



**EXHIBIT C
GUARANTEED MAXIMUM PRICE
TO THE CONTINUING CONTRACT FOR**

CONSTRUCTION MANAGEMENT SERVICES/RFQ #18-Q-091-DR

BY AND BETWEEN

THE SCHOOL BOARD OF BREVARD COUNTY, FLORIDA

2700 Judge Fran Jamieson Way

Viera, Florida 32940-6601

Phone: (321) 631-1911

Fax: (321) 633-4646

AND

HEARD CONSTRUCTION, INC.

FOR THE CONSTRUCTION OF:

SCHOOL: Atlantis Elementary School

PROJECT: Canopy Refurbishment

ARTICLE 1. GUARANTEED MAXIMUM PRICE (GMP)

- 1.1.1 Guaranteed Maximum Price (GMP): Construction Manager guarantees that it shall not exceed a Guaranteed Maximum Price (GMP) of Three Hundred One Thousand, Three Hundred Ninety-One Dollars and Eighty-Five Cents (\$301,391.85) for the identified Sub-Project.
- 1.2 Basis of the GMP:
- 1.2.1 Construction Documents: There are no drawings for this project.
- 1.2.2 Exceptions, Clarifications and Exclusions: The Scope of Work defined in the Contract Documents shall be modified and/or clarified as shown in attached Exhibit C-2.
- 1.2.3 Truth-In-Negotiation: The Construction Manager certifies that the wage rates and other factual unit costs supporting the compensation are accurate, complete and current at the time of execution of each Sub-Project of which this certificate is a part. The original price and any additions thereto shall be adjusted to exclude any significant sums by which the Owner determines the Sub-Project amount was increased due to inaccurate, incomplete or non-current wage rates and other factual unit costs and that such original Sub-Project adjustments shall be made within one year following the end of the Agreement.

ARTICLE 2. PROJECT TIME

- 2.1 Substantial Completion Date: Substantial Completion of the Work as defined in Article 6.1.2 of the General Conditions to the Continuing Contract for Construction Management Services shall be achieved by February 11, 2022.
- 2.2 Final Completion Date: Final Completion for the Work as defined in Article 6.1.3 of the General Conditions to the Continuing Contract for Construction Management Services shall be achieved by March 10, 2022.
- 2.3 Project Schedule: Attached to this Amendment will be a schedule identifying the above noted completion times and intermediate milestone dates estimated for the Project. The proposed schedule shall be integrated into the Construction Manager's CPM Schedule upon approval of its Guaranteed Maximum Price Amendment.

ARTICLE 3. CONSTRUCTION MANAGEMENT FEE

- 3.1 Construction Management Fee: The Construction Management Fee for the Project shall be either a Lump Sum or Not-To-Exceed Fee of Thirty Thousand, One Hundred Ninety-Eight Dollars and Twenty-One Cents (\$30,198.21). **NOTE: Allowances will be on a Not-To-Exceed basis. All unused funds will be returned to the School District at the time of construction closeout. Fee will be paid only on cost of work for these items.**

ARTICLE 4. REIMBURSABLE GENERAL CONDITIONS COSTS

- 4.1 General Conditions: General Conditions costs for the Project shall not exceed Thirty-Four Thousand, Two Hundred Fourteen Dollars and Fifteen Cents (\$34,214.15). General Conditions costs shall be reimbursed at actual cost. **General Condition costs shall be in compliance with the General Conditions to the Construction Management Contract (Exhibit A) and are identified in the attached document, prepared by the Construction Manager titled Atlantis Elementary School Canopy Refurbishment Revision 1 and dated October 22, 2021. NOTE: The School District accepts proposed rates subject to rate verification by the School District's construction auditor. The School District will only pay actual verified rates.**

ARTICLE 5. LIQUIDATED DAMAGES

- 5.1 Substantial Completion: Construction Manager shall pay Owner One Thousand Dollars (\$1,000.00) as liquidated damages for each day that Substantial Completion extends beyond the Substantial Completion Date.
- 5.2 Final Completion: Construction Manager shall pay Owner Five Hundred Dollars (\$500.00) as liquidated damages for each day that Final Completion extends beyond the Final Completion Date.

ARTICLE 6. PROJECT REPRESENTATIVES

- 6.1 Owner's Representative: Owner designates the individual listed below as its Owner's Representative to provide direct interface with Construction Manager with respect to Owner's responsibilities:

Timothy Brown, Owner's Project Manager.

- 6.2 Construction Manager's Representative: Construction Manager designates the individual listed below as its Construction Manager's Representative to provide direct interface with Owner with respect to Construction Manager's responsibilities:

Lu Anne Woodley, Construction Manager's Project Manager.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

SIGNATURES (FOR PROJECTS OVER \$50,000)

IN WITNESS THEREOF, the above parties have executed this instrument, the name of each party being affixed and these present duly signed by its undersigned representative, pursuant to authority of its governing body.

**THE SCHOOL BOARD OF
BREVARD COUNTY, FLORIDA:**

By: _____
Misty Belford, Chairperson
Date Approved: _____

**HEARD CONSTRUCTION, INC.
(Consultant)**

By: _____
Print Name: GINNY DAY
Title: PRESIDENT
Date: 10/26/21

ATTEST (WITNESS): By: _____
Mark W. Mullins, Ed.D., Superintendent

ATTEST (WITNESS):
By: _____
Print Name: HARRY EARL
Title: VICE-PRESIDENT

SIGNATURES (FOR PROJECTS UNDER \$50,000)

IN WITNESS THEREOF, the above parties have executed this instrument, the name of each party being affixed and these present duly signed by its undersigned representative, pursuant to authority of its governing body.

**THE SCHOOL BOARD OF
BREVARD COUNTY, FLORIDA:**

By: _____
Susan Hann, P.E., AICP
Assistant Superintendent/Facilities Services
As Designee for Mark W. Mullins, Ed.D., Sup.
Date Approved: _____

(Consultant)

By: _____
Print Name: _____
Title: _____
Date: _____

ATTEST (WITNESS):

By: _____

ATTEST (WITNESS):

By: _____
Print Name: _____
Title: _____

END OF EXHIBIT C



Heard Construction, Inc.

PO BOX 540218
MERRITT ISLAND, FL 32954
PH 321-452-5494

10/22/2021

Brevard Public Schools
2700 Judge Fran Jamieson Way
Viera, FL 32940

Attn: Tim Brown, Project Manager

Subject: GMP Proposal for BPS Atlantis ES Canopy Refurbishment, Revision 1

Tim,

Please find attached Revision 1 to our Guaranteed Maximum Price (GMP) Proposal for BPS Atlantis ES Canopy Refurbishment. Our Proposal is being submitted for your review and approval. The GMP is based on and includes the following:

- Exhibit A - GMP Estimate
- Exhibit B - Allowances, Alternates, Value Engineering Options and Owner Direct Purchases
- Exhibit C - Summary, Qualifications and Assumptions, and Exclusions
- Exhibit D - Schedule Milestone Dates
- Exhibit E - Drawing List
- Exhibit F - Specification List

Heard Construction Project Team members currently assigned to the project are:

- Project Executive - Harry Earl
- Project Manager - Lu Anne Woodley
- Project Manager's Assistant - Sue Vingris
- Project Superintendent - Greg Smiley
- Project Accountant - Melissa Warren

We appreciate this opportunity and look forward to working with the Brevard Public Schools team on this project.

Should you have any questions, please contact the undersigned.

Sincerely,

Harry Earl, Vice-President
Heard Construction, Inc.



Exhibit A

BPS Atlantis ES Canopy Refurbishment Estimate
10/21/2021

	Qty	Unit	Unit Cost	Extended Cost
CSI Division 0 - Procurement and Contracting				
Project Executive	8	hrs	\$93.21	\$745.68
Project Manager	60	hrs	\$70.92	\$4,255.20
Project Manager Vehicle	.3	month(s)	\$375.00	\$112.50
Project Manager Phone	.3	month(s)	\$55.00	\$16.50
Project Superintendent	360	hrs	\$48.78	\$17,560.80
Project Superintendent Vehicle	2.5	month(s)	\$375.00	\$937.50
Project Superintendent Phone	2.5	month(s)	\$55.00	\$137.50
Project Accountant	8	hrs	\$52.99	\$423.92
Project Clerk	8	hrs	\$23.17	\$185.36
Reproduction & Printing	1	allowance	\$150.00	\$150.00
Project Superintendent Overtime Saturdays	40	hrs	\$73.17	\$2,926.80
CSI Division 0 - Procurement and Contracting Summary				\$27,451.76
CSI Division 1 - General Requirements				
Dumpster	1	pull	\$500.00	\$500.00
Temporary Barricades	1	allowance	\$1,500.00	\$1,500.00
CSI Division 1 - General Requirements Summary				\$2,000.00
CSI Division 7 - Thermal and Moisture Protection				
Waterproofing Subcontractor Coat top of canopies with silicon metal roof coating	1	allowance	\$22,485.00	\$22,485.00
CSI Division 7 - Thermal and Moisture Protection Summary				\$22,485.00
CSI Division 9 - Finishes				
Painting and Coatings Subcontractor Includes Two (2) Pavilions & Eight (8) covered walkways	1	ls	\$178,425.00	\$178,425.00
General Works Contractor Remove soffit for one supply duct replacement and remove dome roofing for one supply duct replacement	1	ls	\$7,946.00	\$7,946.00
CSI Division 9 - Finishes Summary				\$186,371.00
CSI Division 23 - HVAC				
HVAC Subcontractor	1	ls	\$13,344.00	\$13,344.00
CSI Division 23 - HVAC Summary				\$13,344.00
Item Cost Summary				\$251,651.76



Exhibit A

BPS Atlantis ES Canopy Refurbishment Estimate
10/21/2021

Qty	Unit	Unit Cost	Extended Cost
	General Liability @ 0.26%		\$654.28
	Fee @ 12%		<u>\$30,198.21</u>
	Subtotal		\$282,504.25
	Contingency @ 5%		<u>\$14,125.21</u>
	Subtotal		\$296,629.46
	Builder's Risk @ 0.50%		<u>\$1,483.14</u>
	Subtotal		\$298,112.60
	Performance and Payment Bonds @ 1.10%		<u>\$3,279.25</u>
	Total		<u>\$301,391.85</u>



Exhibit B

Allowances, Alternates, Value Engineering (VE) Options and Owner Direct Purchases (ODPs)
10/22/2021- Revision 1

Allowances

There are no allowances

Alternates

There are no alternates.

VE Options

There are no Value Engineering Options

ODPs

There are no Owner Direct Purchases

\$0.00

ODP's Total

\$0.00



Exhibit C

Summary, Qualifications and Assumptions, and Exclusions
10/22/2021- Revision 1

Summary

Covered Walkway Coating

Pressure wash tops/red color metal (no coating on soffit). Bleach to be used as needed. Mechanically prep corrosion as needed to SSPC-SP3.

Spot prime corrosion/prepped areas using Macropoxy 5000.

Coat top of walkway cover with Silicon Metal Roof Coating

Brush and roll one full coat to areas using Macropoxy 646.

Apply two topcoats using Sher-cryl Semi- gloss.

Pavilion Coating

Pressure wash structural steel, roof decking, and concrete support columns. Bleach to be used as needed. Mechanically prep corrosion as needed to SSPC-SP3.

Spot prime corrosion/prepped areas using Macropoxy 5000. Mask area for spray paint operations.

Apply full coat of Macropoxy 646 to all structural steel and decking.

Apply two topcoats to steel, decking, and columns using Sher-cryl Semi-gloss.

Repair duct insulation on two crossover canopies from mechanical room into adjacent classroom building.

Qualifications and Assumptions

The work described in this GMP supersedes requirements and or recommendations of TLC Atlantis Elementary School Canopy Evaluation dated November 22, 2019 including all appendices.

All work will be accomplished during normal work hours.



Exhibit C

Summary, Qualifications and Assumptions, and Exclusions
10/26/2021- Revision 2

Exclusions

Any repair or replacement of materials on building or flashing including decking replacement, fascia replacement, louvers, roof work, electrical work, soffits, trusses, gutter work, cleaning, structural components or siding.

Engineering and permitting.

Coating of soffits.

Hazardous material testing, abatement, cleanup or disposal.



Exhibit D

Schedule Milestone Dates
10/22/2021- Revision 1

	Start Date	Completion Date
Pre-Construction		
GMP Submittal	10/21/2021	10/22/2021
GMP Approval	10/22/2021	11/16/2021
NTP Construction	11/17/2021	11/17/2021
Construction		
Construction	11/22/2021	2/11/2022
Substantial Completion	2/11/2022	2/11/2022
Final Completion	2/11/2022	3/10/2022
Close-out		
Closeout Documents	2/11/2022	3/10/2022



Exhibit E

Drawing List

10/22/2021- Revision 1

**Drawing
Date**

**Revision
Date**

Revision

There were no project Drawings.



Exhibit F

Specification List

10/22/2021- Revision 1

Exclusions, Modifications, etc.

Date

TLC Atlantis Elementary School Canopy Evaluation see Qualifications and Assumptions
November 22, 2019