to keep abreast of changing technology. An example of material used for heavy equipment training is attached.

Training Delivery

TEEX can provide the scheduling, planning, coordination and delivery of training as needed in conjunction with the City of Austin for a comprehensive training program. TEEX brings a significant level of expertise in the area of heavy equipment operator training. The expertise is evident in the deep cadre of senior level instructors and the infrastructure in place for the logistics of delivery.

In addition to instructional expertise is the capability to provide behind-the-scene logistics for TEEX courses. Administrative personnel assign a class to the course schedule database and populate the class with a student roster. The TEEX Training Manager will secure the class location and facilities, assign a qualified instructor, make travel arrangements, ship course materials, and act as the liaison with the City of Austin point of contact. Following class delivery, the instructor will return the class evaluations, student sign-in sheet and course materials to administrative personnel who will enter the students in a database which allows for tracking over a long period of time. Certificates are sent to students who successfully

complete the each class. Continuing education credits are given for successful completion of the courses.

Training becomes even more cost effective when delivered in blocks based on a single instructor. The training program provided by TEEX is structured in a manner that provides for efficient delivery of courses that are consolidated within a common set of information. TEEX will develop blocks or core training segments delivered to a single centralized location at prescheduled intervals in order to minimize redundancies, maximize efficient delivery of the curriculum and reduce the frequency of interrupting operations.

TEEX will provide the City of Austin with a single point of contact who will be responsible for coordinating, scheduling and assisting with the development of training blocks. The TEEX Training Manager will utilize his subject matter expertise and those of internal TEEX employees to determine which topics can be blocked and how to best coordinate the schedule. TEEX has the depth of infrastructure to allow for flexibility in scheduling to meet the needs of City of Austin. Training is provided on-site to reduce travel time and cost for the City of Austin.

Having one training provider allows for standardized training across all levels. It also provides consistency in the use of terms and training at different levels. Test validity is easier to achieve, which decreases liability and provides objectivity when based on the City of Austin Civil Service Guidelines. Having subject matter experts in all types of equipment and used as both instructors and evaluators also provides a more consistent evaluation process.

The TEEX goal is always to provide the highest quality training at the lowest possible cost to meet individual customer needs. The curriculum is designed to teach both the safety and technical aspects of heavy equipment operation. The method of instruction for each course includes both hands-on and instructor-led. Each course is designed in a challenging manner to help achieve the maximum level of training.

Assessment

TEEX is proposing an advancing assessment program for the City of Austin heavy equipment operators with requirements in place to meet the City of Austin Civil Service Guidelines. TEEX will review the current program and work with the City of Austin Public Works Department to develop a process which is seen by employees as consistent and fair, thus reducing liability for the City.

Each level of advancement has specific training requirements and assessment criteria. Each is based on commonly accepted standards for the heavy equipment industry and the past experience of TEEX. Assessments will be made using both written and performance measurements. The assessment process is designed for individual evaluation in the form of questions and the performance of specific tasks. Performing assessments in blocks of time also allows for a more effective use of resources and achieving cost efficiencies. This will reduce the time employees are away from their regular job duties and will also be a more cost efficient use of funds.

Past Performance

TEEX has the infrastructure in place to design and develop curricula, provide training and conduct assessments. TEEX has delivered traditional classroom and hands-on skills training for over 80 years. TEEX offers a wide range of technical skills training programs designed for employed workers and those entering the labor force. During its fiscal year 2013, TEEX provided training and technical assistance to more than 169,000 people from every U.S. state and territory, and in 79 countries worldwide. TEEX is a member of The Texas A&M University System, one of the largest systems of higher education in the United States. Whether throughout Texas or across the globe, TEEX can be counted on for excellent training and technical assistance by its nearly 1,000 employees, many of whom are the top experts in their respective fields. The mission of TEEX is to provide training and technical assistance to develop a skilled workforce that enhances safety, security and economic growth for Texas and the nation.

TEEX has previous experience with a variety of customers. As an agency of the State of Texas, TEEX has developed curricula and taught dozens of safety related courses for a variety of target audiences. OSHA expanded their outreach program to include TEEX in 1994. TEEX maintains a close affiliation with the Federal OSHA office as well as with OSHA Region VI. It successfully serves Region VI in its entirety and provides training throughout the United States and in several foreign countries.

TEEX offers highly diverse training programs that serve and reach nearly all skill groups and departments found in private industry and local government, as well as state and federal government. Training is offered in construction, electric power, public works, transportation, safety and health, water and wastewater, telecommunications, environmental and other occupational areas. TEEX maintains training grants and contracts with private industry and public agencies too numerous to mention but such as those shown below:

Knife River Construction **Hispanic Contractors Association** U.S. Department of Labor **Irby Construction** Conoco Philips Patterson Drilling Valero

Texas Department of Transportation Southwest Electrical Metering Association U.S. Air Force

City of McAllen City of Austin

Texas Military Forces Texas Commission on Environmental Quality

The TEEX Heavy Equipment Training Program currently employees five full-time employees who have accumulated over 130 years of instructional experience. The Heavy Equipment Training Program at TEEX is led by Rickie Lemons, Training Manager, who will work directly with the City of Austin. His biographical sketch is attached. The program offers a complete set of technical courses designed for operators of all types of major heavy equipment. Previous clients have included municipal utilities, contractors, investor-owned, industrial and other organizations that are involved in the construction industry, many of which required specifically customized courses.

Cost

Below is a summary of costs associated with the Equipment Operator Training and Assessment program. One means of contracting with TEEX is to provide an interlocal agreement. This type of contracting instrument is both cost effective and time efficient. As a more generic agreement, it allows for pricing per task and finding as much cost savings as possible for each activity. It also saves time by not requiring a bidding process for each task.

Pricing Summary

	Cost per Day	Total Cost per Week	Number of training/assessment days to
			equal \$50,000
First day	\$3,900	\$3,900	1 day per week =
			12 days
Second consecutive day	\$870	\$4,770	2 consecutive days per week =
			20 days
Third consecutive day	\$870	\$5,640	3 consecutive days per week =
			26 days
Fourth consecutive day	\$870	\$6,510	4 consecutive days per week =
			30 days
Fifth consecutive day	\$870	\$7,380	5 consecutive days per week =
			33 days

BACKHOE-LOADER OPERATIONS

PARTICIPANT MANUAL

The Texas A&M University System

Texas Engineering Extension Service (TEEX)

Engineering, Utilities, and Public Works Training Institute (EUPWTI)

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BACKHOE-LOADER OPERATIONS

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BACKHOE-LOADER OPERATIONS

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The safety statements, procedures, and guidelines contained in this manual are current as of the publication date. Prior to using the safety statements, procedures, and guidelines contained in this manual, it is advised that you confirm the currency of these statements, procedures, and guidelines with the appropriate controlling authorities.

PARTICIPANT MANUAL

Module 0

Introduction and Orientation

Terminal Objective

Upon successful completion of this module, the participant will be able to participate in the course.

Enabling Objectives

- 1. Complete the TEEX course registration forms.
- 2. Ask questions related to the course.

Introduction

In this module, participants complete registration procedures and receive course information including prerequisites and attendance requirements, as well as evaluation and certification information. The instructor will conduct a brief overview of the course, which includes the goals and objectives, required participant equipment, and the course schedule.

About Backhoe-Loader Operations

Course Goal

Upon successful completion of this course, the participant will be able to safely demonstrate basic operations of a backhoe-loader.

Target Audience

This course is designed for personnel just beginning their career as a backhoe-loader operator, or the participant with limited experience. This course is also recommended for use as a refresher for more experienced operators.

Delivery Methods

Course delivery consists of instruction seminars, group discussion, demonstrations, participant activities, and practical applications.

Course Prerequisites

There are no prerequisites for this course.

Recommended Training

There is no recommended training for this course.

Course Length

32 hours

Certification Information

TEEX is approved as an Authorized Provider by the International Association for Continuing Education and Training (IACET), 8405 Greenboro Drive, Suite 800, McLean, VA 22102. As an Authorized Provider, TEEX offers CEUs for its programs that qualify under IACET guidelines. TEEX is authorized by IACET to offer 3.2 CEUs for this program. For more information about IACET, please visit their web site at http://www.iacet.org.

Registration/ Attendance Rosters

Attendance is crucial in order to receive credit for this course. All participants must complete a registration form at the beginning of the course, sign the attendance roster for each day of the course, and complete the evaluation at the end of the course in order to receive a certification of completion.

Registration Forms

Complete front and back of forms legibly. Privacy Act statement is included for your signature.

Student Roster

Must be signed each day, legibly. Make corrections neatly. Information from the roster is used to complete your certificate.

Class Schedule

Day One

Morning

Module 0: Course Introduction and Orientation

Module 1: Backhoe-Loader Overview

Module 2: Safety Procedures Afternoon

Module 3: Startup and Shut-down Procedures

Module 4: Preventative Maintenance

Module 5: Backhoe-Loader Operations

Day Two

Morning

Module 5: Backhoe-Loader Operations (continued)

Module 6: Transporting a Backhoe-Loader

Module 7: Field Applications (classroom)

Afternoon

Module 7: Field Applications

Day Three

Morning

Module 7: Field Applications

Afternoon

Module 7: Field Applications

Day Four

Morning

Module 7: Field Applications

Afternoon

Module 7: Field Applications

Course Final Exam (classroom)

Course Evaluation (classroom)

Participant Evaluation Strategy

The instructor will use oral questioning during the presentation and the review questions at the end of modules to assess participants' mastery of the material. Problem areas identified in the questioning will be reviewed in further detail. In order to receive course credit, participants must complete all field activities with at least a "Satisfactory" rating from the instructor. Participants must also score a minimum of 70% on the final exam. In addition, after completion of this course, participants will complete a course evaluation.

Administrative Instructions

The instructor will use this portion of the course for introductions and to familiarize the participant with facility safety and convenience features, as well as any resources and equipment that are available to you.

Summary

Welcome to the *Backhoe-Loader Operations Course*. Now that the administrative section of the course is complete, we can turn our attention to Module 1, Backhoe-Loader Overview.

Module 1

Transporting a Backhoe-Loader

Terminal Objective

Upon successful completion of this module, the participant will be able to discuss procedures to prepare a backhoe for trailer transport.

Enabling Objectives

- 1. Explain procedures required to load a backhoe onto a trailer.
- 2. Discuss make-ready procedures for tie-down.
- 3. Discuss procedures for transporting a backhoe.

Introduction

When transporting, either by trailer or driving a backhoe-loader down the street, certain preparations must be completed before it is safe to take the equipment onto public roads. This module will explain requirements and procedures necessary to ensure a backhoe-loader ready for travel, and what precautions to take when parking the equipment overnight at the jobsite.

Make Ready Procedures

To prepare the machine for transport on a trailer:

- 1. Remove any loose material that may fall from machine during transport.
- 2. Set the boom lock and positive swing lock.
- 3. Remove the Slow Moving Vehicle (SMV) symbol when trailering the backhoe.
- 4. Lock brake pedals together, and secure cab door and windows.

Transporting Procedures

Loading

Load onto the trailer, lower front and rear buckets, and set the parking brake. Machine must be centered on the trailer and loaded with weight equally distributed over axles (Figure 6.1).

Tie-Down

There are six required attachment points for the tie-down of a backhoe-loader. The manufacturer must provide labeled attachment points at each corner of the machine. The front and rear attachments shall also be restrained from movement. Also, ensure the chains and load binders used appropriately (Figure 6.2), and are of proper grade and Weight Load Limit (WLL).

Driving on Public Roads

To make the backhoe-loader road-ready, use all required safety devices to ensure safe operation and local compliance. Fasten seat belt and start engine. Complete the following:

- 1. Remove any loose material that may fall from machine during transport.
- 2. Attach the SMV symbol to the backhoe.
- 3. Retract the crowd and curl bucket.
- 4. Raise backhoe boom and move to center position. Set boom lock and install the swing lock pin.
- 5. Raise stabilizers.
- 6. Turn seat to face the front of the backhoe.
- 7. Connect left and right brake pedals together.
- 8. Raise loader bucket off ground and roll bucket back.

9. Release the parking brake.

Parking Outdoors

When parking the backhoe at the jobsite overnight, prevent theft or vandalism as follows:

- 1. Park in a well-lit, fenced area when possible.
- 2. Lower all equipment to the ground.
- 3. Remove the ignition key.
- 4. Lock cab doors, windows, and enable anti-theft devices.

In the event of theft or vandalism, notify the local law enforcement and insurance company immediately. Provide a description, identification numbers, and color photographs of the backhoe. Notify the equipment dealership and request that the theft is posted with a full description and identification numbers.

Summary

In this module, participants examined procedures required for transportation of a backhoe-loader. This module explained the preparations that must be completed before the equipment is ready to be taken onto public roads, either by trailering the backhoe or driving it down the road. Tie-down and loading procedures were detailed, as well as precautions to take when leaving the backhoe parked overnight at the jobsite.

Always check with state and local laws that apply to backhoes, tractors, and towed equipment. Additional lights, mirrors, or reflectors may be required when transporting heavy equipment.

Rickie Lemons

Associate Training Specialist

SUMMARY OF QUALIFICATIONS

Rickie Lemons is an Associate Training Specialist with the Infrastructure Training and Safety Institute, a division of the Texas A&M Engineering Extension Service (TEEX). He has vast experience in all phases of heavy construction. He possesses a very strong personal commitment to the safety and preservation of the workforce. Mr. Lemons has served in this capacity for five years. He has more than 30 years of hands-on experience in all aspects of industrialized construction. He has developed and implemented safe work practices for workers with physical limitations along with safety plans for several Texas counties and cities that incorporate OSHA regulations for general and industrial uses.

Specific qualifications include:

- Worked as a rigger and side boom operator for 6 years for pipeline and oilfield services
- Has 14 years of experience in strip mining operation
- Has 30 years heavy equipment construction experience
- No certification available for equipment operators, although qualified to instruct on about 20 different types, forklift trained
- Site Safety Officer for construction site
- Fire Safety Officer, Training Officer, Compliance Officer
- ◆ TEEX Instructor for the past 7 years: researched and developed curriculum, conducted technical training classes, developed and conducted safety training
- Technical Assistance Inspections for Site Safety Hazards
- Conveyor systems maintenance
- Permit Required Confined Space Programs

RELEVANT WORK EXPERIENCE

- OSHA 500 Trainer in OSHA Standards for Construction Industry
- OSHA 501 Trainer in OSHA Standards for General Industry
- Emergency Vehicle Operator
- Fire Ground Command, Firefighter 1 and 2
- Forcible Entry
- Vehicle Extraction
- Unexploded Ordnance Equipment Operator
- Co-developer of the OSHA Fall Protection Program for the San Antonio Water Authority
- Development of Crane and Rigging Training Program
- Development of SWP3 programs for TCEQ conference
- Conduct Safety Meetings

EMPLOYMENT HISTORY

- Texas A&M Engineering Extension Service, Associate Training Specialist, 2007
 Present
- Dragline Operator and Mine Rescue Team Captain Navasota Mining Company
- Rigger and Signalman/Trainer, MSHA P&H Mine Pro Beckley West Virginia
- Heavy Lift Specialist, Kirkland Crane and Rigging

- Fuel yard operator and member of Emergency Response Team TMPA
- Equipment Operator, Texas Department of Transportation
- Instructor Safety and Health for OSHA Training Institute Southwest Education Center, Mesquite, Texas

EDUCATION

- American Red Cross
- Texas Railroad Commission
- US Department of Labor, Mine Safety and Health Administration
- US Department of Labor, Occupational Safety and Health Administration
- Infrastructure Training and Safety Institute Texas A&M University System
- OSHA OTISEC, Mesquite, Texas
- TEEX H.B. Zachary Training Center, San Antonio, Texas
- TEEX A&M Texarkana, Texas

CERTIFICATIONS/LICENSES

- NCCCO Certified Overhead Operator and Overhead Practical Examiner
- MSHA Certified Trainer
- OSHA Certified Trainer
- NCCER Certified Crane Operator (small hydraulic and industrial)
- Medic 1st CPR/AED Trainer
- American Red Cross First Aid/CPR Instructor
- Emergency Care Attendant
- Emergency Medical Technician
- OSHA 510 Construction Industry Standards
- OSHA 500 Trainer for Construction Industry
- OSHA 511 General Industries Standard
- OSHA 501 Trainer for General Industries
- OSHA 301 Excavations, Trenching and Soil Mechanics
- OSHA 755 Accident Investigation
- OSHA 720 Health Hazard Awareness
- OSHA 521 Industrial Hygiene
- OSHA 701 Bolting Safety, Principles and Practices
- OSHA 225 Principles of Applied Ergonomics
- OSHA 784 Recordkeeping
- OSHA 715 Evacuation and Emergency Planning
- OSHA 204 Machinery and Machine Guarding
- OSHA 201 Hazardous Materials
- OSHA 309 Electrical Standards
- PRT 123 Scaffold Safety
- PRT 107 Behavioral Based Safety
- Certified Safety and Health Official, General Industries
- Certified Safety and Health Official, Construction Industries