

A/E PROFESSIONAL SERVICES AGREEMENT REVIEW CHECKLIST

This form shall be completed by appropriate contracts administrator for every architectural or engineering professional services agreement. All questions should be answerable "YES". Questions with "NO" or "N/A" answers should be explained in the Comment section. Additional OGC approval must be obtained before entering into any agreement using a non-standard form or an approved standard form that has been modified.

Component:
 A/E Services Vendor:
 Project:
 Project No.:

- | | YES | NO | N/A | |
|----|--------------------------|--------------------------|--------------------------|---|
| | | | | Agreement form: |
| 1. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the form of agreement used already approved by OGC and unmodified? Please verify current forms with OFPC when in doubt. |
| 2. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the project name the same as shown on the CIP? Is the campus identified and the project number shown? |
| 3. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the effective date of the agreement correct? |
| 4. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the scope of services adequately defined? (Note, form agreements for miscellaneous A/E services and for A/E services on projects of limited scope require the attachment of a separate scope of services exhibit.) |
| 5. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | When applicable, is the contract sum or maximum contract sum defined? |
| 6. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the A/E's name on the agreement correctly identify its business organization type (e.g., sole proprietorship, partnership, limited liability partnership(LLP), limited liability company (LLC), joint venture, corporation)? If the A/E uses an assumed name, the agreement should identify the name of the party that owns assumed name (e.g., Smith and Jones Architects, LLP d/b/a Generic Architects). |
| 7. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the A/E's name in the signature block in the same form as it is at the top of the agreement? |
| 8. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the agreement signed by the appropriate person(s) based on the A/E's type of legal organization? See requirements for various organization types below. |

If a **Corporation**: Is it signed by the President and attested by the Corporate Secretary? If not, is a corporate board resolution attached authorizing execution or attestation by the persons signing? (Note: this only applies to corporations and LLCs.)

If a **Partnership** or **LLP**: Is the person signing a General or Managing Partner? (Note, the managing partner of an LLP could be another legal entity, such as a corporation, in which case you must verify that the person signing for the other legal entity is authorized to do so.)

If a **LLC**: Is it signed by a Manager or Member, and is evidence provided (such as a copy of the bylaws) indicating such person has authority to sign?

Assumed Names: Is it signed by the person or entity that owns the assumed name (e.g., Joe Smith, Managing Partner of Joe Smith Architects, LLP d/b/a Architectural Partners)?

If a **Joint Venture**: Has an authorized person from each venturer signed?

- | | | | | |
|-----|--------------------------|--------------------------|--------------------------|---|
| 9. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are all exhibits referenced in the agreement attached? |
| 10. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are all blanks in the form agreement filled in or a reference made to an Article 14 item? |

Insurance:

11. The A/E must provide evidence of insurance in at least the following amounts:
Professional Liability: \$1,000,000 per claim; \$1,000,000 aggregate.
The certificates of insurance must identify the Project Name, Project Number, and campus location in the special items section. The name of the A/E on the certificates must be exactly the same as shown on the agreement. The policy numbers and expiration dates must be provided on the certificates. The Board of Regents of the University of Texas System must be identified as the project Owner?
12. **Workers' Compensation:** As required by the Texas Workers' Compensation Act with policy endorsed to provide a waiver of subrogation as to the Owner.
13. **Employer's Liability:** Bodily Injury, \$1,000,000 per accident; Bodily Injury by Disease, \$1,000,000 per employee and \$1,000,000 policy limit.
14. **Commercial General Liability:** \$1,000,000 per occurrence; \$1,000,000 general aggregate.
15. **Comprehensive Auto Liability:** \$1,000,000 per occurrence and \$1,000,000 aggregate covering owned, hired, and non-owned vehicles.

Tax Payer and Vendor Account Status:

16. If the A/E is a corporation or LLC located in Texas, is a copy of franchise tax certificate attached, or if it is an out-of-state corporation is a certificate of good standing provided?
17. Has a delinquent tax check been made with the Comptroller's Office?

HUB and Determination of Good Faith Effort:

18. Has the A/E submitted an appropriate HUB subcontracting plan and is the A/E in compliance with its requirements?

State Agency Uniform Nepotism Disclosure Form:

19. On contracts with a value of \$1,000,000 or more, have all participants in the selection process executed the disclosure statement required by Government Code section 2262.004?

OGC Construction Contracting Guidelines

20. This agreement has been reviewed for conformance with the OGC Construction Contracting Guidelines and it conforms with those Guidelines.

COMMENTS:

Note non-conforming items here. If you have checked an item as N/A (not applicable), explain why. Attach a separate sheet as necessary.

Reviewed by:

name: _____

title: _____

date: _____