

**AGREEMENT**  
**Transition of State Aid & LSBP Projects**  
**by and between**  
**Madison County Board of Supervisors,**  
**James L. Hust, III**  
**And**  
**John McKee**

This **AGREEMENT** is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between the Madison County Board of Supervisors (**BOARD**), James L. Hust, III, and John McKee.

**WHEREAS**, the **BOARD** designated John McKee, as Madison County State Aid and LSBP Engineer on November 20, 2017; and

**WHEREAS**, prior to November 20, 2017, James L. Hust, III, of H1 Services LLC, was Madison County State Aid and LSBP Engineer; and

**WHEREAS**, four State Aid projects and four LSBP projects were under various stages of completion by James L. Hust, III of H1 Services, LLC when John McKee, was designated as County State Aid and LSBP Engineer for Madison County on November 20, 2017; and

**WHEREAS**, the Madison County State Aid and LSBP Engineer of record is responsible for the completion of State Aid and LSBP projects to the satisfaction of the Mississippi State Aid Engineer and is required to authorize and approve all State Aid and LSBP work for Madison County; and

**WHEREAS**, the **BOARD** wants to complete the design and construction engineering services in the most practical, responsible, and economical method possible in order to reduce or eliminate duplicate services;

**NOW THEREFORE, IT IS HEREBY AGREED** by the **BOARD**, John McKee, Madison County State Aid and LSBP Engineer, and James L. Hust, III of H1 Services, LLC, that James L. Hust, III will complete engineering services and be compensated for the following projects through the designated phase.

**Inspection Services**

1. **FY 2018 Interim Bridge Inspection.** James L. Hust, III to complete interim bridge inspections through reviews, project close out documentation (certification of completion) and acceptance of the project by the Mississippi State Aid Engineer. The fee to James L. Hust, III will be based on a set fee for each interim bridge inspected, new bridges added and submitted to the Office of State Aid Road construction.

### **Preliminary Engineering Phase**

2. **Old Canton Road, Project No. SAP-45(14)M.** James L. Hust, III is to complete the final design plans, contract documents and award of the construction contract by the Mississippi State Aid Engineer. The fee to be paid to James L. Hust, III is 4.8% of the construction costs.

*Note: John McKee. to complete the construction engineering phase and be compensated 7.2% of construction costs for construction engineering services.*

3. **Ben Luckett Road, Project No. LSBP-45 (17).** James L. Hust, III is to complete the final design plans, contract documents and award of the construction contract by the Mississippi State Aid Engineer. The fee to be paid to James L. Hust, III is 4.8% of the construction costs.

*Note: John McKee to complete the construction engineering phase and be compensated 7.2% of construction costs for construction engineering services.*

4. **Purvis Road, Project No. LSBP-45 (19).** James L. Hust, III is to complete the final design plans, contract documents and award of the construction contract by the Mississippi State Aid Engineer. The fee to be paid to James L. Hust, III is 4.8% of the construction costs.

*Note: John McKee to complete the construction engineering phase and be compensated 7.2% of construction costs for construction engineering services.*

5. **Oaks Road, Project No. LSBP-45 (20).** James L. Hust, III is to complete the final design plans, contract documents and award of the construction contract by the Mississippi State Aid Engineer. The fee to be paid to James L. Hust, III is 4.8% of the construction costs.

*Note: John McKee to complete the construction engineering phase and be compensated 7.2% of construction costs for construction engineering services.*

### **Construction Engineering Phase**

6. **Dinkins Street, Project No. LSBP-45 (16).** James L. Hust, III is to complete the construction phase, record documents, final estimate, contract close out, and acceptance of the project by the Mississippi State Aid Engineer. The fee to be paid to James L. Hust, III is 7.2% of the construction costs.

7. **Virilia Road, Project No. SAP 45 (13)M.** James L. Hust, III is to complete the construction phase, record documents, final estimate, contract close out, and acceptance of the project by the Mississippi State Aid Engineer. The fee to be paid to James L. Hust, III is 12.0% of the construction costs.

8. **North Old Canton Road, Project No. SAP 45 (15)M.** James L. Hust, III is to complete the construction phase, record documents, final estimate, contract close out, and

acceptance of the project by the Mississippi State Aid Engineer. The fee to be paid to James L. Hust, III is 12.0% of the construction costs.

**NOW, THEREFORE, IT IS FURTHER AGREED** that James L. Hust, III of H1 Services, LLC will deliver and authorize over to John McKee any plans, specifications, design files, electronic files, AutoCad or other graphic format files, contract documents, etc. for the projects listed above through the designated completion phase. To the fullest extent permitted by law, the BOARD will release John McKee from liability with regard to said projects through the noted completion phase for any problems which are not related to the services performed by or under the supervision of John McKee.

**AND, NOW, THEREFORE, IT IS FURTHER AGREED** that to the fullest extent permitted by law, James L. Hust, III of H1 Services, LLC is released from liability by the BOARD for the construction phase of the **Old Canton Road, Project No. SAP-45(14)M; Ben Lockett Road, Project No. LSBP-45 (17); Purvis Road, Project No. LSBP-45 (19); and Oaks Road, Project No. LSBP-45 (20).**

Witness our signatures this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**BOARD OF SUPERVISORS, MADISON COUNTY**

BY: \_\_\_\_\_  
David Bishop, President  
(As authorized by the attached copy of Order of the Board  
Dated \_\_\_\_\_)

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
John McKee, P.E.  
Stantec  
Madison County State Aid Engineer

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
James L. Hust, III, P.E.  
H1 Services, LLC

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
Carey Webb, P.E.  
State Aid Engineer