

**AMENDMENT NO. 3 TO
CONSTRUCTION MANAGER AT RISK AGREEMENT
BETWEEN
THE NORMAN MUNICIPAL AUTHORITY AND FLINTCO, LLC.**

THIS AMENDMENT NO. 3 TO CONSTRUCTION MANAGER AT RISK AGREEMENT (this "Third Amendment") is made as of April 19, 2022, between the Norman Municipal Authority, a public trust having as its sole beneficiary, the City of Norman, Oklahoma ("NMA") and FLINTCO, LLC, an Oklahoma corporation (the "Construction Manager").

RECITALS:

A. NMA and the Construction Manager entered into that certain Construction Manager at Risk Agreement (Contract No. K-1819-132), dated April 9, 2019 (the "Agreement"), for design phase review and complete construction services related to improvements to Reaves Park Sports Complex, located at 2501 Jenkins Ave, Norman, Oklahoma. Unless otherwise set forth herein, all capitalized terms used in this Third Amendment shall have the meanings ascribed to them in the Agreement.

B. The Construction Manager has submitted the Proposal in the amount of \$153,635.64 based on the current Contingency Log's use of owner requested changes.

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 and the Construction Manager hereby agree as follows:

1. Contingency Proposal. Reaves Park additional contingency funding proposal for the Work inclusive of any owner directed, design or unforeseen changes required to complete the previously agreed upon contractual scope of work, is hereby agreed to be \$153,635.64. The added amount is the total compensation from the City to the Construction Manager less fee, insurances, extended GC costs and markups for any change order work required to complete the project in accordance with Contract Documents and pursuant to any of the following documents, as applicable:

A. Basis for Contingency Proposal. Refer to Paragraph 1 of the Contingency Amendment 3 to Paragraph 1, C.

B. Allowances. There are no allowances associated with this contract or amendment proposed herein.

C. Proposed Contingency. Refer to **Exhibit 1** for the proposed amount, including a statement of the estimated cost organized by the project's current change order log, itemized by City requested changes, is attached hereto as Exhibit 1 and incorporated herein by reference.

D. Substantial Completion. Refer to **Exhibit 2** for the Substantial Completion date based upon the construction schedule attached hereto as Exhibit 2 and incorporated herein by reference.

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 Third Amendment, the Construction Manager affirmatively asserts that (i) NMA is not currently in default, nor has been in default at any time prior to this Third 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 Third Amendment are forever waived.

[SIGNATURES ON FOLLOWING PAGES]

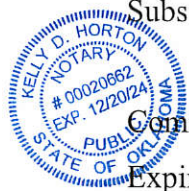
IN WITNESS WHEREOF, the Parties have executed this THIRD AMENDMENT in multiple copies on the respective dates herein below reflected to be effective on the date executed by the Chairperson of the Norman Municipal Authority.

CONSTRUCTION MANAGER (FLINTCO, LLC)

By: [Signature]
Name: Kirk Mammen
Title: VICE PRESIDENT / APRA MGR
Date: 4/19/2022

ATTEST:
By: [Signature]

Subscribed and Sworn to me this 19 day of Apr., 2021. 2022



Commission Number: 00020662
Expiration Date: 12/20/24

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

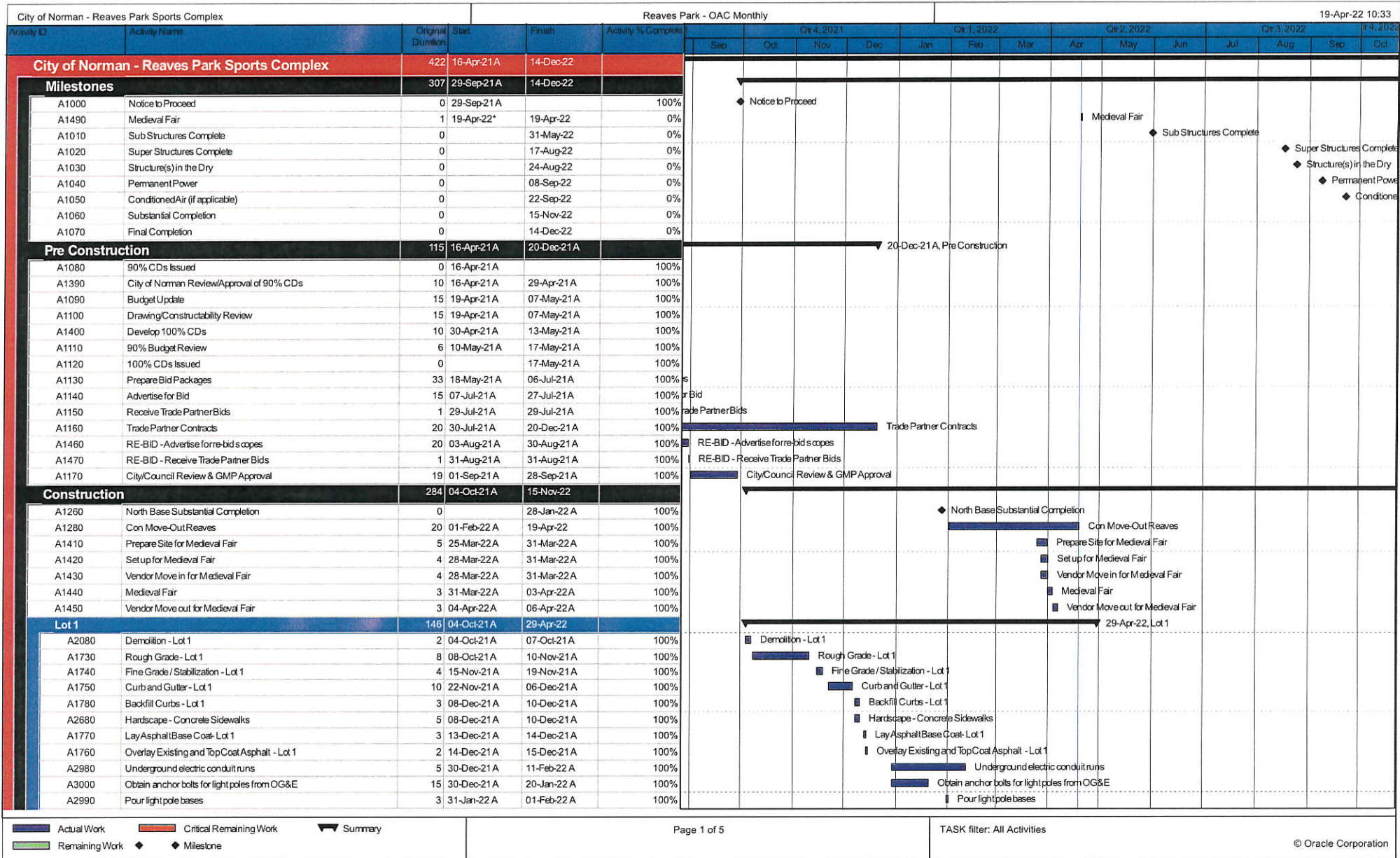
Reaves Park Sports Complex
CONTINGENCY/CHANGE LOG
Project No. 20011

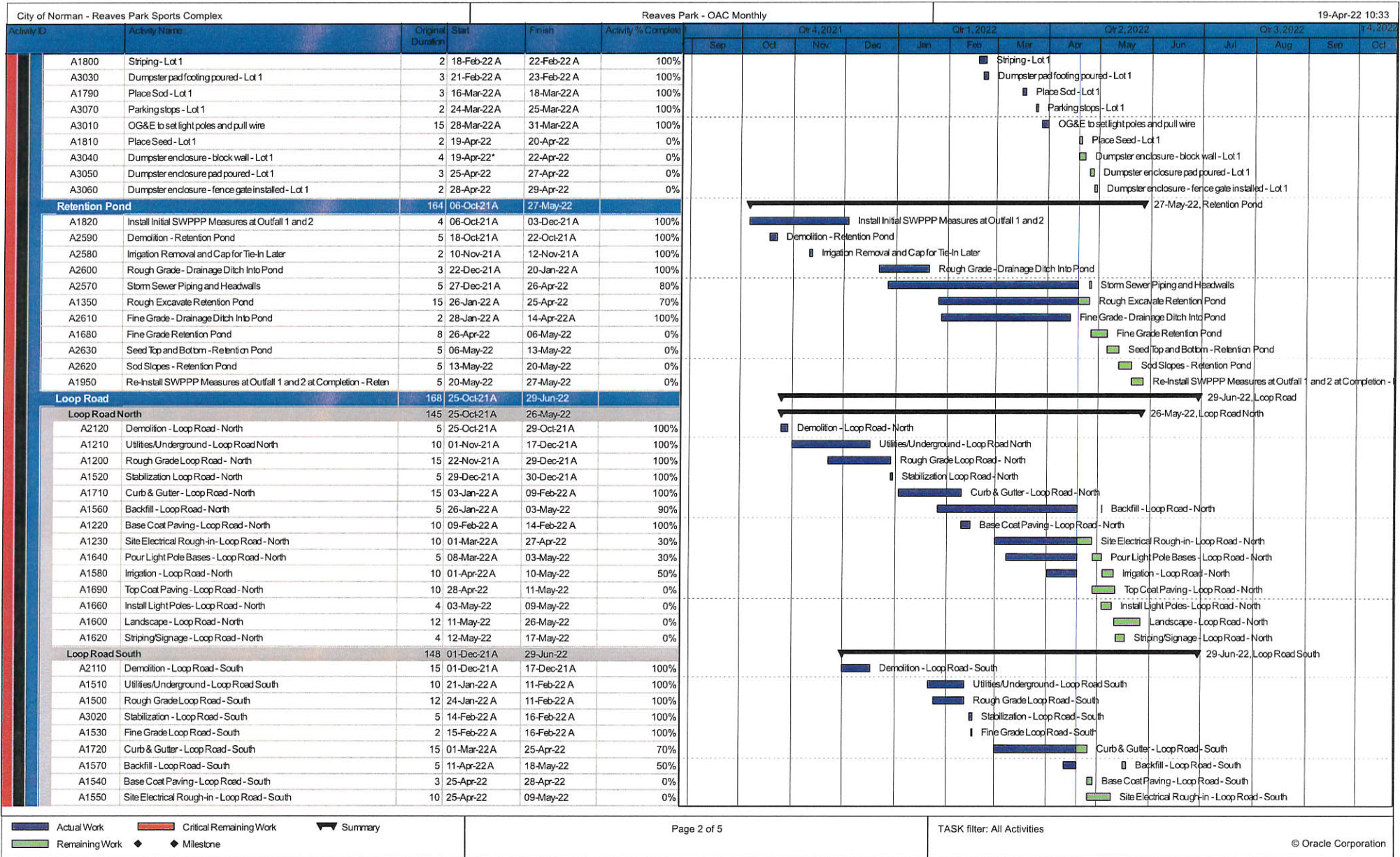
Approved
In Review
Pricing

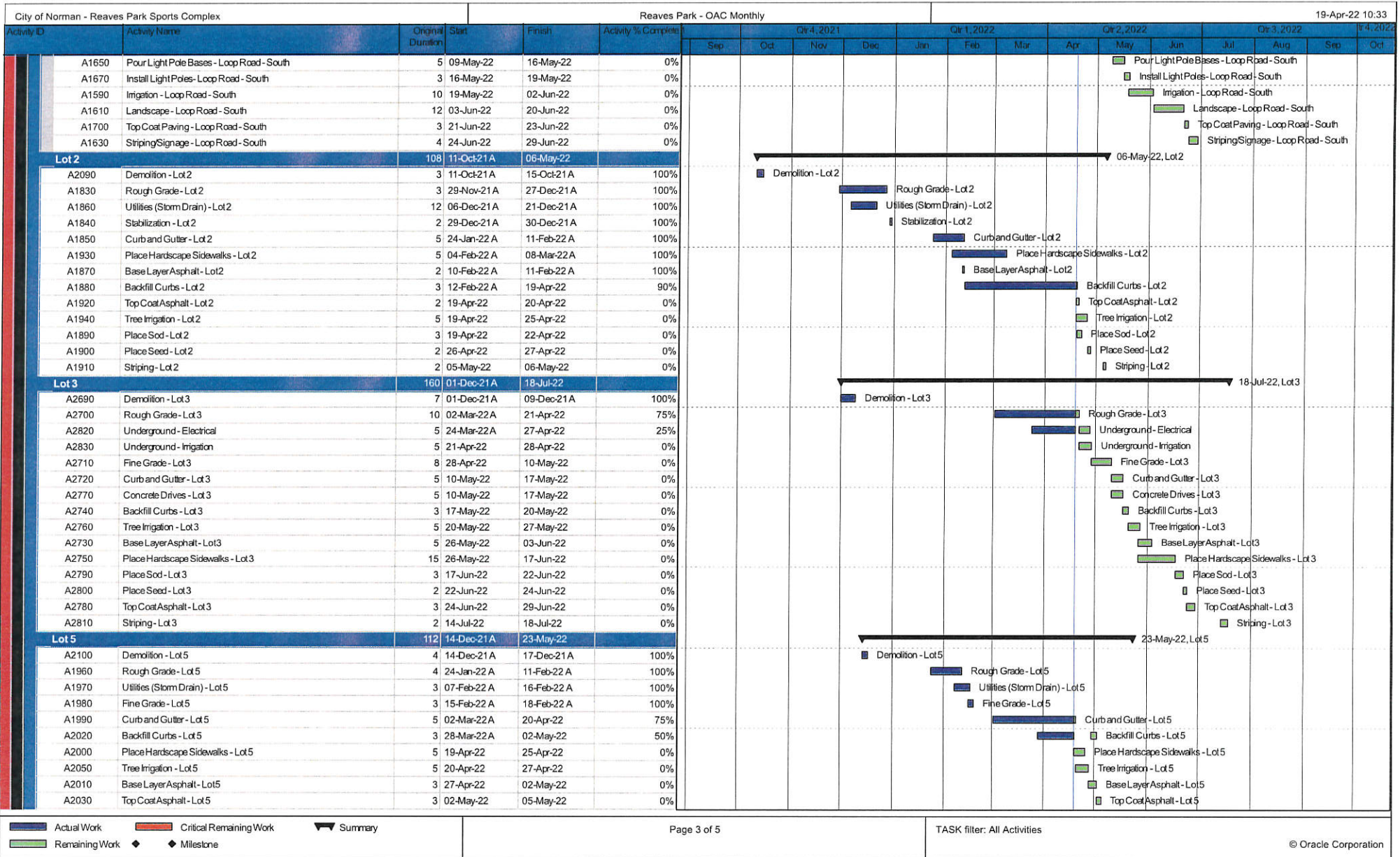


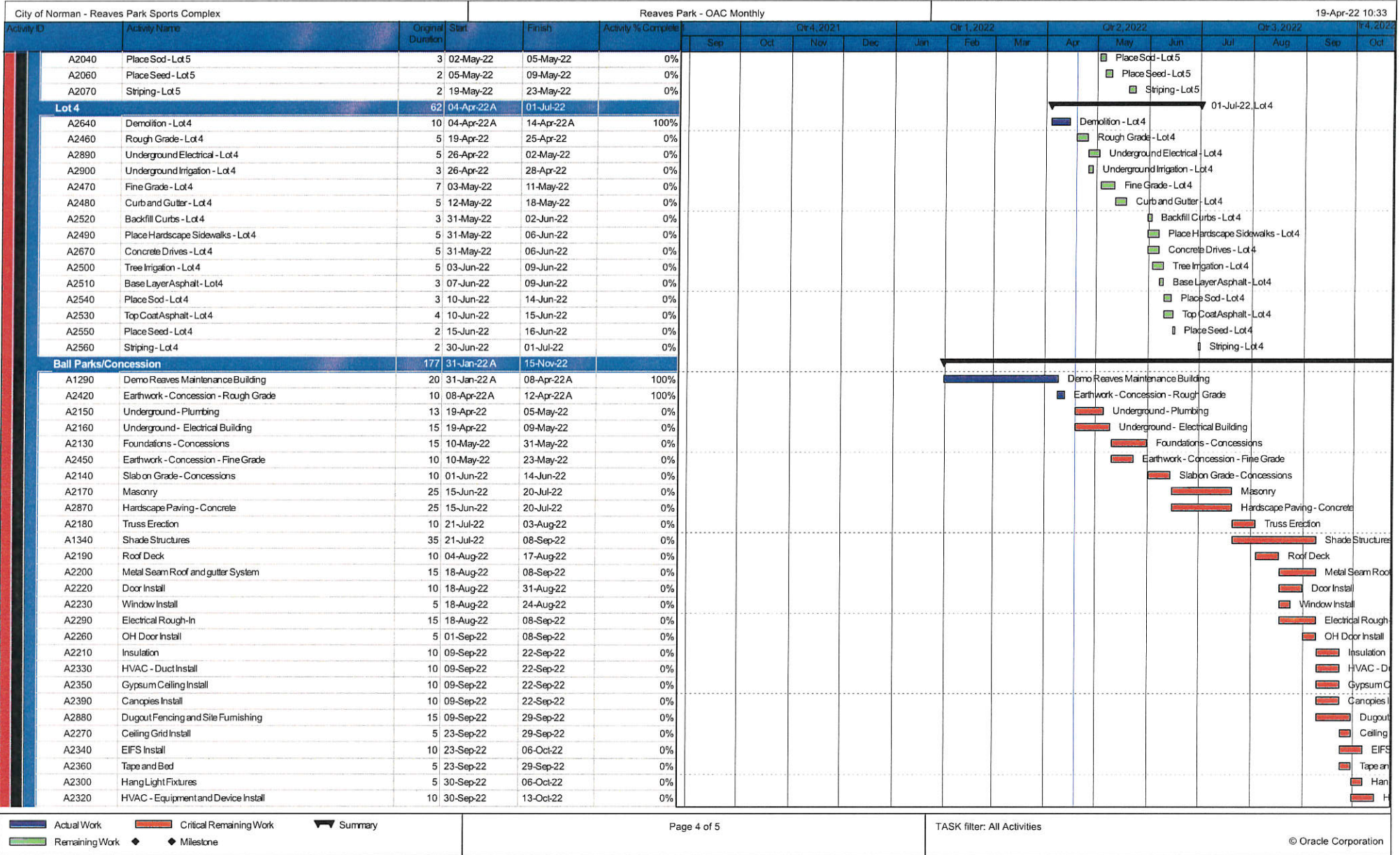
RUN DATE: 4/19/2022

PCO #	Issuing Doc	Description of Change	Work Proceeding	Budget	STATUS	BIC	ROM	Actual Cost	Days Delays	Date Submitted	Owner Approval Needed By	Date Approved By Architect	Date Approved By Owner	Finalized Cost	Notes / Remarks
1	ASI #2	Cost associated with any Civil changes impacted by ASI	Yes	Owner Cont.	Approved				7	11/12/21		11/23/21	11/19/21	\$18,365.96	APPROVED
2	Bid Day Recommendation	H&H bid day recommendation cost.	Yes	Owner Cont.	Approved				0	11/12/21		11/23/21	11/19/21	\$30,486.00	APPROVED
8	RFI #10 - Jenkins Tie-In	Jenkins's tie-in drainage pipe and sidewalk changes	Yes	Owner Cont.	Approved				0	1/12/22		1/28/22	2/1/22	\$20,198.96	APPROVED
11	Handrails at Headwalls	Cost associated with adding handrails at headwall locations	No	Owner Cont.	Pending				0	2/21/22		2/24/22	2/26/22	\$6,370.32	APPROVED
12	ASI #6 / Permit Changes	Cost associate with building permit changes	No	Owner Cont.	Pending				0	3/31/22		4/1/22	4/7/22	\$78,220.40	APPROVED
Owner Directed CO's								\$153,635.64							









City of Norman - Reaves Park Sports Complex				Reaves Park - OAC Monthly												19-Apr-22 10:33			
Activity ID	Activity Name	Original Duration	Start	Finish	Activity % Complete	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
A2370	Interior Paint and caulking	10	30-Sep-22	13-Oct-22	0%														
A2310	Electrical Trim Out	10	07-Oct-22	20-Oct-22	0%														
A2380	Exterior Paint	10	14-Oct-22	27-Oct-22	0%														
A2400	Epoxy and Wall Base	10	14-Oct-22	27-Oct-22	0%														
A2250	Partition and Accessorie Install	7	28-Oct-22	07-Nov-22	0%														
A2410	Sealed Concrete	5	28-Oct-22	03-Nov-22	0%														
A2430	Weather Proofing and Anti-Graffiti	5	28-Oct-22	03-Nov-22	0%														
A2280	Ceiling Tile Install	5	08-Nov-22	15-Nov-22	0%														
A2440	Metal Shelving and Counter Tops	5	08-Nov-22	15-Nov-22	0%														
Ball Fields		143	12-Apr-22 A	09-Nov-22															
A1300	Earthwork - Fields	20	12-Apr-22 A	09-May-22	25%														
A1310	Utilities/Underground New Fields	15	10-May-22	31-May-22	0%														
A2660	Fencing - New Fields	20	10-May-22	07-Jun-22	0%														
A2650	Electrical - Light Poles Fields and Scoreboard	20	01-Jun-22	28-Jun-22	0%														
A2840	Field Irrigation Underground	20	01-Jun-22	28-Jun-22	0%														
A2850	Field Fine Grading	20	29-Jun-22	27-Jul-22	0%														
A2860	Sod New Fields	20	28-Jul-22	24-Aug-22	0%														
A2910	Field Equipment and Stripping	20	25-Aug-22	22-Sep-22	0%														
Cleveland Field		74	28-Jul-22	09-Nov-22															
A1320	Demo NE Lot 4	10	28-Jul-22	10-Aug-22	0%														
A1330	Earthwork - Cleveland Field	10	11-Aug-22	24-Aug-22	0%														
A2240	Utilities / Underground - Cleveland Field	15	25-Aug-22	15-Sep-22	0%														
A2940	Field Irrigation Underground - Cleveland Field	15	25-Aug-22	15-Sep-22	0%														
A2920	Fencing - Cleveland Field	10	16-Sep-22	29-Sep-22	0%														
A2950	Field Fine Grading - Cleveland Field	15	16-Sep-22	06-Oct-22	0%														
A2930	Electrical - Light poles and scoreboard - Cleveland Field	10	30-Sep-22	13-Oct-22	0%														
A2960	Sod Cleveland Field	10	07-Oct-22	20-Oct-22	0%														
A2970	Field Equipment and Stripping	14	21-Oct-22	09-Nov-22	0%														
Project Close Out		20	15-Nov-22	14-Dec-22															
A1360	Substantial Completion	0		15-Nov-22	0%														
A1370	Closeout	20	16-Nov-22	14-Dec-22	0%														
A1380	Final Completion	0		14-Dec-22	0%														

Actual Work

Remaining Work

Critical Remaining Work

Milestone

Summary

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TASK filter: All Activities

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