



**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: Educational Services Facility

PROJECT: Courtyard Modifications and Walkway Canopy 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 Nine Hundred Thirty-Eight Thousand, Fifty-Six Dollars and Four Cents (\$938,056.04) 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 Allen Engineering, Inc., titled Educational Services Facility Courtyard Modifications and Walkway Canopy Replacement and dated April 12, 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 January 3, 2024.
- 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 April 3, 2024.
- 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-One Thousand, Five Hundred Thirty Dollars and Twelve Cents (\$41,530.12). **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 One Hundred Sixty-Four Thousand, One Hundred Three Dollars and Ninety-Nine Cents (\$164,103.99). 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 Educational Services Facility Courtyard Modifications and Walkway Canopy Replacement and dated June 9, 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:

Christopher Gerber, 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:

Susan Vingris, 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.

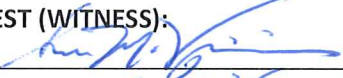
**THE SCHOOL BOARD OF
BREVARD COUNTY, FLORIDA:**

By: _____
Matthew Susin, Chairman
Date Approved: _____

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

By: 
Print Name: SAMUEL W. HEARD
Title: CEO
Date: 6/13/2023

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

ATTEST (WITNESS):
By: 
Print Name: SUSAN VINAGERS
Title: PRJ. MGR.

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

6/9/2023

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

Attn: Chris Gerber, Project Manager

Subject: Proposal for BPS ESF Courtyard Modifications & Walkway Canopy Replacement, Revision 1

Chris,

Please find attached Revision 1 to our Proposal for BPS ESF Courtyard Modifications & Walkway Canopy Replacement (based on design documents prepared by Allen Engineering, Inc. & Architecture Roof Consulting Construction Technology) in the amount of Nine Hundred Thirty-Eight Thousand FFifty-Six Dollars and Four Cents (\$938,056.04). 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

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

- Project Executive - Andy Day
- Project Manager - Sue Vingris
- 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 ESF Courtyard Modifications & Walkway Canopy Replacement Estimate 6/9/2023 - Revision 1

	Qty	Unit	Unit Cost	Extended Cost
CSI Division 0 - General Conditions				
Project Executive	44	hour(s)	\$94.40	\$4,153.60
Project Manager	232	hour(s)	\$56.33	\$13,068.56
Vehicle	6	month(s)	\$365.00	\$438.00
Project Manager's Vehicle				
Phone	6	month(s)	\$58.00	\$69.60
Project Manager's Phone				
Project Superintendent	968	hour(s)	\$78.13	\$75,629.84
Truck	6	month(s)	\$365.00	\$2,190.00
Project Superintendent's Truck				
Phone	6	month(s)	\$58.00	\$348.00
Project Superintendent's Phone				
Project Clerk	56	hour(s)	\$26.95	\$1,509.20
Project Scheduler	50	hour(s)	\$71.79	\$3,589.50
Document Reproduction	1	allowance	\$250.00	\$250.00
CSI Division 0 - General Conditions Summary				\$101,246.30
CSI Division 1 - General Requirements				
Postage	1	allowance	\$25.00	\$25.00
Submittals	1	allowance	\$150.00	\$150.00
Closeout Submittals	1	allowance	\$150.00	\$150.00
General Clean up	128	hour(s)	\$25.00	\$3,200.00
General Clean Up & Labor				
Temp Barriers & Enclosures	1	allowance	\$6,000.00	\$6,000.00
Canopy & Courtyard:				
Temporary 6' tall chain link fence and windscreen.				
Temporary Barricades	1	allowance	\$500.00	\$500.00
Canopy & Courtyard:				
Traffic Cones				
Field Office Supplies	1	allowance	\$75.00	\$75.00



Exhibit A

BPS ESF Courtyard Modifications & Walkway Canopy Replacement Estimate 6/9/2023 - Revision 1

	Qty	Unit	Unit Cost	Extended Cost
Dumpster Pulls	10	hauls	\$750.00	\$7,500.00
As-Built Documents	1	allowance	\$2,500.00	\$2,500.00
Personal Protective Equipment	1	allowance	\$500.00	\$500.00
Small Tools	1	allowance	\$750.00	\$750.00
Equipment Rentals	1	allowance	\$1,500.00	\$1,500.00
Portable Toilet	6	month(s)	\$280.00	\$1,680.00
First Aid Jobsite	1	included	\$540.00	\$540.00
Temp Erosion/Sediment Control	1	allowance	\$5,000.00	\$5,000.00
Testing and Inspection Services	1	allowance	\$1,000.00	\$1,000.00
Temporary Protection - Protect Flooring	1	allowance	\$5,000.00	\$5,000.00
Temporary Protection - Walls	1	allowance	\$1,000.00	\$1,000.00
Temporary Signage - Jobsite	1	allowance	\$500.00	\$500.00
Utility Locates	1	allowance	\$1,500.00	\$1,500.00
Final Cleaning	1	lump sum	\$6,000.00	\$6,000.00
Temporary Walk Path Provisions	1	allowance	\$6,000.00	\$6,000.00
Allowance for temp wood sidewalk and rails at demolished concrete sidewalks.				
Construction Surveying	1	lump sum	\$2,500.00	\$2,500.00
Courtyard Scope:				
Construction Surveying				
CSI Division 1 - General Requirements Summary				\$53,570.00
<hr/>				
CSI Division 3 - Concrete				
Concrete Subcontractor	1	lump sum	\$39,780.00	\$39,780.00
Courtyard Scope:				
Furnish and labor, material and concrete to install new sidewalks in (4) courtyards.				
CSI Division 3 - Concrete Summary				\$39,780.00
<hr/>				
CSI Division 4 - Masonry				
Masonry Subcontractor	4	allowance	\$250.00	\$1,000.00
Walkway Canopy Scope:				
Allowance to infill (4) existing scupper holes with brick. The contract documents do not address this condition.				



Exhibit A

BPS ESF Courtyard Modifications & Walkway Canopy Replacement Estimate
6/9/2023 - Revision 1

	Qty	Unit	Unit Cost	Extended Cost
CSI Division 4 - Masonry Summary				\$1,000.00
<hr/>				
CSI Division 5 - Metals				
Miscellaneous Metals Subcontractor Walkway Canopy Scope:	1	allowance	\$20,000.00	\$20,000.00
Allowance to repair/ replace unforeseen deteriorated existing light gage metal framing and structural steel.				
Miscellaneous Metals Subcontractor Courtyard Scope:	1	allowance	\$2,200.00	\$2,200.00
Allowance to furnish and install SS Handrail. Architectural details have not been provided.				
CSI Division 5 - Metals Summary				\$22,200.00
<hr/>				
CSI Division 7 - Thermal and Moisture Protection				
Roofing Subcontractor Walkway Canopy Scope:	1	lump sum	\$155,560.00	\$155,560.00
Furnish all labor, material and equipment:				
<ul style="list-style-type: none"> -Remove and dispose of the existing metal standing seam roof, the vinyl soffit panels below, and the wooden batten strips below attached to the framing members as per plans and specs. -Install a new 24 ga. galvanized steel "B" decking over the steel girders below -Mechanically attach a 1/2" thick Dens Deck Prime thermal barrier over the new metal decking. -Install a Soprema 3-ply modified bitumen roofing system, over the Dens Deck thermal barrier including tapered crickets between new roof drains. -Install all new parapet wall flashings, wood blocking, sheet metal components, and coping caps. -Cut out masonry wall openings for four (4) new Scupper overflows, fabricate and install new sleeves, and flash with new roofing. -Furnish and install new scupper sleeves, collector heads, downspouts, overflow scupper sleeves, .040 Kynar finish coping cap on top of parapet walls, and new S.S. counter flashings. All metals listed above shall be furnished and installed as per plans and specs. -Furnish and install treated wood nailers on top of parapet wall as per plans and specs. -Twenty Year NDL Total System Roofing Warranty included. -Install 26 ga. hat channel for soffit attachment, below decking attached to framing members (Approximately 1400 feet). -Install new Petersen Aluminum Pac Clad .032 mill aluminum Kynar finish, vented and non-vented soffit panels and aluminum J-channel trim. -Furnish and install eight (8) JRS Cast Iron roof drains and the insulated drain pipes. 				



Exhibit A

BPS ESF Courtyard Modifications & Walkway Canopy Replacement Estimate
6/9/2023 - Revision 1

	Qty	Unit	Unit Cost	Extended Cost
Roof/Wall Special. & Acces.	8	each	\$75.00	\$600.00
Walkway Canopy Scope:				
Furnish and install:				
Concrete Splash Blocks				
CSI Division 7 - Thermal and Moisture Protection Summary				\$156,160.00
<hr/>				
CSI Division 9 - Finishes				
Painting and Coating Subcontractor	1	lump sum	\$29,355.00	\$29,355.00
Walkway Canopy Scope:				
Furnish all labor, material and equipment:				
Steel				
-Mechanically prep all corrosion on existing steel beams and purlins. Apply one coat of Macropoxy 5000 to prepped areas only. Apply one full coat to all steel using Macropoxy 646 Flake Filled.				
Pressure wash, prime, and apply two topcoats to the concrete/ steel archways at (2) walkway canopies.				
Pressure wash brick walls at (2) walkway canopies.				
CSI Division 9 - Finishes Summary				\$29,355.00
<hr/>				
CSI Division 32 - Exterior Improvements				
Site Improvements Subcontractor	1	lump sum	\$260,391.00	\$260,391.00
Courtyard Scope:				
Demo:				
Remove existing rock, and set aside for school district.				
Remove and dispose of existing organics.				
Remove and dispose of concrete as specified in plans.				
Synthetic Turf Installation:				
Compact Subgrade				
Supply and install 3"-4" of specified stone, over drainage (drainage by others).				
Compact and laser level stone.				
Build 6" x 12" concrete curb approximately 910'.				
Supply and install synthetic nail board.				
Supply and install Legacy Luxury Blend synthetic turf with silica sand infill.				
Add top soil where needed not to exceed 196 cubic yards				
Compact and Laser Grade				



Exhibit A

BPS ESF Courtyard Modifications & Walkway Canopy Replacement Estimate 6/9/2023 - Revision 1

	Qty	Unit	Unit Cost	Extended Cost
Landscaping/Planting Subcontractor Courtyard Scope: Allowance for existing tree stump removal.	1	allowance	\$2,000.00	\$2,000.00
Skidsteer Courtyard Scope: Allowance for skidsteer rental large enough to load BPS dump truck with excavated organic material and stone from (4) courtyards.	1	allowance	\$2,900.00	\$2,900.00
CSI Division 32 - Exterior Improvements Summary				\$265,291.00
<hr/>				
CSI Division 33 - Utilities				
Storm Drainage Subcontractor Courtyard Scope: Furnish all labor, equipment and material to: Install new 6" PVC connection and extension + fittings Demo and dispose of existing pipe Install new 12" HDPE Install perf piping Install exfiltration system (rock & fabric) Install 24" yard basins	1	lump sum	\$156,000.00	\$156,000.00
Storm Drainage Subcontractor Courtyard Scope: Allowance for unforeseen conditions coordinating existing and new underground utilities.	1	allowance	\$6,000.00	\$6,000.00
CSI Division 33 - Utilities Summary				\$162,000.00
<hr/>				
			Item Cost Summary	\$830,602.30
			Subcontractor Bonds (1.5% of \$683,286.00)	\$10,249.28
			General Liability @ 0.26%	\$2,159.56
			Fee @ 5%	<u>\$41,530.12</u>
			Subtotal	\$884,541.26
			Contingency @ 5%	<u>\$44,227.09</u>
			Subtotal	\$928,768.35
			Performance and Payment Bonds @ 1.00%	<u>\$9,287.69</u>



Exhibit A

BPS ESF Courtyard Modifications & Walkway Canopy Replacement Estimate
6/9/2023 - Revision 1

Qty	Unit	Unit Cost	Extended Cost
All Phases Combined Total			\$938,056.04
Project Total			\$938,056.04

Estimate Notes:



Exhibit B

Allowances, Alternates, Value Engineering (VE) Options and Owner Direct Purchases (ODPs)
6/9/2023- Revision 1

Allowances

Document Reproduction	\$250.00
Postage	\$25.00
Submittals	\$150.00
Closeout Submittals	\$150.00
Temp Barriers & Enclosures (fence & windscreen)	\$6,000.00
Temp Barriers (traffic cones)	\$500.00
Field Office Supplies	\$75.00
As-Built Documents	\$2,500.00
Personal Protective Equipment	\$500.00
Small Tools	\$750.00
Equipment Rentals	\$1,500.00
Temp Erosion/ Sediment Control	\$5,000.00
Testing and Inspection Services	\$1,000.00
Temporary Protection - Protect Flooring	\$5,000.00
Temporary Protection - Walls	\$1,000.00
Temporary Signage - Jobsite	\$500.00
Utility Locates	\$1,500.00
Construction Surveying	\$2,500.00
Temporary Walk Path Provisions	\$6,000.00
Masonry - Infill (4) Existing Scupper Holes	\$1,000.00
SS Handrail in Courtyard	\$2,200.00
Misc. Metals - Repair/ Replace Unforeseen Deteriorated Existing Light Gauge Metal Framing and Structural Steel at Canopies.	\$20,000.00
Landscaping - Removal of Existing Tree Stumps at Courtyards	\$2,000.00
Storm Drainage - Coordination/ Relocation of Unforeseen Existing Underground Utilities	\$6,000.00



Exhibit B

Allowances, Alternates, Value Engineering (VE) Options and Owner Direct Purchases (ODPs)
6/9/2023- Revision 1

Skidsteer Equipment Rental to Load BPS Dump Truck	\$2,900.00	
Allowance's Total	\$69,000.00	
ODPs		
Stone & Turf	\$49,000.00	\$2,990.00
Concrete	\$9,000.00	\$590.00
Roofing Materials	\$22,000.00	\$1,370.00
Storm Pipe	\$50,000.00	\$3,050.00
ODP's Total	\$130,000.00	\$8,000.00



Exhibit C

Summary, Qualifications and Assumptions, and Exclusions
6/9/2023- Revision 1

Summary

PHASE 1

Demo existing North and South Walkway Canopy roof systems. Clean, repair, paint existing structural steel. Replace existing North and South canopy roof systems with new 3-ply modified bitumen roof system over Dens Deck. Install new copings and flashing. Install new scupper and roof drain system. Replace existing aluminum soffit with new aluminum vented/ non vented soffit with standard Kynar finish.

PHASE 2

Demo and remove all existing gravel, fill and sidewalks from (4) existing courtyards. Demo existing stormwater system. Install new stormwater system catch basins. Grade and compact new turf and sidewalk areas. Install new sidewalk and turf curbs. Install new stone for turf system. Install turf and silica sand per plans.

Qualifications and Assumptions

We have included a 5% construction contingency.

Wireless internet access will be provided by Brevard Public Schools.

Walkway canopy roof systems will be replaced one at a time.

Fall protection will be by roof safety monitor (by Hamilton Roofing)

Existing courtyard stone will be stockpiled on BPS property as directed by BPS Project Manager.

All courtyard excavations will be done by hand and vacuum truck. If subcontractor requires use of equipment for excavation, this will be discussed, coordinated and agreed upon between HCI and BPS before moving forward.

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

Buyout Savings, Contingencies, General Conditions and General Requirements can be utilized as necessary to fund any portion of the project at the discretion of the Owner.



Exhibit C

Summary, Qualifications and Assumptions, and Exclusions
6/9/2023- Revision 1

Exclusions

Lightning protection work is not included.

Consumption cost of power and water required for construction are excluded.

Mechanical, Electrical and Plumbing work at Walkway Canopies. (New roof drain plumbing work is included.)

Unforeseen existing underground utility relocation for Courtyard construction.

Overtime work. Work is to be scheduled during normal business hours.

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

Permit or impact fees of any kind.

Architectural and Engineering Fees.

Changes resulting during permitting that are required by the BPS Building Official.



Exhibit D

Schedule Milestone Dates
6/9/2023- Revision 1

	Start Date	Completion Date
Preconstruction		
Award Notice	5/8/2023	5/9/2023
Preconstruction Services Proposal	5/9/2023	5/9/2023
NTP Preconstruction Services	5/11/2023	5/11/2023
Bid and Award		
Bid and Award Phase	5/11/2023	5/25/2023
Construction		
BPS Board Meeting	6/27/2023	6/27/2023
NTP Construction	6/28/2023	6/28/2023
Permitting	6/28/2023	7/5/2023
Construction	7/3/2023	1/3/2024
Substantial Completion	1/3/2024	1/3/2024
Final Completion	4/3/2024	4/3/2024
Closeout		
Closeout Documents	1/3/2024	4/3/2024



Exhibit E

Drawing List
6/9/2023- Revision 1

		Drawing Date	Revision Date	Revision
CIVIL				
C-000	COVER SHEET	4/24/23		
C-001	GENERAL NOTES AND ABBREVIATION	4/24/23		
C-100	EXISTING CONDITIONS AND DEMOLITION PLAN	4/24/23		
C-101	ENGINEERING SITE PLAN	4/24/23		
C-501	DETAILS	4/24/23		
C-705	STORMWATER POLLUTION PREVENTION PLAN	4/24/23		
ARCHITECTURAL				
C01	COVER SHEET, SITE VICINITY MAP AND DRAWING INDEX	4/12/23		
A01	OVERALL BUILDING AND PARTIAL ROOF PLAN, PHYSICAL CHARACTERISTICS, SYMBOLS	4/12/23		
B01	GENERAL ROOFING NOTES, ABBREVIATIONS AND FASTENING SCHEDULE	4/12/23		
B02	PARAPET ROOF AND COPING FABRICATION DETAILS	4/12/23		
B03	COPING FABRICATION AND ROOF DRAIN DETAILS	4/12/23		
B04	DOWNSPOUT AND SCUPPER FLASHING DETAILS	4/12/23		
S01	EXISTING AND PROPOSED FRAMING PLANS AND NOTES	4/12/23		
S02	SECTION AND DETAILS	4/12/23		
OTHER DOCUMENTS				
ARC	A/R/C INVESTIGATIVE REPORT - 11 PAGES (Roof Report)	12/29/22		