



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

RFQ #22-500-Q-KR/CONSTRUCTION MANAGEMENT

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: Eau Gallie High School

PROJECT: Storm Drain Replacement

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 Four Hundred Seventy-Two Thousand, Five Hundred Seventy-Three Dollars and Seventy-Two Cents (\$472,573.72) for the identified Sub-Project.
- 1.2 Basis of the GMP:
 - 1.2.1 Construction Documents: The Scope of Work for the GMP shall be as defined in the Construction Documents, prepared by Morgan & Associates Consulting Engineers, Inc., titled Eau Gallie High School Storm Drain Replacement and dated March 14, 2023.
 - 1.2.2 List of Contract Documents attached as Exhibit C-1.
 - 1.2.3 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.
 - 1.2.4 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 shall be achieved by [Click or tap to enter a date..](#)
- 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 shall be achieved by [Click or tap to enter a date..](#)
- 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 Forty-Six Thousand, Six Hundred Ninety-Seven Dollars and Twenty-One Cents (\$46,697.21). **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 Ninety Thousand, Three Hundred Nine Dollars and Sixty-Five Cents (\$90,309.65). 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 Eau Gallie High School Storm Drain Replacement and dated October 24, 2023. 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:

David Martin, 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:

Brianna Burton, Construction Manager's, Project Manager.

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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: _____
Matthew Susin, Chairman
Date Approved: _____

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

By: _____
Print Name: Andy Day
Title: PRESIDENT
Date: 10/27/23

ATTEST (WITNESS): By: _____
Mark J. Rendell, Ed.D.
Superintendent

ATTEST (WITNESS):
By: _____
Print Name: W ANNE WOODSON
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.
Assistant Superintendent, Facilities Services
As Designee for Mark J. Rendell, Ed.D.
Superintendent
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

10/27/2023

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

Attn: Dave Martin, Project Manager

Subject: Proposal for BPS EGHS Storm Drain Replacement, Revision 3

Dave,

Please find attached Revision 3 to our Proposal for BPS EGHS Storm Drain Replacement (based on design documents prepared by Morgan & Associates Consulting Engineers, Inc.) in the amount of Four Hundred Seventy Two Thousand Five Hundred Seventy Three Dollars and Seventy Two Cents (\$472,573.72). Our Proposal is being submitted for your review and approval. The proposal is based on and includes the following:

- Exhibit A - 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 - Bid Tabs

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

- Project Executive - Andy Day
- Project Manager - Brianna Burton
- Project Superintendent - TBD

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,

Don Gorham, Preconstruction Manager
Heard Construction, Inc.



Exhibit A

BPS EGHS Storm Drain Replacement Estimate 10/27/2023 - Revision 3

	Qty	Unit	Unit Cost	Extended Cost
CSI Division 0 - General Conditions				
Project Executive	12	hour(s)	\$94.40	\$1,132.80
Project Manager	120	hour(s)	\$79.84	\$9,580.80
Vehicle	1	month(s)	\$365.00	\$365.00
Project Manager Vehicle				
Phone	1	month(s)	\$58.00	\$58.00
Project Manager Phone				
Project Superintendent	400	hour(s)	\$54.91	\$21,964.00
Vehicle	2	month(s)	\$365.00	\$730.00
Superintendent Vehicle				
Phone	2	month(s)	\$58.00	\$116.00
Superintendent Phone				
Project Scheduler	10	hour(s)	\$71.79	\$717.90
Project Clerk	12	hour(s)	\$26.95	\$323.40
Document Reproduction and Printing	1	allowance	\$250.00	\$250.00
CSI Division 0 - General Conditions Summary				\$35,237.90
CSI Division 1 - General Requirements				
Construction Surveying	1	allowance	\$8,000.00	\$8,000.00
Construction Layout and As Builts				
Testing and Inspection Services	1	allowance	\$4,000.00	\$4,000.00
Allowance for Compaction and Materials Testing				
Utility Locates	1	allowance	\$3,000.00	\$3,000.00
Allowance for Existing Underground Utility Locates				
Dumpster Pulls	2	hauls	\$750.00	\$1,500.00
Personal Protective Equipment	1	allowance	\$300.00	\$300.00
Postage	1	allowance	\$100.00	\$100.00
Construction Aids	1	allowance	\$500.00	\$500.00
General Clean up	64	hour(s)	\$30.00	\$1,920.00



Exhibit A

BPS EGHS Storm Drain Replacement Estimate 10/27/2023 - Revision 3

	Qty	Unit	Unit Cost	Extended Cost
Portable Toilet	2	month(s)	\$280.00	\$560.00
First Aid Jobsite	1	allowance	\$550.00	\$550.00
Temporary Barricades	1	allowance	\$1,000.00	\$1,000.00
Temporary Fencing w/ Windscreen Allowance for Temporary Fencing and Wind Screen	1	allowance	\$20,000.00	\$20,000.00
Temporary Signage - Jobsite	1	allowance	\$2,500.00	\$2,500.00
Equipment Rentals Allowance for Street Sweeper	1	allowance	\$6,000.00	\$6,000.00
CSI Division 1 - General Requirements Summary				\$49,930.00
CSI Division 32 - Exterior Improvements				
Landscaping/Planting Subcontractor Allowance Landscaping and Sod Repair	1	allowance	\$2,500.00	\$2,500.00
Site Improvements Subcontractor - Erosion Control Allowance for Erosion Control	1	allowance	\$5,000.00	\$5,000.00
Site Improvements Subcontractor - MOT Allowance for Maintenance of Traffic	1	allowance	\$5,000.00	\$5,000.00
Paving Specialities Subcontractor - Seal Coat and Allowance to seal coat & stripe existing parking lot.	1	allowance	\$18,000.00	\$18,000.00
CSI Division 32 - Exterior Improvements Summary				\$30,500.00



Exhibit A

BPS EGHS Storm Drain Replacement Estimate
10/27/2023 - Revision 3

	Qty	Unit	Unit Cost	Extended Cost
CSI Division 33 - Utilities				
Storm Drainage Subcontractor	1	lump sum	\$273,475.39	\$273,475.39
Furnish all labor and material to install the following:				
DEMO				
Demo existing asphalt				
Demo existing 18" RCP Pipe & Haul Away				
UNDERGROUND UTILITIES				
Install Storm Drain				
PAVING				
Install 2" SP 9.5 w/Prime				
Install 8" Crushed Coquina DOT Approved				
Install 4" Crushed Coquina Subgrade				
Install Striping				
Install Type D Curb				
CSI Division 33 - Utilities Summary				\$273,475.39
Item Cost Summary				\$389,143.29
General Liability @ 0.26%				\$1,011.79
Fee @ 12%				<u>\$46,697.21</u>
Subtotal				\$436,852.29
Contingency @ 7%				<u>\$30,579.68</u>
Subtotal				\$467,431.97
Performance and Payment Bonds @ 1.10%				<u>\$5,141.75</u>
Total				\$472,573.72



Exhibit B

Allowances, Alternates, Value Engineering (VE) Options and Owner Direct Purchases (ODPs)
10/27/2023- Revision 3

Allowances

Document Reproduction	\$250.00	
Construction Surveying	\$8,000.00	
Testing and Inspections	\$4,000.00	
Utility Locates	\$3,000.00	
Personal Protection Equipment	\$300.00	
Postage	\$100.00	
Construction Aids	\$500.00	
First Aid	\$550.00	
Temporary Barricades	\$1,000.00	
Temporary Fencing	\$20,000.00	
Temporary Signage	\$2,500.00	
Equipment Rental - Street Sweeper	\$6,000.00	
Landscaping/ Sod	\$2,500.00	
Erosion Control	\$5,000.00	
MOT - Maintenance of Traffic	\$5,000.00	
Seal Coat and Stripe Existing Parking	\$18,000.00	
Allowance's Total	\$76,700.00	

Alternates

No Alternates	\$0.00	
Alternate's Total	\$0.00	

VE Options

No Value Engineering	\$0.00	
VE Option's Total	\$0.00	

ODPs

Base	\$6,100.00	\$416.00
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Exhibit B

Allowances, Alternates, Value Engineering (VE) Options and Owner Direct Purchases (ODPs)
10/27/2023- Revision 3

Asphalt	\$19,600.00	\$1,226.00
Storm Pipe	\$16,704.00	\$1,052.24
Storm Inlets	\$20,604.00	\$1,286.24
ODP's Total	\$63,008.00	\$3,980.48



Exhibit C

Summary, Qualifications and Assumptions, and Exclusions
10/27/2023- Revision 3

Summary

Storm Drain Replacement:

This project consists of demolishing 480 liner feet of existing 18" RCP and storm water Inlet Boxes in West Parking Lot. This will be replaced with 480 liner feet of new 18" RCP and Inlet Boxes. The open cut area will be compacted and repaved where the storm water work has occurred. The new pavement section will be restriped for parking.

Qualifications and Assumptions

We have included a 7% construction contingency.

Open cut will be large enough to be compacted with a wheeled roller. Limerock will be used for base in lieu of flowable fill.

Actual quantities of Asphalt and Base Material will be billed for as installed on site and reconciled through the Owner Direct Purchase Process.

HCI assumes that we will be able to fence off the entire storm drain replacement area during construction. This work is planned to be executed in the Summer of 2024.

If excessive dewatering is required on this project, construction contingency will be used for this additional scope of work.

Wireless internet access will be provided by Brevard Public Schools.

Our proposal is based on Project Management and Project Management Support personnel stationed in our main office being billable to the project.

Project schedule is contingent on receipt of Notice to Proceed and availability of Storm Pipe and Inlet material.



Exhibit C

Summary, Qualifications and Assumptions, and Exclusions
10/27/2023- Revision 3

Exclusions

Consumption cost of temporary utilities.

Handling of unsuitable soils.

Unforeseen conditions not reflected on the construction documents.

Conflict with utilities not shown on plans or not shown on private locate sheet pre-bid is not included in cost.

Hazardous material removal or containment such as Asbestos Abatement, Lead Paint Abatement, PCB Ballast Abatement, etc.

Permit or impact fees of any kind.

Architectural and Engineering Fees of any kind.

Changes resulting during permitting that are required by the AHJ.



Exhibit D

Schedule Milestone Dates
10/27/2023- Revision 3

	Start Date	Completion Date
Preconstruction		
Award Notice	4/19/2023	4/19/2023
Preconstruction Services Proposal	5/11/2023	5/11/2023
NTP Preconstruction Services	5/19/2023	5/19/2023
Bid and Award		
Bid and Award Phase	7/26/2023	8/18/2023
Construction		
BPS Board Meeting	11/14/2023	11/14/2023
NTP Construction	11/15/2023	11/15/2023
Permitting	11/15/2023	11/29/2023
Construction	5/27/2024	8/5/2024
Substantial Completion	8/5/2024	8/5/2024
Final Completion	11/5/2024	11/5/2024
Closeout		
Closeout Documents	8/5/2024	11/5/2024



Exhibit E

Drawing List
10/27/2023- Revision 3

		Drawing Date	Revision Date	Revision
CIVIL				
C-1	Storm Drain Replacement	3/14/23		
DETAILS AND PROFILE				
C-2	Details And Profile	3/14/23		



Exhibit F

Bid Tabulations

10/27/2023- Revision 3

Bid Package 33 Utilities

Bid Date:

Bidder	Acknowledged				Alternate 2	Alternate 3	Alternate 4	Bid Total
	Addenda	Base Bid	Alternate 1	Alternate 3				
Atlantic Development of Cocoa, Inc.	No	No Bid						
Atlantic Southern Paving and Sealcoating	No	No Bid						
Brewer Paving and Development	No	No Bid						
Don Luchetti Construction, Inc.	No	No Bid						
Goodson Paving	No	No Bid						
Gregori Construction, Inc.	Yes	\$494,735.00					\$494,735.00	
JOBEAR Contracting, Inc.	Yes	\$224,940.45					\$224,940.45	
KCF Site Development	No	No Bid						
LC's Contracting Services LLC	No	No Bid						
Ramage Contracting, Inc	No	No Bid						
Watson Site Development	Yes	\$273,475.39					\$273,475.39	
WP Underground Utilities LLC	No	No Bid						



Exhibit F

Bid Tabulations

10/27/2023- Revision 3

Alternate Descriptions:

Alternate 1	Alternate 2	Alternate 3	Alternate 4
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Comments:

<p>JOEBEAR Contracting, Inc. - Incomplete Scope/ Would need to re-price project in summer of 2024. Proposal was for budget purposes only per per JOEBEAR.</p> <p>Gregori - Pricing is not in line with scope of work.</p> <p>WP Underground Bid Directly to Watson Site Development</p>
