



**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:        Satellite High School**

**PROJECT:      Food Service Remodel**

## 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, Two Hundred Seventy-Seven Thousand, Four Hundred Eighteen Dollars and Seventy Cents (\$1,277,418.70) 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 Architects RZK, Inc., titled Satellite High School Food Service Remodel and dated January 18, 2022, Addendum No. 1 dated February 7, 2022 and Addendum No. 2 dated February 11, 2022
- 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 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 shall be achieved by October 31, 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 Fifty-Seven Thousand, Fifty Dollars and Thirty-Seven Cents (\$57,050.37). **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 Thirty-Six Thousand, Seven Hundred Thirteen Dollars and Fifty-Six Cents (\$136,713.56). 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 Satellite High School Food Service Remodel and dated February 24, 2022. 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 Payne, 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.**

**(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: Andy Day  
Title: PRESIDENT  
Date: 3/4/2022

**ATTEST (WITNESS):** By: \_\_\_\_\_  
Mark W. Mullins, Ed.D., Superintendent

**ATTEST (WITNESS):**  
By: \_\_\_\_\_  
Print Name: Lu Anne Wondery  
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**

# EXHIBIT C-1

CONTINUING CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES  
FOR CONSTRUCTION PROJECTS NOT TO EXCEED \$2,000,000 &  
FOR STUDIES WITH A FEE NOT TO EXCEED \$200,000  
OR AS ALLOWED BY SCHOOL BOARD POLICY

RFQ #18-Q-091-DR

THE SCHOOL BOARD OF BREVARD COUNTY, FLORIDA

Date: March 4, 2022

Project Name/Number: Food Service Remodel

Project Location(s): Satellite High School

## LIST OF CONTRACT DOCUMENTS

<b>Number</b>	<b>Title</b>	<b>Date</b>
LS-0.0	Life Safety Code Compliance Information	1/18/2022
LS-0.1	Life Safety Code Compliance Information	1/18/2022
LS-0.2	Life Safety Code Compliance Information	1/18/2022
LS-0.3	Life Safety Code Compliance Information	1/18/2022
LS-1.0	Life Safety Plan	1/18/2022
A-0.0	Demolition Floor Plan	1/18/2022
A-1.0	New Dimension Floor Plan	1/18/2022
A-1.1	New Reference Floor Plan	1/18/2022
A-1.2	New Enlarged Plan	1/18/2022
A-1.3	New Equipment Plan	1/18/2022
A-1.4	New Finishes Plan	1/18/2022
A-2.0	Reflected Ceiling Plan	1/18/2022
A-3.0	Exterior Elevation, Sections & Details	1/18/2022
A-3.1	Interior Elevations	1/18/2022
A-3.2	Interior Elevations	1/18/2022
A-4.0	Door-Frame Types & Hardware Sets	1/18/2022
A-4.1	Window Types & Details	1/18/2022
A-5.0	Wall Types	1/18/2022
SP-1.0	Architectural Specifications	1/18/2022
SP-1.1	Architectural Specifications	1/18/2022
M-1	Mechanical Legend & Specifications	1/18/2022
M-2	Mechanical Demolition Plan	1/18/2022
M-3	Mechanical Plan	1/18/2022
M-4	Mechanical Schedules & Details	1/18/2022
MS-1	Mechanical Specifications	1/18/2022
P-1	Plumbing Legend & Specifications	1/18/2022
P-2	Plumbing Demolition Plan	1/18/2022
P-3	Plumbing Sewer Plan	1/18/2022
P-4	Plumbing Water Plan	1/18/2022
E-1	Electrical Legend & Specifications	1/18/2022
E-2	Electrical power Demolition Plan	1/18/2022
E-3	Electrical Lighting Demolition Plan	1/18/2022
E-4	Electrical Power Plan	1/18/2022

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THE SCHOOL BOARD OF BREVARD COUNTY, FLORIDA

Date: March 4, 2022

Project Name/Number: Food Service Remodel

Project Location(s): Satellite High School

## LIST OF CONTRACT DOCUMENTS

<u>Number</u>	<u>Title</u>	<u>Date</u>
E-5	Electrical Lighting Plan	1/18/2022
E-6	Electrical Schedules	1/18/2022
E-7	Electrical Schedules	1/18/2022



**Heard Construction, Inc.**

95 East Hall Road (32953)  
PO Box 540218  
Merritt Island, FL 32954  
Ph 321-452-5494 Fax 321-452-6946

February 24, 2022

HCI Project 2204640800

School Board of Brevard County  
2725 Judge Fran Jamieson Way  
Viera, FL 32940-6699

PO#

BPS Satellite HS Food Service Remodel

Attn: Chris Payne

Subject: CM GMP Proposal for Satellite High School Food Service Remodel

Dear Chris,

At your request we are providing our proposal for Construction Management Services for the subject project. All work will be subject to terms and conditions as stipulated in the Continuing Contract for Construction Management Services between Heard Construction Inc. and the School Board of Brevard County and RZK Architects/DDC Engineering drawings and specifications dated 1/18/22 including Addendum 1 dated 2/7/22 & Addendum 2 dated 2/11/22 outlining the following scope of work:

1. Demo and remove existing walls, ceilings & flooring per plan.
2. Removal & replacement of concrete slab to accommodate new plumbing, mechanical & electrical installations.
3. Installation of new partition and exterior walls per plan.
4. Installation of new doors, frames and hardware.
5. Installation of new storefront windows and doors, including ready access windows.
6. Installation of new floor and wall finishes.
7. Installation of new acoustical & drywall ceilings.
8. Patching and painting.
9. Installation of specified accessories and corner guards.
10. Installation of new Room signs.
11. Installation of new plumbing per plan.
12. Installation of new HVAC per plan.
13. Installation of new electrical and Fire Alarm. per plan.
14. Installation of new conduit for Data Drops at Serving lines.
15. Fire sprinkler system and associated piping modified to accommodate new Plan..

HCI's GMP to provide Construction Management Services is **\$1,277,418.70**. We have enclosed our "SBBC GMP Estimate" detailing the costs for the project. We have included supervision for the duration of the project. A \$55,000.00 Project Contingency Allowance without fee markup is included. Brianna Burton will be HCI's Project Manager and Randy Branson will be HCI's full time on-site Superintendent.

We will provide estimated Owner Direct Purchases (ODP's), including sales tax, within a few days of your acceptance of this Proposal.

This work will begin on receipt of your "Authorization to Proceed" and will be substantially completed during the upcoming summer recess. It is our intention to substantially complete the project by 7/31/22. The Preliminary Project Schedule is as follows:

Board approval: 3/22/22

Notice To Proceed issued - 3/23/22

Start construction - 5/19/22

Substantial Completion - 7/31/22

Final Completion - 10/31/22

We acknowledge that if Substantial Completion is not attained before 7/31/22 Liquidated Damages in the amount of \$1000.00 per day will be imposed. If HCI fails to attain Substantial Completion the Final Completion Date shall be reset to the ninetieth (90th) day after the date of actual Substantial Completion and Liquidated Damaged will be imposed at \$500.00 per day.

#### QUALIFICATIONS, CLARIFICATIONS AND EXCLUSIONS

1. Any Building Official requirements not specifically included in this proposal are excluded.
2. Only work described in the above scope of work is included in this project.
3. We have excluded HCI Commissioning costs.

We thank you for this opportunity and look forward to your approval to proceed with this project.

If you have any questions please give me a call at (321) 537-7449 at your earliest convenience.

Sincerely,

*Brianna Burton*

Brianna Burton

Heard Construction, Inc.

CC:





**Project No 2204640800**  
**BPS Satellite HS Food Service Remodel**

Estimate Type: 100% Documents      Estimate Status: In Process  
2/25/2022

<b>Item Description</b>	<b>Qty</b>	<b>Unit</b>	<b>Unit Price</b>	<b>Extended Amount</b>
<b>0</b>				
<u>CSI Division 0 - General Conditions</u>				
Project Executive	40	hrs	88.38	3,535.20
Project Manager	192	hrs	76.02	14,595.84
Project Manager Vehicle	1	month(s)	375.00	375.00
Project Manager Phone	1	month(s)	55.00	55.00
Project Superintendent 5/19 through 10/31	960	hrs	62.88	60,364.80
Project Superintendent Vehicle	3	month(s)	375.00	1,125.00
Project Superintendent Phone	3	month(s)	55.00	165.00
Project Accountant	20	hrs	58.85	1,177.00
Project Clerk	50	hrs	25.39	1,269.50
Reproduction & Printing	3	month(s)	75.00	225.00
Postage	3	month(s)	100.00	300.00
Project Superintendent Nights and Weekend Work	150	hrs	62.88	9,432.00
<b>CSI Division 0 - General Conditions Total</b>				<b>92,619.34</b>
<u>CSI Division 1 - General Requirements</u>				
Dumpster	15	each	500.00	7,500.00
Utility locates	1	allowance	2,500.00	2,500.00
General Labor	348	hrs	25.00	8,700.00
Testing & Inspection Services	1	allowance	3,500.00	3,500.00
Temp Barriers & Enclosures Protective fence around kitchen hood	1	ls	1,600.00	1,600.00
Kitchen hood fire protection service	1	allowance	2,000.00	2,000.00
Final Cleaning	1	allowance	3,500.00	3,500.00
Move & Protect Kitchen Equipment Includes move back into kitchen	1	ls	1,900.00	1,900.00
Submittals	1	allowance	500.00	500.00
As-Built Documents/Drawings	1	allowance	500.00	500.00
Operations/Maintenance Data	1	allowance	500.00	500.00

Item Description	Qty	Unit	Unit Price	Extended Amount
<b>CSI Division 1 - General Requirements Total</b>				<b>32,700.00</b>
<u>CSI Division 2 - Existing Conditions</u>				
Demolition Subcontractor Includes 2000 SF concrete slab removal for underground plumbing installations	1	ls	81,685.00	81,685.00
Demolition Subcontractor Demo asphalt paving and put back for Fire Sprinkler Piping installation	1	allowance	4,000.00	4,000.00
<b>CSI Division 2 - Existing Conditions Total</b>				<b>85,685.00</b>
<u>CSI Division 3 - Concrete</u>				
Cast-in-Place Concrete Subcontractor Pour back concrete removed for underground plumbing installations	2000	sf	12.84	25,680.00
<b>CSI Division 3 - Concrete Total</b>				<b>25,680.00</b>
<u>CSI Division 8 - Openings</u>				
Doors, Frames and Hardware Subcontractor	1	ls	24,410.00	24,410.00
Entrances, Storefront/Curtain Wall Subcontractor Ready access windows & storefront doors per plan	1	ls	53,080.00	53,080.00
<b>CSI Division 8 - Openings Total</b>				<b>77,490.00</b>
<u>CSI Division 9 - Finishes</u>				
Ceilings Subcontractor	1	ls	17,539.00	17,539.00
Plaster and Gypsum Board Subcontractor	1	ls	133,749.00	133,749.00
Tile Subcontractor Quarry floor tile in kitchen areas, ceramic floor & wall tile in dining areas, 2000 Sf quarry floor tile patch included in kitchen areas where new underground plumbing installed	1	ls	205,802.00	205,802.00
Painting and Coatings Subcontractor Includes patching holes in exposed ceiling	1	ls	55,752.00	55,752.00
Painting and Coatings Subcontractor Painting new fire sprinkler piping	1	allowance	3,000.00	3,000.00
<b>CSI Division 9 - Finishes Total</b>				<b>415,842.00</b>
<u>CSI Division 10 - Specialties</u>				
Toilet, Bath, and Laundry Accessories	1	ls	2,500.00	2,500.00
Signage Provide & install 10 Room Signs	1	ls	904.15	904.15
Handrails and Corner guards 31 each 9' high ss corner guards	1	ls	6,835.00	6,835.00
<b>CSI Division 10 - Specialties Total</b>				<b>10,239.15</b>
<u>CSI Division 12 - Furnishings</u>				
Countertops	1	ls	17,200.00	17,200.00
<b>CSI Division 12 - Furnishings Total</b>				<b>17,200.00</b>

Item Description	Qty	Unit	Unit Price	Extended Amount
<u>CSI Division 21 - Fire Suppression</u>				
Fire Suppression Subcontractor	1	ls	70,800.00	70,800.00
Fire Extinguishing System Subcontractor	1	allowance	10,000.00	10,000.00
Allowance for taps and backflow preventer, etc. exclusions from Fire Suppression Proposal				
<b>CSI Division 21 - Fire Suppression Total</b>				<b>80,800.00</b>
<u>CSI Division 22 - Plumbing</u>				
Plumbing Subcontractor	1	ls	64,800.00	64,800.00
<b>CSI Division 22 - Plumbing Total</b>				<b>64,800.00</b>
<u>CSI Division 23 - HVAC</u>				
HVAC Subcontractor	1	ls	76,874.00	76,874.00
Includes Pre & Post T&B				
Instrumentation and Control for HVAC Subcontractor	1	allowance	5,000.00	5,000.00
<b>CSI Division 23 - HVAC Total</b>				<b>81,874.00</b>
<u>CSI Division 26 - Electrical</u>				
Electrical Subcontractor	1	ls	154,358.00	154,358.00
Includes LED Lighting Add and Fire Alarm system				
<b>CSI Division 26 - Electrical Total</b>				<b>154,358.00</b>
<u>CSI Division 28 - Electronic Safety and Security</u>				
Fire Extinguishers & Cabinets	1	ls	870.00	870.00
2 each				
<b>CSI Division 28 - Electronic Safety and Security Total</b>				<b>870.00</b>
<u>CSI Division 31 - Earthwork</u>				
Soil Treatment Subcontractor	1	allowance	850.00	850.00
Soil treatment				
<b>CSI Division 31 - Earthwork Total</b>				<b>850.00</b>

			<b>Subtotal</b>	<b>1,141,007.49</b>
			Estimated Cost Subtotal	1,141,007.49
			Overhead @ 0.00%	<u>0.00</u>
			Subtotal	1,141,007.49
			Fee @ 5.00%	<u>57,050.37</u>
			Subtotal	1,198,057.86
			Contingency	55,000.00
			Pre-construction/Design	0.00
			General Liability @ 0.26%	2,966.62
			Professional Liability @ 0.00%	0.00
			Builders Risk Insurance	0.00
			Subcontractor Bonds	<u>10,000.00</u>
			Subtotal	1,266,024.48
			Bond @ 0.90%	<u>11,394.22</u>
			Total	1,277,418.70