

**AMENDMENT NO. 2 TO
CONSTRUCTION MANAGER AT RISK AGREEMENT
BETWEEN
THE CITY OF NORMAN, NORMAN MUNICIPAL AUTHORITY AND
CROSSLAND CONSTRUCTION COMPANY, INC.**

THIS AMENDMENT NO. 2 TO CONSTRUCTION MANAGER AT RISK AGREEMENT (this "Second Amendment") is made as of October 26, 2021, between the Norman Municipal Authority, a public trust having as its sole beneficiary, the City of Norman, Oklahoma ("NMA"), the City of Norman, Oklahoma, ("CON") a municipality and CROSSLAND CONSTRUCTION COMPANY, INC., an Oklahoma corporation (the "Construction Manager").

RECITALS:

A. NMA, CON and Construction Manager entered into that certain Construction Manager at Risk Agreement (Contract No. K-1920-133), dated March 24, 2020 (the "Agreement"), for design phase review and complete construction services related to the Municipal Complex Renovation Project, located at 201 West Gray Street, Norman, Oklahoma (the "Municipal Complex"). Agreement No. 1 was for the Development Center portion of the project. Amendment No. 2 is for Building 201 (City Hall). Unless otherwise set forth herein, all capitalized terms used in this Second Amendment shall have the meanings ascribed to them in the Agreement.

B. Pursuant to Section 2.2 of the Agreement, (i) once the drawings and specifications are complete, and after the award of subcontracts to subcontractors, the Construction Manager shall propose a guaranteed maximum price ("GMP"), which shall be the sum of all subcontracts, lump sum self-perform amounts, including allowances and contingencies, and the Construction Manager's fee.

C. The Construction Manager has submitted the GMP Proposal based on the bids received.

AGREEMENT:

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by reference, other such good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and the promises and covenants set forth below, NMA, CON and the Construction Manager hereby agree as follows:

1. GMP Established. The Construction Manager's guaranteed maximum price for the Work inclusive of all subcontracts, lump sum self-perform amounts, including allowances and contingencies and the Construction Manager's fee, is hereby agreed to be \$667,562. The GMP is the total compensation from the City to the Construction Manager for its fee for the performance of the work in accordance with Contract Documents and pursuant to any of the following documents, as applicable:

A. Basis for GMP. A written statement of its basis for the GMP proposal is attached hereto 1 and incorporated herein by reference.

B. Documents. A list of the Drawings and Specifications, including all addenda that were used in preparation of the GMP Proposal, is attached hereto and incorporated herein by reference.

C. Allowances. A list of allowances related to the Work and a statement of their basis is attached hereto and incorporated herein by reference.

D. Assumptions. A list of the assumptions and clarifications made by the Construction Manager in the preparation of the GMP Proposal to supplement the information contained in the Drawings and Specifications is attached hereto and incorporated herein by reference.

E. Proposed GMP. The proposed GMP, including a statement of the estimated cost organized by trade categories, allowances, contingency, General Conditions, and other items and the Fee that comprise the GMP is attached hereto and incorporated herein by reference.

F. Substantial Completion. The Substantial Completion date upon which the GMP Proposal is based and a schedule of the Construction Documents issuance dates upon which the date of Substantial Completion is based is attached hereto and incorporated herein by reference.

I. Acceptance Period. The time limit for acceptance of the GMP Proposal is attached hereto.

2. Effect of Amendment. In all other respects, the Agreement is affirmed and ratified and, except as expressly modified herein, all terms and conditions of the Agreement shall remain in full force and effect.

3. Non-Default. By executing this Second Amendment, the Construction Manager affirmatively asserts that (i) NMA or CON are not currently in default, nor have been in default at any time prior to this Second Amendment, under any of the terms or conditions of this Agreement and (ii) any and all claims, known and unknown, relating to the Agreement and existing on or before the date of this Second Amendment are forever waived.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the Parties have executed this FIRST AMENDMENT in multiple copies on the respective dates herein below reflected to be effective on the date executed by the Chairperson of the Norman Municipal Authority.

**CONSTRUCTION MANAGER
(CROSSLAND CONSTRUCTION COMPANY, INC.)**

By: *Aaron Stoops*
Name: AARON STOOPS
Title: VP-OKC
Date: 10/20/21

ATTEST:

By: *Ronald Smith*

Subscribed and Sworn to me this 20 day of Oct., 2021.

Commission Number: 21009738
Expiration Date: 09/18/25



NORMAN MUNICIPAL AUTHORITY

Reviewed and approved for form and legality on the _____ day of _____, 2021.

General Counsel

Approved by the Norman Municipal Authority on _____ day of _____, 2021

By: _____
Name: Breea Clark
Title: Chairperson
Date: _____

ATTEST:

Brenda Hall, Secretary

CITY OF NORMAN

Reviewed and approved for form and legality on the ____ day of _____,
2021.

City Attorney

Approved by the City Council of the City of Norman on ____ day of _____,
2021.

By: _____

Name: Breea Clark

Title: Mayor

Date: _____

ATTEST:

Brenda Hall, City Clerk

October 18th, 2021

Brenda Hall
City Clerk
City of Norman

408 NE 145th Place
Oklahoma City, OK 73013
tel 405.748.5043
fax 405.748.7214

RE: City of Norman Municipal Complex Renovation – City Hall Renovation
Recommendation Award Letter Bid Package #01 - Letter #1

Dear Mrs. Hall,

For the above referenced project, we are proposing a guaranteed maximum price (GMP) of six hundred sixty seven thousand five hundred and sixty-two dollars (**\$667,562**).

Bids for the City of Norman City Hall Renovation – Bid Package #1, were received and publicly read aloud in the city council chambers at 201 W Gray St. Norman, OK on October 14th, 2021 at 2:00 PM CST. The bidding process was conducted in accordance with the Oklahoma Public Competitive Bidding Act, 61 O.S. 1974, §101

Crossland Construction Company has reviewed the bids for qualifications, completeness, responsiveness, cost, & best value to the owner. For additional information, see breakout pages & summaries below.

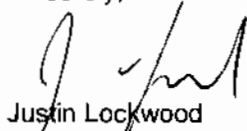
<u>Subcontractor / Supplier</u>	<u>Total</u>
GMP 1 (BP1):	
Howard Construction (2A Demolition)	\$9,210
<ul style="list-style-type: none">Crossland Construction is recommending responsive low bidder, Howard Construction, for this trade contract. Scope includes full demolition as detailed in Bid Package#01 documents.	
Wood Systems (6A Millwork)	\$61,365
<ul style="list-style-type: none">Crossland Construction is recommending responsive low bidder, Wood Systems, for this trade contract. Scope to include all millwork, countertops and misc. wood trims throughout.	
Piper Weatherford (8A Door Assemblies – Supply)	\$17,255
<ul style="list-style-type: none">Crossland Construction is recommending responsive low bidder, Piper Weatherford, for this trade contract. Scope includes the supply of all doors, frames, & hardware.	
Felix Thomson (8B Door Assemblies – Install)	\$5,000
<ul style="list-style-type: none">Crossland Construction is recommending responsive low bidder, Felix Thomson, for this trade contract. Scope includes the installation of all interior doors & hardware.	
Binswanger Glass (8C Storefront & Glazing)	\$13,500
<ul style="list-style-type: none">Crossland Construction is recommending responsive low bidder, Binswanger Glass, for this trade contract. Scope includes all aluminum, storefront, bullet resistant glass & glazing.	

- Wiljo Interiors (9A Gypsum Assemblies) \$43,690**
- Crossland Construction is recommending responsive low bidder, Wiljo Interiors, for this trade contract. Scope includes all interior framing, sheetrock, & ceilings systems.
- Bryans Flooring (9B Flooring & Wall Tile) \$70,765**
- Crossland Construction is recommending responsive low bidder, Bryans Flooring, for this trade contract. Scope includes all interior flooring & wall tile.
- Cherokee Painting (9C Painting) \$46,247**
- Crossland Construction is recommending responsive low bidder, Cherokee Painting, for this trade contract. Scope includes all interior tape & bed work & painting.
- Felix Thomson (10A Specialties) \$6,846**
- Crossland Construction is recommending responsive low bidder, Felix Thomson, for this trade contract. Scope includes all specialties per schedule. This also includes relocation of the existing bike maintenance station.
- Frazier Fire (21A Fire Suppression) \$17,483**
- Crossland Construction is recommending responsive low bidder, Frazier Fire, for this trade contract. Scope includes all fire suppression work included in the bid package #01 documents
- Waggoners Mechanical (22A Plumbing) \$23,500**
- Crossland Construction is recommending responsive low bidder, Waggoners Mechanical, for this trade contract. Scope includes all interior & site plumbing.
- MBI Industrial (23A HVAC) \$12,274**
- Crossland Construction is recommending responsive low bidder, MBI Industrial, for this trade contract. Scope includes all HVAC work.
- Lewis Electric (26A Electrical) \$74,800**
- Crossland Construction is recommending responsive low bidder, Lewis Electric, for this trade contract. Scope includes all Electrical & Low Voltage, audio visual, access control, fire alarm, and security work. Wade Electric did not include low voltage work in bid as required by the bidding documents.

<u>Allowances:</u>	<u>Total</u>
CMU & Tile Patching <ul style="list-style-type: none"> • Allowance to remove and replace CMU and tile to lower carriers per contract drawings. 	\$8,500
Misc. Patching and Repair <ul style="list-style-type: none"> • Allowance to patch any areas required during the renovation not reflected in the contract drawings. 	\$2,500
Misc. Metal & Handrails <ul style="list-style-type: none"> • Allowance to provide the handrails and the aluminum door rail extensions. 	\$6,500
Removal and Resetting of Fixed Seating <ul style="list-style-type: none"> • Allowance to remove and reset fixed seating in council chambers for re-carpeting floors. 	\$2,500
Temp Protection and Temp Walls <ul style="list-style-type: none"> • Allowance for temp walls and protection as required to separate construction areas from occupied owner spaces. 	\$3,500

Please contact me should you have any questions.

Sincerely,



Justin Lockwood
 Director of Preconstruction
 Crossland Construction Company

Enc: Bid Tab & Cost Summary, Allowances, Divisional Bid Tabs, General Conditions Matrix, & Project Requirements

Project Name: City of Norman - City Hall Renovation
Bid Package #: 1

		Bid Package #: 1	Subcontractor
Date:	10/20/2021		
BP#	Description	Bid Price	Subcontractor
2A	Demolition	9,210	Howard
6A	Architectural Millwork	61,365	Wood Sys
8A	Door Assemblies – Supply	17,255	Piper W
8B	Door Assemblies – Install	5,000	Felix
8C	Glass & Glazing	13,500	Binswager
9A	Gypsum Assemblies & Ceiling Sys	43,690	Wiljo
9B	Flooring & Wall Tile	70,765	Bryan's
9C	Painting & Wall Coverings	46,247	Cherokee
10A	Specialties	6,846	Felix
21A	Fire Suppression	17,483	Frazier
22A	Plumbing	23,500	Waggoner
23A	HVAC	12,274	MBI
26A	Electrical	74,800	Lewis
	Allowances	23,500	
	Subtotal Direct Costs	425,435	
	Construction Contingency	21,272	
	General Conditions	130,050	
	Project Requirements	65,040	
	Insurance	3,191	
	Construction Phase Fee	22,575	
	Construction Total	667,562	



Trade Contract Identification
2A Demolition

Trade Contractor - Bid Summary

Contractor:	Howard	Midwest	Native	Crossland					
Base Bid:	\$ 9,210.00	\$ 33,210.00	\$ 37,180.00	\$ 25,000.00					
Alt 1									
Alt 2									
Alt 3									
Alt 4									
Alt 5									
Alt 6									
Alt 7									
Alt B									
Alt 9									
Alt 10									
Alt 11									
Alt 12									
Total Alt:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Crossland Construction Recommendation

	Recommended Trade Contractor	Price
BASE BID:	Howard	\$ 9,210.00
TOTAL ALT:		\$ -

Trade Contract Identification
6A Millwork

Trade Contractor - Bid Summary

Contractor:	Wood Sys								
Base Bid:	\$ 61,365.00								
Alt 1									
Alt 2									
Alt 3									
Alt 4									
Alt 5									
Alt 6									
Alt 7									
Alt B									
Alt 9									
Alt 10									
Alt 11									
Alt 12									
Total Alt:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Crossland Construction Recommendation

	Recommended Trade Contractor	Price
BASE BID:	Wood Sys	\$ 61,365.00
TOTAL ALT:		\$ -

Trade Contract Identification
8A Door Assemblies-Supply

Trade Contractor - Bid Summary

Contractor:	Felix	Piper W	CBS						
Base Bid:	\$ 38,601.00	\$ 17,255.00	\$ 37,900.00						
Alt 1									
Alt 2									
Alt 3									
Alt 4									
Alt 5									
Alt 6									
Alt 7									
Alt B									
Alt 9									
Alt 10									
Alt 11									
Alt 12									
Total Alt:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Crossland Construction Recommendation

	Recommended Trade Contractor	Price
BASE BID:	Piper W	\$ 17,255.00
TOTAL ALT:		\$ -

Trade Contract Identification
8B Door Assemblies-Install

Crossland Construction Recommendation

Recommended Trade Contractor		Price	
BASE BID:	Frazier	\$	17,483.00
TOTAL ALT:		\$	-

Trade Contract Identification
22A Plumbing

Trade Contractor - Bid Summary

Contractor:	Waggoner	Harrison Orr	Hames	Orr Cut	Butler				
Base Bid:	\$ 23,500.00	\$ 27,500.00	\$ 24,970.00	\$ 49,000.00	\$ 49,900.00				
Alt 1									
Alt 2									
Alt 3									
Alt 4									
Alt 5									
Alt 6									
Alt 7									
Alt 8									
Alt 9									
Alt 10									
Alt 11									
Alt 12									
Total Alt:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Crossland Construction Recommendation

Recommended Trade Contractor		Price	
BASE BID:	Waggoner	\$	23,500.00
TOTAL ALT:		\$	-

Trade Contract Identification
23A HVAC

Trade Contractor - Bid Summary

Contractor:	Waggoner	Harrison Orr	MBI						
Base Bid:	\$ 17,800.00	\$ 17,300.00	\$ 12,274.00						
Alt 1									
Alt 2									
Alt 3									
Alt 4									
Alt 5									
Alt 6									
Alt 7									
Alt 8									
Alt 9									
Alt 10									
Alt 11									
Alt 12									
Total Alt:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Crossland Construction Recommendation

Recommended Trade Contractor		Price	
BASE BID:	MBI	\$	12,274.00
TOTAL ALT:		\$	-

Trade Contract Identification
26A Electrical

Trade Contractor - Bid Summary

Contractor:	Lewis	Baker Bros	Prime	Messer					Wade
Base Bid:	\$ 74,800.00	\$ 155,664.00	\$ 95,239.00	\$ 87,039.00					68,800
Alt 1									
Alt 2									
Alt 3									
Alt 4									
Alt 5									
Alt 6									
Alt 7									
Alt 8									
Alt 9									
Alt 10									
Alt 11									
Alt 12									
Total Alt:	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Crossland Construction Recommendation

Recommended Trade Contractor		Price	
BASE BID:	Lewis	\$	74,800.00
TOTAL ALT:	N/A	\$	-

Project Requirements



CON - City Hall

Construction Services		Notes for Clarity
2	Office Supplies	\$ 350.00 \$250 per mo
4	Superintendent / PM Vehicles	\$ 9,000.00 2 vehicles @ \$1000/mo
5	Fuel Expense	\$ 2,700.00 \$450 per month
6	Jobsite Radios & Phones	\$ 2,700.00
8	Computers, Usage, Software & Maintenance	\$ 600.00 \$100/mo
9	Reproduction Expenses	\$ 1,500.00
10	Field Office Telephone & Internet	\$ 1,720.00 \$1000 setup, \$120/mo
14	Punchlist/Misc	\$ 2,000.00 1 carpenter - 2 weeks @ \$35/hour
17	Record Drawings / Closeout Manuals	\$ 750.00
24	Temporary Toilets Includes Luxury Toilets	\$ 14,320.00 8 each at \$180 per month
26	Dumpsters	\$ 4,200.00 4 per month at \$350/mo
27	Safety	\$ 750.00
28	Cleanup	\$ 16,800.00 80 hours per month at \$30 per hour
29	Final Cleanup	\$ 4,000.00
34	Testing Laboratory Services - Asbestos Only	\$ 2,650.00 All others by Owner
35	Building Permit	\$ 1,000.00
TOTAL CONSTRUCTION PROJECT REQUIREMENTS		\$ 65,040.00