

**FIRST GMP AMENDMENT
TO
REGIONAL PARK/SPORTS COMPLEX
1-STEP DESIGN-BUILD CONTRACT**

THIS FIRST GMP AMENDMENT (“First Amendment”) is made and entered into this 16th day of October, 2012, by and between the City of Maricopa, Arizona, an Arizona municipal corporation (“City), and HAYDON BUILDING CORP, an Arizona corporation (“Design-Builder”).

RECITALS

A. On April 17, 2012, the Maricopa City Council approved an Agreement with Design-Builder to construct Phase 1 of the Regional Park/Sports Complex (“Agreement”).

B. On October 16, 2012, the parties executed the First Change Order regarding the completion of Phase 2 of the Regional Park/Sports Complex and the funding necessary for these additional responsibilities.

C. Pursuant to Section 2.1.1.2 and Article 5 of the Agreement, an amendment to the Agreement may be executed and signed by the City and the Design-Builder, stating their agreement to a GMP and to proceed with the completion of the design and construction of the Project.

D. The parties now desire to amend that Agreement to agree to a GMP and to proceed with the completion of the Project.

AGREEMENT

Therefore, the parties specifically agree to amend the Agreement approved on April 17, 2012 and the First Change Order approved on October 16, 2012 as follows:

1. Pursuant to Section 2.1.1.2 and Article 5 of the Agreement, City and Design-Builder hereby agree to the GMP set forth in Exhibit A, which is attached hereto and included herein by this reference. Design-Builder shall proceed with the completion of the design and construction of the Project in accordance with the attached GMP.

2. All other terms and conditions of the original Agreement and the First Change Order are to continue in full force and effect as stated and agreed to in the Agreement and First Change Order as if fully set forth herein.

IN WITNESS WHEREOF, the parties have caused this First Amendment to be signed by their duly authorized representatives as of the day and year first above written.

CONSULTANT:

Haydon Building Corp,
an Arizona corporation

By:

Title:

CITY OF MARICOPA
an Arizona municipal corporation

Christian Price
Mayor

ATTEST:

Vanessa Bueras
City Clerk

APPROVED AS TO FORM:

Denis M. Fitzgibbons
City Attorney

EXHIBIT A

GMP

**Guaranteed Maximum Price Proposal for
Maricopa Regional Park/Sports Complex**

Project Number: 12 DSD111711

GMP Number: 1

City of Maricopa Project Manager: Brent Billingsley

Design/Builder: Haydon Building Corp

Date: 9/25/2012

SCOPE OF WORK - GMP 1

Overall Project Description

Project Location: SE Corner HWY 347 and Bowlin Road

Size: Approximately 140 acres

Type of Job: New Construction

Usage: Regional Park

Work to be Accomplished: Mass Grading

Proposed Improvements: Mass Grading

Major Points of Concern: Balancing cuts and fills

Anticipated GMP's: GMP 1 - Mass Grading, GMP 2 - Site lighting and utilities, GMP 3 - Balance of the park improvements

General Project Description:

The project will consist of grading of approximately 100 acres for flood control purposes and park infrastructure development on a portion of the overall 140 acre property known as the Vekol Property located at the corner of State Route 347 (SR-347) and Bowlin Road. The regional park and sports complex will be designed and constructed to be relevant to the community and sustainable into the future. Construction materials for park structures and amenities will be selected to improve the efficiency and longevity with reduced operating and maintenance costs. The assumptions used to prepare the scope, fee, and schedule for the project are based on the Vekol Site Needs Assessment and Wood Patel FEMA Appeal Document.

In order for the project to be developed, off-site infrastructure will be required. The project will involve design and construction of water mains, branch lines, landscape irrigation and coordination with electrical and communications utilities. In addition, offsite roadway improvements including half street improvements to Bowlin Road turn lanes on SR- 347, and access improvements from SR 347 will be required.

To complicate the project further, the Vekol property lies within the Vekol Wash Tributary remapped flood plain, as defined by the current Federal Emergency Management Administration (FEMA) maps. As part of the regional park/sports complex project regional drainage improvements will be designed and provided. Although a Conditional Letter of Map Revision is not applicable at this time, it is the project's intent to design and provide the improvements necessary to mitigate all or part of the downstream flows. These areas are currently under study to bring the records into alignment with the current physical conditions present in those areas. Note that the current GMP figures are estimates at the time of GMP. The work will be bid out to establish the final budget amount.

Specific Description for this GMP:

The work of this GMP will be to provide the mass grading for the entire project site. The site will be cleared, existing site features will be demolished and removed as required for the grading. Earth will be moved and the site topography will be modified to achieve the grades as indicated on the rough grading plans as detailed below. Additionally, the building pad will be prepared, ready for construction of the Recreation Center.

- Initial Mobilization: Set up water delivery, deliver earthmoving equipment to the jobsite
- Second Mobilization: Assuming a 2 phase execution of the earthwork, earthmoving equipment will be removed from the site and remobilized when the final flood use permit is obtained. This may not be required and will be credited in future GMP if not used.
- Engineering: Cost to modify the grading plans at the Community Center site to raise the finished floor elevation.
- Surveying: Cost for surveyor to set stakes for vertical and horizontal control of the grading work
- SWPPP: Storm Water Prevention Plan measures
- Dust Control: Equipment and water cost to control dust during the operations
- Construction Water: Water required to bring soil to optimum moisture content as required for compaction.
- Testing: Proctor and compaction testing during earthwork operations - to be provided by the Owner.
- Demolition: Removal of existing irrigation structures and misc cleanup.
- Site Clearing: Removal of root zone and plant material.
- Mass Excavation: Cutting of excess soil in high areas and placing and compacting soil in low areas to provide final grades.
- Scarify and prep subgrade: Scarify soil and compact in areas to receive fills
- Rough Grading: After cuts and fills, grading to achieve site subgrades
- Pad Prep: Overexcavation and recompaction of existing soil under the Community Center footings
- Blue top pad: Final grading of the building pad for the Community Center

GMP NO. 1 PROPOSAL SUMMARY SHEET			
Project Number:	12 DSD 111711	Date:	9/20/2012
Project Title:	Maricopa Regional Park/Sports Complex		
CONSTRUCTION SERVICES			AMOUNT
DIRECT COSTS			
A.	Cost of Construction (Labor, Materials, Equipment)		\$1,347,600
B.	Design-Builders Contingency		\$67,380
C.	SUBTOTAL DIRECT COSTS		\$1,414,980
INDIRECT COSTS		CALCULATED RATE	
D.	General Conditions (Excluding Bonds and Insurance)	6.46%	\$115,000
E.	Payment and Performance Bond	1.07%	\$19,125
F.	Insurance	0.96%	\$17,077
G.	SUBTOTAL GENERAL CONDITIONS COSTS		8.49% \$151,202
H.	SUBTOTAL DIRECT AND INDIRECT COSTS		\$1,566,182
I.	Construction Fee (Overhead and Profit)	5.28%	\$93,971
J.	SUBTOTAL DIRECT AND INDIRECT COSTS (INCLUDING FEE)		\$1,660,153
K.	Sales Tax		\$120,859
L.	GMP (Minus Owner's Contingency)		\$1,781,012
M.	Owners Contingency		\$0
N.	Total GMP		\$1,781,012
O.	Total Prior GMP's		\$0
P.	Total Prior Change Orders		\$0
Q.	Design Services		\$1,020,097
R.	Contract Administration Services		\$197,220
S.	Total Contract Amount		\$2,998,329

A
B
C=(A+B)

D
E
F
G=D+E+F
H=C+G

I
J=H+I

L=J+K
M
N=L+M

O
P
Q
R
S=N+O+P+Q+R

SCHEDULE OF VALUES

Maricopa Park and Sports Complex GMP 1 - Rough Grading

Initial Mobilization	ls	1	\$	12,000	\$	12,000
Second Mobilization	ls	1	\$	8,000	\$	8,000
Engineering	ls	1	\$	8,200	\$	8,200
Surveying	ls	1	\$	30,000	\$	30,000
SWPPP	ls	1	\$	32,000	\$	32,000
Dust Control	ls	1	\$	25,000	\$	25,000
Construction Water	ls	1	\$	45,000	\$	45,000
Testing					By Owner	
Demolition	ls	1	\$	23,800	\$	23,800
Site Clearing & Grubbing	ac	141	\$	653	\$	92,100
Mass Excavation cut to fill	cy	375,000	\$	1.13	\$	425,000
Scarify and prep subgrade	sy	422,222	\$	0.45	\$	190,000
Rough Grading	sy	682,222	\$	0.63	\$	429,500
Pad prep/OE at Rec Center	cy	10,834	\$	1.80	\$	19,500
Bluetop pad	sf	50,000	\$	0.15	\$	7,500
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Cost of Construction					\$	1,347,600
Contingency					\$	67,380
General Conditions					\$	115,000
Bond					\$	19,125
Builders Risk Insurance					\$	4,647
Liability Insurance					\$	12,430
Contractor Fee					\$	93,971
Sales Tax					\$	120,859
TOTAL GMP 1					\$	1,781,012

Plans and Specifications:

- GMP 1 is based on plans by J2 Engineering, Mass Grading Plan dated 10/19/2012
- GMP 1 is based on the soils report for Vekol Regional Park by Terracon dated 6/1/2012

Clarifications and Assumptions:

- GMP 1 is limited to mobilization and rough grading work for the project and preparation of the building pad for the Recreation Center
- Because the plans are not complete as of the time of preparation of GMP 1, the GMP amount is based on internal estimates. When the plans are complete, the work will be bid out to 5 bidders with the intent of receiving a minimum of 3 subcontractor bids.
- Includes extra mobilization in the event earthwork is performed in two phases.

The following items are excluded:

- Any work other than mobilization and rough grading
- Work at 347 or Bowlin Rds
- Permits and Fees
- Testing
- Testing for, handling or removal of hazardous materials

Schedule:

- Assuming a construction start of October 22th 2012, the building pad for the Recreation Center will be completed no later than November 12th, 2012.

General Conditions Maricopa Park - GMP 1

9/25/2012

Description	Qty	Unit	UP Matl	TOT Matl	UP Lbr	UP Eq/sub	T Eq/sub	\$115,000
1 Project Manager	10	wk		0	2600.00		0	\$26,000
2 Lead Superintendent	10	wk		0	2600.00		0	\$26,000
9 General Labor	400	hr		0	15.00		0	\$6,000
10 Dump Fees	3	load		0		350.00	1,050	\$1,050
12 Job Trailer (1)	2	mo		0		1,200.00	2,400	\$2,400
13 Trailer In&Out	1	ea	0.00	0		2,500.00	2,500	\$2,500
16 Temp Toilets	2	mo		0		608.00	1,216	\$1,216
17 Temp Water	2	mo		0		500.00	1,000	\$1,000
18 Temp Power Setup	1	ls		0		2,500.00	2,500	\$2,500
19 Temp Power Usage	1	ls		0		750.00	750	\$750
20 Drinking Water	2	mo		0		250.00	500	\$500
21 Phone Setup	1	ls		0		2,000.00	2,000	\$2,000
22 Phone Hook Up	6	ea		0		180.00	1,080	\$1,080
23 Phone Useage	2	mo		0		977.00	1,954	\$1,954
25 Construction Signage	1	ls		0		3,000.00	3,000	\$3,000
27 Gas Only	20	wk		0		50.00	1,000	\$1,000
28 Job Sign	1	ea		0		750.00	750	\$750
32 Security Fence	7,500	lf		0		3.00	22,500	\$22,500
34 Vehicles	20	wk		0		320.00	6,400	\$6,400
35 Jobsite Office Supplies	1	ls		0		750.00	750	\$750
36 Plans & Specs	5	ea		0		250.00	1,250	\$1,250
37 Temp Office Furniture	1	ls		0		1000.00	1,000	\$1,000
38 Owner Trailer Equip	1	ls		0		2000.00	2,000	\$2,000
39 Fax Machine / supplies	1	ea		0		500.00	500	\$500
40 Copier / supplies	2	mo		0		350.00	700	\$700
53 Clean Site Office Trailers	2	mo	100.00	200		0.00	0	\$200