



## BOARD OF COMMISSIONERS

# AGENDA REQUEST & STAFF REPORT

**MEETING DATE:** September 13, 2023

**SUBJECT:** Pence Early Work Contract Amendment for the Deschutes County Courthouse Expansion Project

**RECOMMENDED MOTION:**

Move approval of Document No. 2023-839 Pence Contractors Early Work Amendment.

**BACKGROUND AND POLICY IMPLICATIONS:**

Pence Contractors was contracted by Deschutes County in May of 2022 to perform Construction Manager/General Contractor services for the Deschutes County Courthouse Expansion project. Pence's original contract was for pre-construction services which include but are not limited to: cost estimates, constructability reviews, project schedule development and analysis, site investigations, logistics planning, and development of the Guaranteed Maximum Price (GMP).

This Early Work Amendment is to authorize construction services prior to establishing the GMP. The scope of early work includes but is not limited to: early procurement of electrical and mechanical equipment, courtroom mock-up, site logistics, site utilities, demolition, earthwork, and providing a temporary construction entrance and egress. A competitive bidding process will be conducted by Pence for early procurement items and work performed by subcontractors.

The cost of this Early Work Amendment is included in the budgeted construction costs and does not increase the project budget. The early work price is a portion of the total GMP, and once the GMP is established, a subsequent amendment will adjust the total cost accordingly. Near the conclusion of the design process as specified in the contract, the County and Pence Contractors will negotiate a GMP based on the completed design and the results of a competitive subcontractor bidding process. That additional cost will be added to the contract by means of a GMP addendum. This portion of the project is budgeted in Fund 463 for FY2024.

**BUDGET IMPACTS:**

The CM/GC contract with Pence will be increased by \$4,513,562.00 for a total contract amount of \$4,575,602. The cost of this Early Work Amendment is included in the budgeted construction costs and does not increase the project budget.

**ATTENDANCE:** Lee Randall, Facilities Director  
Eric Nielsen, Capital Improvement Manager