

# AMENDMENT NO. 1.3 TO ConsensusDocs® 500

## STANDARD AGREEMENT AND GENERAL CONDITIONS BETWEEN OWNER AND CONSTRUCTION MANAGER

(Where the Basis of Payment is a Guaranteed Maximum Price with an Option for Preconstruction Services)

Dated **December 22<sup>nd</sup>, 2023**.

Pursuant to Section 3.4 of the Agreement dated **April 12<sup>th</sup>, 2022** between the Owner, **City of Aurora** and the Construction Manager, **R. C. Wegman Construction Company** for **Public Works Combined Maintenance Facility** (the Project), the Owner and the Construction Manager desire to establish a Guaranteed Maximum Price ("GMP") for the Work. Therefore, the Owner and the Construction Manager agree as follows:

### ARTICLE 1.3 GUARANTEED MAXIMUM PRICE

The Construction Manager's GMP for the Work, including the Cost of the Work as defined in Article 8, NOT including the Construction Manager's Fees as set forth in Section 7.3, is **Three Million, Six Hundred Seventeen Thousand, Five Hundred Seventy Eight Dollars (\$3,617,578.00)**.

The GMP is for the performance of the Work in accordance with the exhibits listed below, which are part of this Agreement.

**EXHIBIT A: Drawings, Specifications and Addenda, dated December 22, 2023, 1 page.**

**EXHIBIT B: Allowance Items, dated December 22, 2023, 1 page.**

**EXHIBIT C: Assumptions and Clarifications, dated December 22, 2023, 1 page.**

**EXHIBIT D: Schedule of Values, dated December 22, 2023, 1 page.**

**EXHIBIT E: Alternates and Voluntary Alternates, dated December 22, 2023, 2 pages.**

**EXHIBIT F: Unit Price, dated December 22, 2023, 1 page.**

### ARTICLE 2.3 DATE OF SUBSTANTIAL COMPLETION

The Date of Substantial Completion of the Work is **February 2025**.

### ARTICLE 3.2 DATE OF FINAL COMPLETION

The Date of Final Completion of the Work is: **March 1, 2025** or within [ ] ([ ]) Days after the Date of Substantial Completion, subject to adjustments as provided for in the Contract Documents.

This Amendment is entered into as of **December 22, 2023**.



OWNER: **CITY OF AURORA**

BY: \_\_\_\_\_

PRINT NAME \_\_\_\_\_ PRINT TITLE \_\_\_\_\_

WITNESS: \_\_\_\_\_

PRINT NAME \_\_\_\_\_ PRINT TITLE \_\_\_\_\_

CONSTRUCTION MANAGER: **R. C. WEGMAN CONSTRUCTION MANAGER**

BY: \_\_\_\_\_

**Colette Rozanski, President**

WITNESS: \_\_\_\_\_

**Lisa Garcia, Office Manager**

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**EXHIBIT A - Drawings, Specifications and Addenda**  
**12/22/2023**

	<b>Description</b>	<b># of Pages</b>
Drawings:	CITY OF AURORA PUBLIC WORKS FACILITY prepared by Kluber Architects, dated 10/31/2023 "BP3 Bid Documents"	223
Specifications:	PROJECT MANUAL, VOLUME 1 prepared by R.C. Wegman Construction, dated 11/20/2023	159
	PROJECT MANUAL, VOLUME 2 prepared by Kluber Architects, dated 10/31/2023	1044
Addenda:	Addendum #1, dated 12/08/2023	5
	Addendum #2, dated 12/12/2023	1
RFP:	AIA Document G709 - 2018, Proposal Request 001, prepared by Kluber Architects, dated 11/28/2023	2

**EXHIBIT B - Allowance Items**  
**12/22/2023**

Allowance: RFP-01 - 2nd Floor Buildout		
06A	Rough Carpentry (Heintz Construction)	\$93,151
07	Roofing Skylights (Olsson Roofing)	\$15,060
08B	Aluminum Framing and Glazing (Mark Industries)	\$13,490
09E	Painting (Midwest Decorating)	\$26,725
15A	Fire Protection (Nelson Fire Protection)	\$6,840
15B	Plumbing (Cryer & Olsen)	\$5,700
15C	HVAC (JB Contracting)	\$190,616
16	Electrical and Low-Voltage (AWF)	\$147,262
		<b>\$498,844</b>

Allowance: RFP-01 - All other Design Changes		
04	Masonry (Cyberdyne) \$7,199	\$7,199
06A	Rough Carpentry (Heintz Construction) \$27,494	\$27,494
09E	Painting (Midwest Decorating) \$5,800	\$5,800
15A	Fire Protection (Nelson Fire Protection) \$1,000	\$1,000
15B	Plumbing (Cryer & Olsen) \$49,348	\$49,348
15C	HVAC (JB Contracting) \$24,323	\$24,323
16	Electrical and Low-Voltage (AWF) \$83,130	\$83,130
		<b>\$198,294</b>

Allowance: Trench Drains		
03A	Concrete (Builder's Concrete)	\$155,450
15B	Plumbing (Cryer & Olsen)	\$95,850
		<b>\$251,300</b>

Allowance: Change in Hose Valves Per Fire Suppression Review Comments		
15A	Fire Protection (Nelson Fire Protection)	\$41,187
		<b>\$41,187</b>

Allowance: Vehicle Exhaust Connections		
15C	HVAC (JB Contracting)	\$15,000
		<b>\$15,000</b>

Allowance: Additional Overhead Door Lites		
08A	Overhead Doors (House of Doors)	\$20,000
		<b>\$20,000</b>

Allowance: Fuel Station Above Ground Power Infrastructure		
16	Electrical (AWF)	\$15,000
		<b>\$15,000</b>

Allowance: 5% Construction Contingency		<b>\$172,266</b>
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(100% of unused Allowance Funds are returned to City of Aurora at the conclusion of the project.)

## EXHIBIT C - Assumptions and Clarifications

12/22/2023

<b>Bid Letting Schedule</b>	<p>GMP Amendment No. 1 dated 10.27.2022 covers Bid Packet 1 (BP1): 03B-Precast, 05-Structural Steel, and Project Allowances in the amount of \$8,274,777.</p> <p>GMP Amendment No. 1.2 dated 03.20.2023 covers Bid Packet 2 (BP2): 03A-Concrete, 04-Masonry, 06A-Rough Carpentry, 07-Roofing and Sheet Metal, 08A-Overhead Doors, 08B-Aluminum Framing and Glazing, 09E-Painting, 11A-Lubrication and Vehicle Lift Systems, 11B-Touchless Wash System, 14A-Elevator, <del>14B-Cranes</del>, 15A-Fire Protection, 15B-Plumbing, 15C-HVAC, 16-Electrical and Low-Voltage, and Brine Building Precast Allowance and Canopy Allowance in the amount of \$17,714,867.</p> <p>This GMP Amendment No 1.3 dated 12.22.2023 covers Bid Packet 3 (BP3): 06B-General Trades, 06C-Architectural Millwork, 09A-Gypsum Board Systems, 09B-ACT, 09C-General Flooring and Tile, 09D-Specialty Flooring, 14B-Cranes, and (7) Allowances for work required by already contracted subcontractors for 1) Kluber's RFP-01 for 2nd Floor Buildout, 2) Kluber's RFP-01 for remaining changes outside of the 2nd floor office buildout, 3) changes to trench drains, 4) change in hose valves required per the fire suppression review comments, 5) change in vehicle exhaust connections, 6) additional lites at overhead doors, 7) fuel station above ground power infrastructure.</p> <p>A future Shelving Bid Package should be the last remaining item that needs to be publicly bid.</p>
<b>Permit Review</b>	Extensive comments from the City of Aurora which result in significant added scope of work and costs, may require an additive change order to the GMP.

**EXHIBIT D - SCHEDULE OF VALUES**  
**12/22/2023**

<b>BID PACKAGES</b>		<b>AWARDED CONTRACTOR</b>	<b>BASE BID</b>	<b>ALTERNATE #1 2ND FLOOR BUILDOUT</b>	<b>ALTERNATE #2 MOVABLE WALL</b>	<b>ALTERNATE #4 ADDITIONAL CRANE</b>	<b>VOLUNTARY ALTERNATES INCLUDED</b>	<b>TOTAL SUBCONTRACT AMOUNT</b>
BP3-06B	General Trades	LJ Morse	\$519,800	\$10,100	\$56,980			\$586,880
BP3-06C	Architectural Woodwork	CS Architectural Woodworking	\$196,000	INCL W/ BASE BID				\$196,000
BP3-09A	Gypsum Board Systems	Heintz Construction	\$429,900	\$122,900				\$552,800
BP3-09B	ACT	Just Rite Acoustics	\$146,400	\$37,900				\$184,300
BP3-09C	General Flooring	TBD	\$293,500	\$41,500				\$335,000
BP3-09D	Specialty Flooring	Artlow Systems	\$248,791	\$236				\$249,027
BP3-14B	Cranes	Sievert Hoist and Crane	\$209,860			\$98,820	-\$7,000	\$301,680
	Allowance: RFP-01 - 2nd Floor Buildout		\$498,844					\$498,844
	Allowance: RFP-01 - All other Design Changes		\$198,294					\$198,294
	Allowance: Trench Drains		\$251,300					\$251,300
	Allowance: Hose Valves per Fire Suppression Review Comments		\$41,187					\$41,187
	Allowance: Vehicle Exhaust Connections		\$15,000					\$15,000
	Allowance: Additional Overhead Door Lites		\$20,000					\$20,000
	Allowance: Fuel Station Above Ground Power Infrastructure		\$15,000					\$15,000
	<b>TOTAL ABOVE THE LINE (TOTAL OF BID PACKAGES)</b>							<b>\$3,445,312</b>
	Contingency 5%							\$172,266
	<b>BASE BID + ALT #1 + ALT #2 + ALT #4 + VOLUNTARY ALTERNATES (BP3 GMP)</b>							<b>\$3,617,578</b>

**EXHIBIT E - Bid Form Alternates and Voluntary Alternates**  
**12/22/2023**

**BID FORM ALTERNATES**

<b>ALTERNATE #1 - 2nd Floor Offices Build-Out Area</b>		
06B	General Trades (LJ Morse)	\$10,100
06C	Architectural Woodwork (CS Architectural Woodworking) <b>*ALT 1 IS INCLUDED IN THEIR BASE BID*</b>	INCL
09A	Gypsum Board Systems (Heintz Construction)	\$122,900
09B	ACT (Just Rite Acoustics)	\$37,900
09C	General Flooring (TBD)	\$41,500
09D	Specialty Flooring (Artlow Systems)	\$236
<b>PRICING FROM TRADES ALREADY CONTRACTED</b>		
06A	Rough Carpentry (Heintz Construction)	\$93,151
07	Roofing Skylights (Olsson Roofing)	\$15,060
08B	Aluminum Framing and Glazing (Mark Industries)	\$13,490
09E	Painting (Midwest Decorating)	\$26,725
15A	Fire Protection (Nelson Fire Protection)	\$6,840
15B	Plumbing (Cryer & Olsen)	\$5,700
15C	HVAC (JB Contracting)	\$190,616
16	Electrical and Low-Voltage (AWF)	\$147,262
<b>CONSTRUCTION COST SUBTOTAL</b>		<b>\$711,480</b>
Construction Manager Fee 2.45%		\$17,431
General Conditions Fee 2.6%		\$18,498
Insurance Fee 1%		\$7,115
Bond Fee 0.7%		\$4,980
Contingency 5%		\$35,574
<b>ALTERNATE #1 TOTAL ADD TO GMP</b>		<b>\$795,079</b>

**ALTERNATE IS ACCEPTED**

<b>ALTERNATE #2 - Add Movable Wall</b>		
06B	General Trades (LJ Morse)	\$56,980
<b>CONSTRUCTION COST SUBTOTAL</b>		<b>\$56,980</b>
Construction Manager Fee 2.45%		\$1,396
General Conditions Fee 2.6%		\$1,481
Insurance Fee 1%		\$570
Bond Fee 0.7%		\$399
Contingency 5%		\$2,849
<b>ALTERNATE #2 TOTAL ADD TO GMP</b>		<b>\$63,675</b>

**ALTERNATE IS ACCEPTED**

<b>ALTERNATE #3 - Add Shelving</b>		
06B	General Trades (LJ Morse)	NO BID
<b>CONSTRUCTION COST SUBTOTAL</b>		<b>\$0</b>
Construction Manager Fee 2.45%		\$0
General Conditions Fee 2.6%		\$0
Insurance Fee 1%		\$0
Bond Fee 0.7%		\$0
Contingency 5%		\$0
<b>ALTERNATE #3 TOTAL ADD TO GMP</b>		<b>\$0</b>

**ACCEPTED IS NOT ACCEPTED**

	<b>ALTERNATE #4 - Add Crane</b>	
14B	Cranes (Sievert Crane & Hoist)	\$98,820
16	Electrical and Low-Voltage (AWF**)	\$3,500
	<b>CONSTRUCTION COST SUBTOTAL</b>	<b>\$102,320</b>
	Construction Manager Fee 2.45%	\$2,507
	General Conditions Fee 2.6%	\$2,660
	Insurance Fee 1%	\$1,023
	Bond Fee 0.7%	\$716
	Contingency 5%	\$5,116
	<b>ALTERNATE #4 TOTAL ADD TO GMP</b>	<b>\$114,343</b>

**ALTERNATE IS ACCEPTED**

\*\*A \$3,500 change order will be issued to AWF. They provided a price to add the additional crane to scope on their Bid Form for BP2.

**VOLUNTARY ALTERNATES:**

BP3-14B	Sievert Crane and Hoist: Install 40LB rail in lieu of 60LB rail for the 43' span crane:	<b>-\$7,000</b>
	<b>CONSTRUCTION COST SUBTOTAL</b>	<b>-\$7,000</b>
	Construction Manager Fee 2.45%	-\$172
	General Conditions Fee 2.6%	-\$182
	Insurance Fee 1%	-\$70
	Bond Fee 0.7%	-\$49
	Contingency 5%	-\$350
	<b>TOTAL VOLUNTARY ALTERNATE SAVINGS</b>	<b>-\$7,823</b>

**VOLUNTARY ALTERNATE IS ACCEPTED**



**EXHIBIT F - Unit Prices**  
**12/22/2023**

None