

NORTH CAROLINA  
WAKE COUNTY

CONTRACT AMENDMENT #1

THIS CONTRACT AMENDMENT, dated December \_\_\_\_\_, 2019, is entered into by and between the Town of Apex, a North Carolina municipal corporation, (hereinafter referred to as the “Town”) and Barnhill Contracting Company (hereinafter referred to as the “Construction Manager at Risk” or “CMAR”). Town and CMAR may be collectively referred to as “Parties” hereinafter.

WHEREAS, the Town and the CMAR entered into a Construction Manager at Risk Pre-Construction and Construction Services Contract on or about November 7, 2019 (hereinafter the “Contract”) for the CMAR to provide construction management services for the construction of the Town of Apex Community Center Expansion and Senior Center (hereinafter “Project”) to be located at 83 Hunter St., Apex, NC 27502; and

WHEREAS, the Parties desire to amend the Contract to establish the Guaranteed Maximum Price (hereinafter “GMP”) as provided for in the Contract and to reduce the terms of this amendment to writing; and

NOW THEREFORE, for and in consideration of the mutual promises and covenants as hereinafter set forth, the Parties hereto do mutually agree to amend the Contract as follows:

1. The Contract is hereby amended to establish the GMP in accordance with the terms of the Contract. The GMP for the Town of Apex Community Center Expansion and Senior Center is \$13,527,129.00.
2. The GMP includes the entire scope of work for the Project as described in the Contract, in the attached Exhibit A, and in the Drawings and Specifications identified in the Contract Document Log (attached as Exhibit B). The GMP includes general conditions, cost of the work with accepted alternates, contingencies, bonds & insurances, value engineering, and fees & allowances as further detailed in the attached Exhibit A. Exhibits A and B are incorporated into this Amendment as if fully set forth herein.
3. The Contract Amount as amended is as follows:

Original Pre-Construction Amount:	\$117,817.00
Contract Amendment #1 GMP:	\$13,527,129.00
<b>PROJECT TOTAL:</b>	<b>\$13,644,946.00</b>

Except as specifically modified by this Contract Amendment #1, all other terms, conditions and other provisions of the Contract remain in full force and effect.

IN WITNESS WHEREOF, the contracting parties, by their authorized agents, affix their signatures and seals this \_\_\_\_ day of December, 2019.

**Construction Manager at Risk**

**Town of Apex**

Name: \_\_\_\_\_  
Barnhill Contracting Company

\_\_\_\_\_  
Andrew L. Havens, Town Manager

By: \_\_\_\_\_  
(Signature)

Attest:

Printed Name/Title: \_\_\_\_\_

\_\_\_\_\_  
Donna Hosch, Town Clerk

Attest:

\_\_\_\_\_  
(Secretary, if a corporation)

*This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.*

\_\_\_\_\_  
Printed Name/Title

\_\_\_\_\_  
Vance Holloman, Finance Director