

**Webb County
Architect/Engineer Agreement**

ARPA Amendment

This document amends the Architect Agreement between Webb County, hereafter Owner, and Redline Architecture, L.L.C. hereinafter called Architect.

Webb County Project: Webb County Southern Public Health Center

Amends section 13.2.3 to the AIA B101-2017, "Standard Form of Agreement Between Owner and Architect."

1. American Rescue Plan of 2021

- 1.1 For projects funded with American Rescue Plan Act of 2021 ("ARPA") funds, the parties to this Agreement shall abide by and fulfill all applicable ARPA requirements, including, but not limited to, ARPA-specific reporting requirements. For more information: <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments>.

2. Equal Opportunity

- 2.1 The Architect shall comply with Executive Order 11246 of September 24, 1965 entitled "Equal Opportunity," as amended by Executive Order 11375 of October 13, 1967 and as supplemented by in Department of Labor Regulations (41 CFR Part 60).

3. Copeland "Anti-Kickback" Act

- 3.1 The Architect shall comply with the provisions of the Copeland "Anti-kickback" Act (18 U.S.C. 874) as supplemented in Department of Labor Regulations (29 CFR Part 3).

4. Prevailing Wage Rates

- 4.1 The Architect shall incorporate the appropriate Texas Department of Labor, Bureau of Labor Standards Wage Determination in the Project Manual.

5. Contract Work Hours

- 5.1 The Architect shall comply with sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330) as supplemented by Department of Labor Regulations (29 CFR Part 5).

6. Environmental Protection

- 6.1 Clean Air Act. When assembling the bidding documents for implementation of the project, the Architect shall require compliance with all applicable standards, orders, or

requirements issued under Sections 114 and 306 of the Clean Air Act (42 U.S.C 18579(h)).

6.2 Clean Water Act. When assembling the bidding documents for implementation of the project, the Architect shall require compliance with all applicable standards, orders, or requirements issued under section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, Environmental Protection Agency regulations (40 CFR Part 15), and section 308 of the Federal Water Pollution Control Act (33U.S.C. 1318), that relate generally to inspection, monitoring, entry reports, and information, and with all regulations and guidelines issued thereunder.

6.3 Related Environmental Laws. When assembling the bidding documents for implementation of the project, the Architect shall require compliance with all applicable standards, orders, or requirements issued under the Resource Conservation and Recovery Act (RCRA); the Comprehensive Environmental Response, Compensation and Liabilities Act (CERCLA); the National Environmental Policy Act (NEPA); and any applicable Federal, Codes or Local environmental regulation.

7. **Energy Policy and Conservation Act**

7.1 When assembling the bidding documents for implementation of the project, the Architect shall require compliance with mandatory standards and policies relating to energy efficiency which are contained in the State energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub Law 94-163).

8. **Buy American Act**

8.1 When assembling the bidding documents for implementation of the project, the Architect shall require compliance with the Buy American Act (41 U.S.C. 10). The Buy American Act gives preference to domestic end products and domestic construction material. In addition, the Memorandum of Understanding between the United States of America and the European Economic Community (ECC) on Government Procurement, and the North American Free Trade Agreement (NAFTA), provide that ECC and NAFTA end products and construction materials are exempted from application of the Buy American Act.

9. **Nondiscrimination**

9.1 The Architect shall ensure that no person is denied benefits of, or otherwise be subjected to discrimination in connection with the Architect's performance under this agreement, on the grounds of race, religion, color, national origin, sex, and handicap. Accordingly, and to the extent applicable, the Architect covenants and agrees to comply with the following:

- .1 Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.), and DOD regulations 32 CFR Part 300) issued thereunder;
- .2 Executive Order 11246 and Department of Labor regulations issued thereunder (41 CFR Part 60);
- .3 Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and DOD

- regulations issued thereunder (32 CFR Part 56); and,
- .4 The Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.) and regulations issued thereunder (45 CFR Part 90).

10. **Lobbying**

- 10.1 The Architect will not expend any funds appropriated by Congress to pay any person for influencing or attempting to influence an officer or employee of any agency, or a Member of Congress in connection with any of the following covered federal actions; the awarding of any Federal contract; the making of any federal grant; the making of any federal loan; the entering into any cooperative agreement; and, the extension, continuation, renewal, amendment, or modification of any Federal contract, grant loan, or cooperative agreement.
- 10.2 The Interim Final Rule, New Restrictions on Lobbying, issued by the Office of Management and Budget to implement the provisions of section 319 of Public Law 101-121 (31 U.S.C., Art 1352) is incorporated by reference.

11. **Drug Free Workplace**

- 11.1 The Architect will comply with the provisions of the Drug-Free Workplace Act of 1988 (Public Law 100-690, title V, subtitle D; 41 U.S.C. 701 et seq.) and maintain a drug-free workplace.
- 11.2 The Final Rule, Government-wide Requirements for Drug-Free Workplace (Grants), issued by the Office of Management and Budget to implement the provisions of the Drug-Free Workplace Act of 1988 is incorporated by reference and the Architect covenants and agrees to comply with all the provisions thereof.

12. **Debarment and Suspension**

- 12.1 The Architect shall not make any award or permit any award (subgrant or contract) at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549, "Debarment and Suspension". For more information:
<https://www.govinfo.gov/content/pkg/CFR-2018-title2-vol1/xml/CFR-2018-title2-vol1-part180.xml>
- 12.2 The Final Rule, Government wide Debarment and Suspension (Non-procurement), issued by the Office of Management and Budget to implement the provisions of Executive Order 12549, "Debarment and Suspension" is incorporated by reference and the Architect covenants and agrees to comply with all the provisions thereof.

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OWNER
WEBB COUNTY

Tano T. Tijerina
Webb County Judge

ARCHITECT
REDLINE ARCHITECTURE L.L.C.

Telissa Leckenotte Molano, AIA, NCARB
LEED BD+C