

Document 00 53 23 - GMP Amendment (University CM at Risk Project)
State of Ohio Standard Requirements for Public Facility Construction

GMP Amendment No. 2
Agreement Exhibit D

The State of Ohio, acting by and through the University, and the CM enter into this Amendment as of the date set forth below to amend the Contract they entered into as of June 22, 2022 in connection with the Project known as:

Project Number: KSU-18L048
Project Name: Crawford Hall – Ambassador Crawford College of Business and Entrepreneurship
Owner (“University”): Kent State University
Contracting Authority: Kent State University
Construction Manager (“CM”): Gilbane Building Company

ARTICLE 1 - CONTRACT SUM AND RELATED ITEMS FOR THIS AMENDMENT

1.1 The Contract Sum is **sixty-nine million, five hundred ninety-two thousand, nineteen and 00/100 dollars (\$69,592,019.00)** which is the sum of the estimated Cost of the Work, plus the CM’s Contingency, plus the CM’s Fee as follows:

1.1.1 The estimated Cost of the Work is **sixty-six million, two hundred seventy-nine thousand, four hundred ninety-six and 00/100 dollars (\$66,279,496.00)**, which includes all Allowances (if any) and Unit Prices (if any) defined through this Amendment, and is the sum of:

1.1.1.1 CM’s Construction Stage Personnel Costs in the amount of **one million, eight hundred thirteen thousand, three hundred forty and 00/100 dollars (\$1,813,340.00)**, which amount shall not exceed **one million, eight hundred thirteen thousand, three hundred forty and 00/100 dollars (\$1,813,340.00)**;

1.1.1.2 General Conditions Costs in the amount of **one million, three hundred twenty-nine thousand, seven hundred fifty-three and 00/100 dollars (\$1,329,753.00)**;

- .1** Before the date of this GMP Amendment, the General Conditions Cost cap was \$1,004,124.00.
- .2** Through this GMP Amendment, the scope of the General Conditions Work has been increased as follows: The increase in the project budget due to current market inflation conditions has increased the value of the Builders Risk and Performance & Payment Bonds.
- .3** On account of the increase in the scope of the General Conditions Work, the General Conditions Costs cap is hereby changed to **one million, three hundred twenty-nine thousand, seven hundred fifty-three and 00/100 dollars (\$1,329,753.00)**.

1.1.1.3 all Work the CM proposes to provide through Subcontractors in the amount of **sixty-three million, one hundred thirty-six thousand, four hundred three and 00/100 dollars (\$63,136,403.00)**;

1.1.1.4 all Self-Performed Work the CM proposes to provide directly or through a CM Affiliated Entity in the amount of **\$0.00**, which amount does not include any costs accounted for under the CM’s Construction Stage Personnel Costs or General Conditions Costs.

1.1.2 The CM’s Contingency in the amount of **one million, five hundred fifteen thousand, two hundred seventy-four and 00/100 dollars (\$1,515,274.00)**, which shall not exceed 2.4% percent of the above-identified Cost of the Work.

1.1.2.1 Notwithstanding **Article 9** of the **General Conditions**, the Contingency Review Dates will be the dates on which the CM achieves the following activities identified in the **Construction Progress Schedule** attached as **GMP Exhibit E**:

FD-1140, Completion of Foundations
SR-1150, Completion of Slabs on Decks (Structure)
EN-1140, Completion of Roofing (Envelope)

1.1.3 The CM's Fee in the amount of **\$1,797,249.00**, which shall not exceed 2.67% percent of the sum of the above-identified Cost of the Work plus the above-identified CM's Contingency.

1.2 Recap of Contract Sum and Related Items:

Compensation Component Description (refer to complete description in the Section of this GMP Amendment referenced below)	Current Amount (before execution of this GMP Amendment)	Increase(Decrease) (amount added to or (deducted from) Current Amount)	Amended Amount (after execution of this GMP Amendment)
1.1 Contract Sum	\$66,839,281.11	\$2,752,737.89	\$69,592,019.00
1.1.1 Estimated Cost of the Work	\$63,645,195.73	\$2,634,300.27	\$66,279,496.00
1.1.1.1 Personnel Costs	\$1,481,607.73	\$331,732.27	\$1,813,340.00
1.1.1.2 General Conditions Costs	\$1,004,124.00	\$325,629.00	\$1,329,753.00
1.1.1.3 Subcontracted Work	\$61,159,464.00	\$1,976,939.00	\$63,136,403.00
1.1.1.4 Self-performed Work	\$0.00	\$0.00	\$0.00
1.1.2 CM's Contingency	\$1,467,827.00	\$47,447.00	\$1,515,274.00
1.1.3 CM's Fee	\$1,726,258.38	\$70,990.62	\$1,797,249.00

1.3 The penal sum of the CM's Bonds shall not be less than 100 percent of the CM's Total Compensation.

ARTICLE 2 - CONTRACT TIMES

2.1 The Contract Times are the periods established in the following table for the achievement of the associated Milestones:

Construction Stage Milestone(s) to which Liquidated Damages apply	Contract Time	Projected Date (as of the date of this GMP Amendment)
Certificate of Occupancy	636 days	May 09, 2024
Substantial Completion	657 days	May 30, 2024
Punch List Milestone(s)	See Contracting Definitions	June 26, 2024

2.1.1 The projected dates listed under "Projected Date (as of the date of this GMP Amendment)" are provided only for convenient reference during the consideration and negotiation of this GMP Amendment. The durations listed under "Contract Time" define the Contract Times and take precedence over the projected dates.

ARTICLE 3 - LIST OF EXHIBITS

3.1 This Amendment is based upon the following documents:

3.1.1 Basis Documents attached as **GMP Exhibit A**:

(This exhibit includes the Design Intent Statement and a list, which identifies by number, title, and date, all of the Drawings, Specifications, and other documents, upon which the CM relied to prepare this Amendment.)

3.1.2 Assumptions and Clarifications attached as **GMP Exhibit B**:

(This exhibit includes a complete list of the assumptions and clarifications made by the CM in the preparation of this Amendment, which list is intended to clarify the information contained in the Basis Documents, but is not intended to otherwise modify the Contract.)

3.1.3 Project Estimate attached as **GMP Exhibit C**:

(This exhibit includes a detailed estimate of the Cost of the Work which (1) allocates the cost of each of item of the Work to labor and materials/equipment organized by trade categories and (2) does not contain a lump-sum estimate for any item other than the CM's Fee and the CM's Contingency. This exhibit is informational only. It is included to provide a tool to evaluate, analyze, and discuss the proposed Contract Sum.)

3.1.4 Project Schedule attached as **GMP Exhibit D**:

3.1.5 Construction Progress Schedule attached as **GMP Exhibit E**;**3.1.6 Staffing Plan** attached as **GMP Exhibit F**;

(This exhibit includes the CM's detailed plan for staffing the Project during the Construction Stage and an outline of the qualifications and experience of the CM's proposed project manager and proposed superintendent, including references, unless the CM previously submitted that information and the CM's project manager and superintendent were approved.)

3.1.7 Subcontractor Work Scopes attached as **GMP Exhibit G**;

(This exhibit includes a detailed scope-of-Work description for each anticipated Subcontract.)

3.1.8 Scope of CM's Self-Performed Work attached as **GMP Exhibit H**;

(This exhibit includes a detailed scope-of-Work description for all Self-Performed Work the CM proposes to provide itself or through a CM Affiliated Entity if the requirements in the Contract are met; otherwise this scope of Work will be performed by a Subcontractor.)

3.1.9 Schedule of Allowances attached as **GMP Exhibit I** (if applicable);

(This exhibit includes a complete list and detailed description of all Allowance Items with related measurement and payment terms.)

3.1.10 Schedule of Unit Prices attached as **GMP Exhibit J** (if applicable);

(This exhibit includes a complete list and detailed description of all Unit Price items with related measurement and payment terms.)

3.1.11 Schedule of Alternates attached as **GMP Exhibit K** (if applicable); and

(This exhibit includes a complete list and detailed description of all Alternates with related measurement and payment terms.)

3.1.12 Schedule of Incentives and Shared Savings attached as **GMP Exhibit L** (if applicable).

(This exhibit includes a detailed description of all performance incentives/bonuses applicable to the Work including related measurement/entitlement and payment terms.)

SIGNATURES

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the date set forth below:

Gilbane Building Company
Scott E. Bindel
2023.02.13
19:28:00-05'00'*Signature***Scott Bindel***Printed Name***Operations Manager***Title***State of Ohio, By and Through the University****OWNER – Kent State University**

JAG 3/3/2023


Signature

Mark M. Polatajko, Ph.D., CPA

Printed Name

Senior Vice President for Finance and Administration

Title

3-7-23

*Date***OWNER – Kent State University**

Approved as to Legal Form for Kent State University


Signature

Crystal Burnett

Printed Name

Associate University Counsel

Title

March 6, 2023

*Date***END OF DOCUMENT**