

CROSSLAND
CONSTRUCTION COMPANY, INC.

December 7th, 2021

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

Brenda Hall
City Clerk
City of Norman
201 W. Gray St.

Re: Norman Senior Wellness Center – Amendment 1

Mrs. Hall,

Enclosed you will find two original copies of Amendment 1 for the Senior Wellness project.
Please execute and return a copy for our records.

Sincerely,



Aaron Stoops
Vice President – OKC
Crossland Construction Company, Inc.

**AMENDMENT NO 1 TO CONSTRUCTION MANAGER AT RISK AGREEMENT
BETWEEN THE CITY OF NORMAN AND CROSSLAND CONSTRUCTION
COMPANY**

THIS AMENDMENT NO. 1 TO CONSTRUCTION MANAGER AT RISK AGREEMENT (this "First Amendment") is made as of December 14, 2021, between the City of Norman, and Crossland Construction Company, Inc. an Kansas corporation (the "Construction Manager").

RECITALS:

A. The City of Norman and the Construction Manager entered into that certain Construction Manager at Risk Agreement (Contract No. K-2021-115), dated March 20th, 2021, (the "Agreement"), for construction management services for the Senior Wellness Center, now the Norman Senior Center project including plan review, design assistance, bidding services, and value engineering

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 first of three anticipated GMP Proposals 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 receipts and sufficiency of which are hereby acknowledged, and the promises and covenants set forth below, The City of Norman and the Construction Manager hereby agree as follows:

1. First 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 \$2,022,408 (derived from the total cost of work for the Construction Phase of \$1,200,000 + the Indirect Cost and Fee of \$822,408. Preconstruction Services were billed separately not included in GMP per previous Council approval attributable to the Norman Senior Center Project). 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. Refer to GMP#1 Letter and Summary

B. Contract Document Log. Refer to **Exhibit _A_** for a list of the Drawings and Specifications, including all addenda that were used in preparation of the GMP Proposal, is attached hereto as Exhibit _A_ and incorporated herein by reference.

C. Allowances. Refer to **Exhibit _B_** for a list of allowances included by the Construction Manager in preparation of this GMP Proposal, is attached hereto as Exhibit **_B_** and incorporated herein by reference.

D. Assumptions. Refer to **Exhibit _C_** for 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 as Exhibit **_C_** and incorporated herein by reference.

E. Proposed GMP. Refer to **Exhibit _D_** for 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 as Exhibit **_D_** and incorporated herein by reference.

F. Substantial Completion. Refer to **Exhibit _E_** for 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 as Exhibit **_E_** and incorporated herein by reference.

G. Acceptance Period. The time limit for acceptance of the GMP Proposal is attached hereto as part of **Exhibit _F_**.

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.

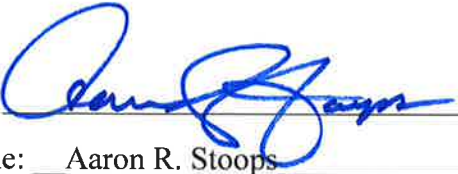
3. Non-Default. By executing this First Amendment, the Construction Manager affirmatively asserts that (i) The City of Norman is not currently in default, nor has been in default at any time prior to this First Amendment, under any of the terms or conditions of this Agreement and (ii) any and all claims,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

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[SIGNATURE 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 City of Norman.

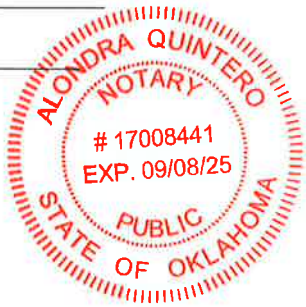
CONSTRUCTION MANAGER (CROSSLAND CONSTRUCTION COMPANY, INC)

By: 

Name: Aaron R. Stoops

Title: Vice President

Date: 12/7/21



ATTEST:

By: 

Subscribed and Sworn to me this 7 day of December, 2021.

Commission Number: 17008441

Expiration Date: 09/08/25

THE CITY OF NORMAN

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

Office of the General Counsel

Approved by The City of Norman on this _____ day of _____, 2021.

By: _____

Breea Clark, Mayor

ATTEST:

By: _____

Brenda Hall, City Clerk

**EXHIBIT A
GMP AMENDMENT NO. 1**

LIST OF DRAWINGS/SPECIFICATIONS/ADDENDA

LIST OF DRAWINGS

1	Norman Senior Wellness – Drawings BP1 Steel
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LIST OF SPECIFICATIONS

1	SECTION 011000 - SUMMARY
1	SECTION 012600 - CONTRACT MODIFICATION PROCEDURES
1	SECTION 012900 - PAYMENT PROCEDURES
1	SECTION 013200 - CONSTRUCTION PROGRESS DOCUMENTATION
1	SECTION 014339 - MOCKUPS
1	SECTION 051200 - STRUCTURAL STEEL FRAMING
1	SECTION 052100 - STEEL JOIST FRAMING
1	SECTION 053100 - STEEL DECKING
1	SECTION 055000 - METAL FABRICATIONS

LIST OF ADDENDA

1	CM ADDENDUM 1
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**City of Norman
Norman Senior Center**

GMP Amendment No. 1

**EXHIBIT B
GMP AMENDMENT NO. 1**

LIST OF ALLOWANCES

NO ALLOWANCES ARE INCLUDED OR PART OF THIS GMP AMENDMENT NO. 1

EXHIBIT C
GMP AMENDMENT NO. 1

LIST OF ASSUMPTIONS AND CLARIFICATIONS

1. Reference Standard Form of Agreement between Owner and Construction Manager, Contract K-2021-115 dated March 20th, 2021, by and between The City of Norman and Crossland Construction Company, Inc. The following modifications are hereby made to the original Agreement:
 - a. Article 5, Subsection 5.1.2. After the second/last sentence, insert the following, "Based upon current market conditions and possible procurement and delivery delays associated with numerous building materials, equipment, and labor, the monthly General Conditions costs and duration of the Project are subject to change. The Construction Manager reserves the right to revise both the monthly lump sum for General Conditions and the total duration/Final Completion of the Project."

City of Norman
Norman Senior Center

GMP Amendment No. 1

EXHIBIT D
GMP AMENDMENT NO. 1

GMP Summary, Divisional Bid Tabs, General Conditions Matrix, & Project Requirements

December 7th, 2021

Jason Olsen
Director of Parks and Recreation
City of Norman

RE: City of Norman Senior Center
Recommendation Award Letter Bid Package #01 - Letter #1

Dear Mr. Jason Olsen,

For the above referenced project, we are proposing a guaranteed maximum price (GMP) of two million, twenty-two thousand, four hundred and eight dollars (**\$2,022,408**).

Bids for the City of Norman Senior Center – Bid Package #1, were received and publicly read aloud in at 201 W. Gray, Norman, OK 73069 on December 7th, 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.

Subcontractor / Supplier

Total

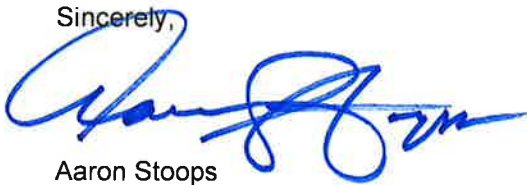
Weibee Steel, Inc.(5A Structural Steel Fabrication & Erection)

\$1,200,000

- Crossland Construction is recommending responsive low bidder, Weibee Steel, Inc., for this trade contract. Scope includes the entirety of trade contract 5A as detailed in Bid Package #01 documents.

Please contact me should you have any questions.

Sincerely,



Aaron Stoops
Vice President
Crossland Construction Company

Enc: GMP Summary, Divisional Bid Tabs, General Conditions Matrix, & Project Requirements

City of Norman
Norman Senior Center

GMP Amendment No. 1

**EXHIBIT D
GMP AMENDMENT NO. 1**

GMP Summary

**Norman Sr. Wellness Center
Bid Package #1
Bid Tab**

Norman Sr. Wellness Center		Bid Package #1	Subcontractor
SF:	32,591		
Date:	12/7/2021		
BP#	Description	Bid Price	Subcontractor
5A	Structural Steel	1,200,000	Weibee
	Subtotal Direct Costs	1,200,000	
	Construction Contingency	36,000	
	General Conditions	487,320	
	Project Requirements	221,270	
	Insurance	6,600	
	Construction Phase Fee	71,218	
	Construction Total	2,022,408	

**EXHIBIT D
GMP AMENDMENT NO. 1**

Bid Tab

Norman Sr. Wellness Center Bid Package #1		CROSSLAND CONSTRUCTION COMPANY, INC.
Trade Contract Identification		
5A Structural Steel		

Trade Contractor - Bid Summary									
Contractor:	CCC	Weibee							
Base Bid:	\$ 1,467,000	\$ 1,425,000							
Canopy Breakout	\$ (228,000)	\$ (225,000)							
Days for Struc. Steel	140	Early July Delivery							
Days for Joist & Deck	160	Early July Delivery							
Bid Surety	y								
All Addendum	y								
All Attachments	y								
Total:	\$ 1,239,000	\$ 1,200,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Crossland Construction Recommendation		
Recommended Trade Contractor		Price
BASE BID:	Weibee	\$ 1,200,000.00
TOTAL ALT:		

EXHIBIT D **GMP AMENDMENT NO. 1**

General Conditions

Team Members		Staff Assignments	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Total Hours	Total
	(S/Hr)																	
Construction Services																		
Aaron Stoops	\$ 135	Project Executive				4	4	4	4	4	4	4	4	4			36	\$ 3,780.00
Jordan Northcutt	\$ 80	Project Manager	173	173	173	173	173	173	173	173	173	173	173	173	173		2076	\$ 166,080.00
Lance McMillan	\$ 65	Asst. Project Manager	87	87	87	87	87	87	87	87	87	87	87	87	87		1044	\$ 67,860.00
Lance Harper	\$ 85	Project Superintendent	173	173	173	173	173	173	173	173	173	173	173	173	173		2076	\$ 176,460.00
IBD	\$ 65	Asst. Superintendent	87	87	87	87	87	87	87	87	87	87	87	87	87		1044	\$ 67,860.00
Andrew Teal	\$ 35	Safety Inspector	8	8	8	8	8	8	8	8	8	8	8	8	8		96	\$ 3,280.00
																	6772	\$ 487,320.00

EXHIBIT D GMP AMENDMENT NO. 1

Project Requirements

Project Requirements			CROSSLAND CONSTRUCTION COMPANY, INC.
Norman Sr. Wellness Center			
Construction Services		Notes for Clarity	
1 CM Field Office, Furniture, & Furnishings	\$ 13,530.00	1 Job Trailer at \$1,300 per month plus \$1,500 for furnishings	
2 Office Supplies	\$ 3,030.00	\$250 per mo	
3 Project Sign	\$ 1,030.00	Allowance	
4 Superintendent / PM Vehicles	\$ 24,000.00	2 vehicles @ \$1000/mo	
5 Fuel Expense	\$ 7,230.00	\$600 per month per vehicle	
6 Jobsite Radios & Phones	\$ 5,430.00	3 phones @ \$150/mo	
7 Copy Machine & Maintenance	\$ 1,830.00	\$150/mo	
8 Computers, Usage, Software & Maintenance	\$ 2,430.00	\$200/mo	
9 Reproduction Expenses	\$ 3,030.00		
10 Field Office Telephone & Internet	\$ 2,440.00	\$1000 setup \$120/mo	
11 Postage & Expressage	\$ -		
12 Office Janitorial	\$ 1,230.00	\$100/mo	
13 Mobilization / Demobilization	\$ 1,530.00		
14 Purchases/Misc	\$ 2,830.00	1 carpenter - 2 weeks @ \$35/hour	
15 Construction Photo's & Video's	\$ 4,230.00	Drone Footage \$350 per Month	
16 Job Meetings & Ceremony Expenses	\$ -		
17 Record Drawings / Closeout Manuals	\$ 750.00		
18 Material Handling	\$ 6,030.00	\$500 per Month	
19 Temporary Electric Service	\$ 20,030.00	Temp Electric and generators	
20 Temporary Water	\$ 7,530.00	Temp Water service	
21 Temporary Gas	\$ -	By Owner	
22 Temporary Construction Services: Fencing	\$ 5,030.00	To Be Included in Bid Package	
23 Security	\$ -	By Owner	
24 Temporary Toilets	\$ 17,280.00	8 each at \$180 per month	
25 Temporary Tool / Storage Trailers	\$ 4,830.00	Tool / Storage Trailer @ \$200 per month - 2 each	
26 Dumpsters	\$ 16,830.00	4 per month at \$350/mo	
27 Safety	\$ 1,530.00		
28 Cleanup	\$ 33,630.00	80 hours per month at \$30 per hour	
29 Final Cleanup	\$ 9,630.00	To Be Included in Bid Package	
30 Meals & Lodging	\$ -	nil	
31 Utility Connection Permits	\$ -	Shall be included in cost of construction	
32 Concrete Testing & Inspections	\$ -	To Be Included in Bid Package	
33 Operational Permits	\$ -	Shall be included in cost of construction	
34 Testing Laboratory Services	\$ 20,030.00	standard material testing and special inspections	
35 Building Permit	\$ -	By Owner	
36 Misc Site Repair/Spec at Demobilization	\$ -	To Be Included in Bid Package	
37 Site Survey Control Points	\$ 5,030.00	To Be Included in Bid Package	
TOTAL CONSTRUCTION PROJECT REQUIREMENTS		\$ 221,270.00	

EXHIBIT E
GMP AMENDMENT NO. 1

SUBSTANTIAL COMPLETION

N/A. Substantial Completion date and information will be provided and finalized in a future GMP Amendment.

EXHIBIT F
GMP AMENDMENT NO. 1

ACCEPTANCE PERIOD

1. Acceptance of GMP No. 1 is required on or before February 21, 2021 (45 days from the date bids/proposals were received.)
2. Should the pricing and terms of the GMP Amendment No. 1 not be accepted prior to the above referenced date, the pricing for the scope of work included with GMP Amendment No. 1 will be null and void and the work will be re-advertised and re-bid.