

**CONTRACT AMENDMENT NO. 10 TO
CONSTRUCTION MANAGER AGREEMENT**

THIS AMENDMENT TO CONSTRUCTION MANAGER AGREEMENT is made this **23rd day of October, 2023** by Rock Ridge Public Schools – ISD 2909 ("Owner") and Kraus-Anderson Construction Company ("Construction Manager").

WITNESSETH THAT WHEREAS:

A. Owner and Construction Manager are parties to that certain **Standard Form of Agreement Between Owner and Construction Manager as Adviser** dated **December 12, 2018** (the "Contract") with respect to construction management on various construction projects for the Owner (the "Projects").

B. Owner and Construction Manager now desire to amend the Contract.


NOW, THEREFORE, in consideration of the foregoing recitals and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby amend the Contract and agree as follows.

1. Section 11.1.2 shall be amended such that the Construction Manager's Preconstruction and Construction Phase Basic Site Services ("Site Services"), Reimbursable Expenses, and Fee shall be fixed as a lump sum for the projects as follows, and as shown on Exhibit A attached hereto, for the following Projects:
 - a. Laurentian Elementary School (Eveleth-Gilbert Elementary School)
 - b. Rock Ridge High School (Career Academy High School)
 - c. Structural Demolition Projects
 - d. North Star Elementary School (Virginia Elementary School)

Exhibit A contains assumptions based upon the total Cost of the Work and scheduled duration for each of the Projects. Should these assumptions be exceeded, the Construction Manager shall be entitled to an equitable adjustment of its Site Services, Reimbursable Expenses, General Conditions, and Fee.

2. Except as modified herein, the Contract shall remain in full force according to its terms.
3. This Amendment may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original and all of which counterparts, taken together, shall constitute one and the same instrument. Delivery of an executed counterpart of a signature page of this document by facsimile or other generally accepted electronic means shall be effective as delivery of a manually executed counterpart of this document.

4. The contract dollar amount change is a **INCREASE** of **\$186,391.56**, distributed as follows:

 KRAUS-ANDERSON®				23-Oct-23
	CM Amendment #10 (AUG 2023)	CM Amendment #11 (OCT 2023)	Net Change	Remarks
ISD#2909 Rock Ridge Public Schools - Grand Total				
KA General Conditions	\$ 5,154,750.15	\$ 5,189,772.55	\$ 35,022.40	1. Net amendment change of appx. \$186,391.56 - Primarily due to the additional funding received from the IRRRB & additional Bond, which was infused into the Demo, North Star, & RR Mech PH2 Projects.
KA Site Services	\$ 7,081,115.78	\$ 7,163,435.78	\$ 82,320.00	
KA Reimbursables	\$ 1,257,956.73	\$ 1,293,806.32	\$ 35,849.59	
KA Construction Manager Fee (Constructor)	\$ 3,293,586.51	\$ 3,326,786.08	\$ 33,199.57	
Grand Total (Breakouts #01 - #04)	\$ 16,787,409.17	\$ 16,973,800.73	\$ 186,391.56	
Breakout #01: Laurentian Elementary School (formerly Eveleth-Gilbert Elementary School)				
KA General Conditions	\$ 715,137.51	\$ 715,137.51	\$ -	1. No Adjustments on this Amendment. 2. Project is complete.
KA Site Services	\$ 1,549,833.00	\$ 1,549,833.00	\$ -	
KA Reimbursables	\$ 222,447.55	\$ 222,447.55	\$ -	
KA Construction Manager Fee (Constructor)	\$ 531,245.73	\$ 531,245.73	\$ -	
Subtotal Breakout #01	\$ 3,018,663.79	\$ 3,018,663.79	\$ -	
Breakout #02: Rock Ridge High School				
KA General Conditions	\$ 3,228,725.88	\$ 3,228,725.88	\$ -	1. No Adjustments on this Amendment. 2. Project is complete.
KA Site Services	\$ 3,840,645.70	\$ 3,840,645.70	\$ -	
KA Reimbursables	\$ 762,846.18	\$ 762,846.18	\$ -	
KA Construction Manager Fee (Constructor)	\$ 2,019,563.27	\$ 2,019,563.27	\$ -	
Subtotal Breakout #02	\$ 9,851,781.03	\$ 9,851,781.03	\$ -	
Breakout #03: Structural Demolition Projects (through VHS demo)				
KA General Conditions	\$ 20,000.00	\$ 20,000.00	\$ -	1. CM Fee & Reimbursables adjustment, due to increased demo scope at VHS, which increased construction costs.
KA Site Services	\$ 311,942.08	\$ 311,942.08	\$ -	
KA Reimbursables	\$ 54,533.00	\$ 70,834.99	\$ 16,301.99	
KA Construction Manager Fee (Constructor)	\$ 103,394.75	\$ 109,099.32	\$ 5,704.57	
Subtotal Breakout #03	\$ 489,869.83	\$ 511,876.39	\$ 22,006.56	
Breakout #04: North Star Elementary School (formerly Virginia Elementary School)				
KA General Conditions	\$ 1,190,886.76	\$ 1,211,886.76	\$ 21,000.00	1. CM Fee & General Conditions adjustments, due to increased funding from the IRRRB, for additional site work under VHS and other misc. added scope items.
KA Site Services	\$ 1,378,695.00	\$ 1,378,695.00	\$ -	
KA Reimbursables	\$ 216,130.00	\$ 216,130.00	\$ -	
KA Construction Manager Fee (Constructor)	\$ 639,382.76	\$ 640,222.76	\$ 840.00	
Subtotal Breakout #04	\$ 3,427,094.52	\$ 3,448,934.52	\$ 21,840.00	
Breakout #05: RRRS District Admin Building Mechanical Upgrade - Phase 2				
KA General Conditions	\$ -	\$ 14,022.40	\$ 14,022.40	1. New Project added to the referendum via additional Bond money.
KA Site Services	\$ -	\$ 82,320.00	\$ 82,320.00	
KA Reimbursables	\$ -	\$ 19,547.60	\$ 19,547.60	
KA Construction Manager Fee (Constructor)	\$ -	\$ 26,655.00	\$ 26,655.00	
Subtotal Breakout #05	\$ -	\$ 142,545.00	\$ 142,545.00	

IN WITNESS WHEREOF, the parties hereto have executed this **Amendment No. 11** to Construction Manager Agreement as of the date first set forth above. The undersigned further acknowledges that he or she is authorized to enter into this Amendment on behalf of the party designated below.

ROCK RIDGE PUBLIC SCHOOLS – ISD
2909

Dated: _____, 2023

By: _____

Title: _____

KRAUS-ANDERSON CONSTRUCTION
COMPANY

Dated: _____, 2023

By: _____

Title: _____