



**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: Educational Services Facility

PROJECT: HVAC Renewal

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 One Million, Nine Hundred Seventy-Five Thousand, Four Hundred Seventy-Seven Dollars and Seventy-Six Cents (\$1,975,477.76) 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 TLC Engineering Solutions, Inc., titled Educational Services Facility, Facility Renewal Renovations and dated October 18, 2021.

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 Services shall be achieved by July 31, 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 October 28, 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 Eighty-Seven Thousand, Two Hundred Eighty-Nine Dollars and Twenty-Eight Cents (\$87,289.28). **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 Two Hundred Nineteen Thousand, Thirty-Eight Dollars and Eighty-Eight Cents (\$219,038.88). 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 HVAC System Renewal, Revision 1 and dated October 26, 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:

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:

Sue Vingris, Construction Manager's Project Manager.

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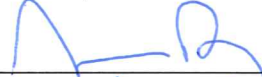
SIGNATURES (FOR PROJECTS OVER \$50,000)

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: _____
Misty Belford, Chairperson
Date Approved: _____

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

By:  _____
Print Name: Andy Day
Title: President
Date: 10/27/21

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

10/26/2021

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

Attn: Chris Gerber, Project Manager

Subject: GMP Proposal for ESF HVAC System Renewal, Revision 1

Chris,

Please find attached Revision 1 to our Guaranteed Maximum Price (GMP) Proposal for ESF HVAC System Renewal in the amount of One Million Nine Hundred Seventy Five Thousand Four Hundred Seventy Seven Dollars and Seventy Six Cents (\$1,975,477.76). 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 - Sam Heard
- Project Manager - Sue Vingris
- Project Superintendent - Randy Branson
- 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,

Sam Heard, CEO
Heard Construction, Inc.



Exhibit A

ESF HVAC System Renewal Estimate
10/21/2021

	Qty	Unit	Unit Cost	Extended Cost
EFS HVAC System Renewal				
CSI Division 0 - Procurement and Contracting				
Project Executive	80	hour(s)	\$93.21	\$7,456.80
Project Manager	348	hour(s)	\$49.07	\$17,076.36
Project Manager Vehicle	2	month(s)	\$375.00	\$750.00
Phone	2	month(s)	\$55.00	\$110.00
Superintendent	1040	hour(s)	\$58.74	\$61,089.60
Project Superintendent Vehicle	6	month(s)	\$375.00	\$2,250.00
Phone	6	month(s)	\$55.00	\$330.00
Project Accountant	80	hour(s)	\$52.99	\$4,239.20
Project Clerk	120	hour(s)	\$23.17	\$2,780.40
Reproduction and Printing	1	allowance	\$250.00	\$250.00
Project Manager	6	hour(s)	\$49.07	\$294.42
Commissioning Support				
Superintendent	12	hour(s)	\$58.74	\$704.88
Commissioning Support				
CSI Division 0 - Procurement and Contracting Summary				\$97,331.66
CSI Division 1 - General Requirements				
Dumpster	7	allowance	\$450.00	\$3,150.00
7 pulls at 450 each				
Temporary Barricades	1	allowance	\$5,000.00	\$5,000.00
Progress Cleaning	1044	hour(s)	\$25.00	\$26,100.00
Daily cleaning				
Final Cleaning	1	allowance	\$1,500.00	\$1,500.00
Closeout Submittals	1	allowance	\$500.00	\$500.00
Temporary Chiller Rental	1	allowance	\$25,000.00	\$25,000.00
Temporary Generator for Temporary Chiller	1	allowance	\$25,000.00	\$25,000.00
CSI Division 1 - General Requirements Summary				\$86,250.00
CSI Division 3 - Concrete				
Concrete Subcontractor	1	allowance	\$2,500.00	\$2,500.00
CSI Division 3 - Concrete Summary				\$2,500.00
CSI Division 9 - Finishes				
Acoustical Ceiling Subcontractor	1	lump sum	\$14,692.00	\$14,692.00
Ceiling removal and replacement at replaced VAV units				
CSI Division 9 - Finishes Summary				\$14,692.00



Exhibit A

ESF HVAC System Renewal Estimate 10/21/2021

	Qty	Unit	Unit Cost	Extended Cost
CSI Division 23 - HVAC				
HVAC Contractor	1	lump sum	\$903,121.00	\$903,121.00
HVAC complete including Test and Balance				
Instrumentation and Controls Contractor	1	lump sum	\$353,900.00	\$353,900.00
HVAC Contractor	1	lump sum	\$312,504.00	\$312,504.00
Furnish and install two Carrier 200-ton centrifugal chillers model 19XR-3737234JBH64 with 3-pass evaporators. Included demo of existing chillers off-site				
HVAC Contractor	1	lump sum	-\$306,656.00	-\$306,656.00
Delete refurbishment of existing chillers				
Instrumentation and Controls Contractor	1	lump sum	\$11,000.00	\$11,000.00
Add Lighting Controls				
Instrumentation and Controls Contractor	1	lump sum	\$1,600.00	\$1,600.00
Add for new exhaust fan in drawing revision dated 10/18/21				
HVAC Contractor	1	lump sum	\$12,613.00	\$12,613.00
Change pipe size from 4" to 6" based on drawing revision dated 10/18/21				
CSI Division 23 - HVAC Summary				\$1,288,082.00
CSI Division 26 - Electrical				
Electrical Contractor	1	lump sum	\$256,930.00	\$256,930.00
Electrical in support of mechanical contractor				
CSI Division 26 - Electrical Summary				\$256,930.00
Item Cost Summary				\$1,745,785.66
Subcontractor Bonds (1% of \$1,589,804.00)				\$15,898.04
General Liability @ 0.26%				\$4,539.04
Fee @ 5%				<u>\$87,289.28</u>
Subtotal				\$1,853,512.02
Contingency @ 5%				<u>\$92,675.63</u>
Subtotal				\$1,946,187.65
Builder's Risk @ 0.50%				<u>\$9,730.93</u>
Subtotal				\$1,955,918.58
Performance and Payment Bonds @ 1.00%				<u>\$19,559.18</u>
EFS HVAC System Renewal Total				\$1,975,477.76



Exhibit B

Allowances, Alternates, Value Engineering (VE) Options and Owner Direct Purchases (ODPs)
10/26/2021- Revision 1

Allowances		
Dumpster	\$3,150.00	
Temporary Barricades	\$5,000.00	
Progress Cleaning	\$26,100.00	
Final Cleaning	\$1,500.00	
Commissioning	\$1,000.00	
Closeout Submittals	\$500.00	
Temporary Chiller	\$25,000.00	
Temporary Generator for Chiller	\$25,000.00	
	Allowance's Total	\$87,250.00

Alternates		
There are no Alternates	\$0.00	
	Alternate's Total	\$0.00

VE Options		
There are no Value Engineering Options	\$0.00	
	VE Option's Total	\$0.00

ODPs		
Estimated HVAC Owner Direct Purchases	\$311,000.00	\$18,710.00
Estimated Electrical Owner Direct Purchases	\$75,000.00	\$4,550.00
	ODP's Total	\$386,000.00
		\$23,260.00



Exhibit C

Summary, Qualifications and Assumptions, and Exclusions
10/26/2021- Revision 1

Summary

The scope of work is limited to the Mechanical work and Electrical work associated with the Mechanical work as shown on the drawings.

Provide and install a complete new BAS controls system for the entire campus. Provide new chilled water control valves and new damper actuators at all AHU's and FCU's. Provide new isolation valves at chillers.

Replace VAV terminal units as indicated on plans.

Provide two (2) new Carrier Chillers

Refurbish two (2) existing cooling towers, including replacing fill.

Test & balance all VAV terminal units, air handling units, and central energy plant, including new and existing equipment.

Clean interior of existing outside air ducts.

Install emergency chiller pipe connections for AHU-10a in Pod 9.

Install emergency chiller pipe connections for main chilled water system in Pod 8.

Qualifications and Assumptions

Our proposal is based on all work being performed during normal working hours.

Exclusions

All work associated with providing and installing the seven (7) mini-split systems for IT equipment.

Surge protection devices, if required, on existing panels.



Exhibit D

Schedule Milestone Dates
10/26/2021- Revision 1

	Start Date	Completion Date
Pre-Construction		
GMP Submittal	10/22/2021	10/22/2021
GMP Approval	10/22/2021	11/16/2021
Award Notice	11/17/2021	11/17/2021
Bid and Award		
Execute Subcontracts	11/17/2021	11/17/2021
Construction		
NTP Construction	11/10/2021	11/17/2021
Permitting	11/17/2021	12/1/2021
Long Lead	11/17/2021	4/29/2022
Substantial Completion	7/31/2022	7/31/2022
Commissioning	7/31/2022	8/31/2022
Final Completion	7/31/2022	10/28/2022
Close-out		
Warranty	7/31/2022	7/31/2023
Closeout Documents	7/31/2022	10/28/2022



Exhibit E

Drawing List
10/26/2021- Revision 1

		Drawing Date	Revision Date	Revision
GENERAL				
G-001	TITLE SHEET	10/18/21		
MECHANICAL				
M001	MECHANICAL SYMBOLS, LEGEND AND NOTES	10/18/21		
MD101	MECHANICAL DEMOLITION PLAN - POD #1	10/18/21		
M100	MECHANICAL PLAN - OVERALL	10/18/21		
M101	MECHANICAL PLAN - POD #1	10/18/21		
M102	MECHANICAL PLAN - POD #2	10/18/21		
M103	MECHANICAL PLAN - POD #3	10/18/21		
M104	MECHANICAL PLAN - POD #4	10/18/21		
M105	MECHANICAL PLAN - POD #5	10/18/21		
M106	MECHANICAL PLAN - POD #6	10/18/21		
M107	MECHANICAL PLAN - POD #7	10/18/21		
M108	MECHANICAL PLAN - POD #8	10/18/21		
M109	MECHANICAL PLAN - POD #9	10/18/21		
M500	MECHANICAL DETAILS	10/18/21		
M600	MECHANICAL CONTROLS - CEP	10/18/21		
M601	MECHANICAL CONTROLS	10/18/21		
M602	MECHANICAL CONTROLS	10/18/21		
M700	MECHANICAL SCHEDULES	10/18/21		
ELECTRICAL				
E001	ELECTRICAL SYMBOLS AND NOTES	10/18/21		
E100	ELECTRICAL PLAN - OVERALL	10/18/21		
E101	ELECTRICAL PLAN - POD #1	10/18/21		
E102	ELECTRICAL PLAN - POD #2	10/18/21		



Exhibit E

Drawing List

10/26/2021- Revision 1

		Drawing Date	Revision Date	Revision
E103	ELECTRICAL PLAN - POD #3	10/18/21		
E104	ELECTRICAL PLAN - POD #4	10/18/21		
E105	ELECTRICAL PLAN - POD #5	10/18/21		
E106	ELECTRICAL PLAN - POD #6	10/18/21		
E107	ELECTRICAL PLAN - POD #7	10/18/21		
E108	ELECTRICAL PLAN - POD #8	10/18/21		
E109	ELECTRICAL PLAN - POD #9	10/18/21		
E200	ELECTRICAL PANEL SCHEDULES	10/18/21		
E201	ELECTRICAL PANEL SCHEDULES	10/18/21		
E202	ELECTRICAL PANEL SCHEDULES	10/18/21		
E203	ELECTRICAL PANEL SCHEDULES	10/18/21		
E300	ELECTRICAL DETAILS	10/18/21		
E400	ELECTRICAL ONE-LINE DIAGRAM	10/18/21		

Specifications

There is not a Project Manual or Specification Book for the Project



Exhibit F

Specification List

10/26/2021- Revision 1

Exclusions, Modifications, etc.

Date

There is no Project Manual or Specification Book for this Project