



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

Topic: Approval of First Amendment to the CMAR contract with Leyendecker Construction of Texas, Inc. for construction of the new gym at Trautmann Elementary School as part of the new classroom wing addition and campus renovation project.

Submitted by: Mrs. Cordelia Jackson/Mr. Ignacio Alaniz **Of:** Purchasing Dept./Construction Dept.

Approved for transmittal to school board: October 21, 2015

Recommendations: The Administration recommends approval of first amendment to the CMAR contract for construction of the new gym at Trautmann Elementary School in the amount of \$1,495,454.37. This amendment is being recommended due to facility upgrade to new TEA facility standards and UISD prototype construction standards.

Rationale: This amendment is a result of a comparison of gymnasium and performance stage areas of the existing gymnasium to the new elementary school prototype design. The new facility will match current UISD Elementary School gymnasium standards. (Please see attached Exhibit with site plan, floorplan, and cost proposal breakdown information) Staff has complied with all applicable federal state and local purchasing policies and procedures in obtaining pricing for the items listed above.

Budgetary Information:

General Fund

Board Policy Reference and Compliance

CV Legal – Facilities Construction

Texas education code 44.031, 44.035, 44.036, and 44.039

**FIRST AMENDMENT TO
CONSTRUCTION MANAGER AT RISK AGREEMENT
BETWEEN THE UNITED INDEPENDENT SCHOOL DISTRICT AND
LEYENDECKER CONSTRUCTION OF TEXAS, INC. INVOLVING THE
CLASSROOM WING ADDITION AND MAIN BUILDING RENNOVATIONS AT
TRAUTMANN ELEMENTARY SCHOOL**

This First Amendment to the Construction Manager at Risk Agreement (this "Amendment") is made by and between the **United Independent School District** (the "Owner") and **Leyendecker Construction of Texas, Inc.** (the "CM") regarding the construction involving a classroom wing addition main building renovations at Trautmann Elementary School

RECITALS

WHEREAS, the Owner and CM entered into that Certain Construction Manager at Risk Agreement ("AIA A133-2009 Standard Form of Agreement between Owner and Construction Manager as Constructor where the basis of Payment is the Cost of Work Plus a Fee with a Guaranteed Maximum Price" also known as the "Agreement or Contract") for the construction of a Classroom Wing Addition and Main Building Renovations at Trautmann Elementary School; and

WHEREAS, Article 5 section 5.3.1. of the Agreement allows the Owner, without invalidating the Contract, order changes in the Work within the general scope of the Contract consisting of additions, deletions or other revisions, and

WHEREAS, Article 5, section 5.3.2 of the Agreement allows for adjustments to the Guaranteed Maximum Price on account of changes in the Work subsequent to the execution of the Guaranteed Maximum Price; and

WHEREAS, The Owner and CM desire to enter into this Amendment to amend the Agreement which reflects a change and additions in the scope of the Work

AGREEMENT

1. Article 5 §5.3.1. Owner has submitted a prototype design for a gymnasium and performance stage which is to be considered as an addition to the general scope of Work under the Contract. The design has been reviewed and approved and is attached and incorporated herein as **Exhibit "A"**

2. Article 5 § 5.3.2. CM has submitted a Guaranteed Maximum Price for the construction of the gymnasium and performance stage. The Guaranteed Maximum Price for the construction of the gymnasium and performance stage shall not exceed ONE MILLION FOUR HUNDRED NINETY-FIVE THOUSAND FOUR HUNDRED FIFTY-FOUR DOLLARS THIRTY-SEVEN CENTS (\$1,495,454.37) as set out on page 2 of Exhibit “B” which is attached and incorporated herein.

3. Article A.1 §1.1.1. The Guaranteed Maximum Price set out under Article A.1 §A.1.1.1 shall be increased by an amount not to exceed ONE MILLION FOUR HUNDRED NINETY-FIVE THOUSAND FOUR HUNDRED FIFTY-FOUR DOLLARS THIRTY-SEVEN CENTS (\$1,495,454.37) (\$1,495,454.37) to construct the Trautmann Elementary School Gymnasium and Performance stage.

4. Article A.1 §1.1.2. Exhibit “B” to this amendment is included as part of the itemized statement set out under Article A.1 §1.1.2.

Miscellaneous

a. **Capitalized Terms.** Capitalized terms not defined herein shall have the same meaning assigned to such terms in the Agreement.

b. **Amendment to Agreement.** The Owner and the CM acknowledge and agree that the Amendment has not been amended or modified in any respect, other than by this Amendment. The term “Agreement” shall mean the Agreement as amended by this Amendment unless the context requires otherwise.

c. **Full Force and Effect.** Except as expressly amended hereby, all other items and provisions of the Agreement remain unchanged and continue in full force and effect.

d. **Conflicts.** The terms of this Agreement shall control over any conflicts between the terms of the Agreement and the terms of this Amendment.

e. **Counterparts.** This Amendment may be executed by the parties in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute but one of the same agreement. All signatures need to be on the same counterpart.

EXECUTED to be effective as of the later date set forth below:

OWNER: UNITED INDEPENDENT SCHOOL DISTRICT

BY: _____

Name: Roberto J. Santos

Title: Superintendent of Schools

Date: _____

CM: LEYENDECKER CONSTRUCTION OF TEXAS, INC.

By: _____

Name: Gary Leyendecker

Title: _____

Date: _____



**COMPARISON OF
GYMNASIUM
AND
PERFORMANCE STAGE AREAS

TRAUTMANN ELEMENTARY SCHOOL
VS
NEW ELEMENTARY SCHOOL
PROTOTYPE DESIGN**

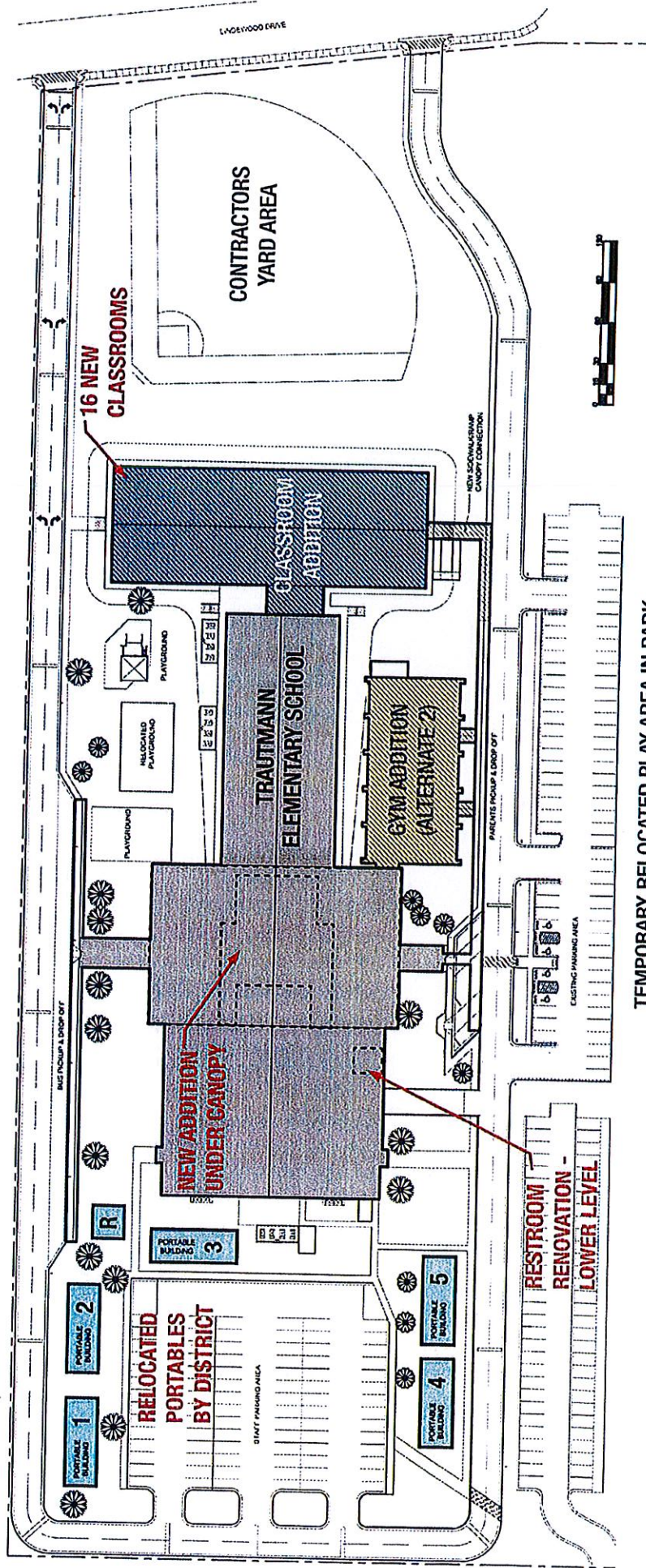
GYMNASIUM & STAGE AREAS COMPARISON

	TRAUTMANN ELEMENTARY SCHOOL	VETERANS MEMORIAL ELEMENTARY SCHOOL	PERCENTAGE INCREASE FOR NEW PROTOTYPE
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GYMNASIUM AREA 3,826 Sq Ft 5,897 Sq Ft 54% LARGER

PERFORMANCE STAGE AREA 620 Sq Ft 778 Sq Ft 25% LARGER





TEMPORARY RELOCATED PLAY AREA IN PARK

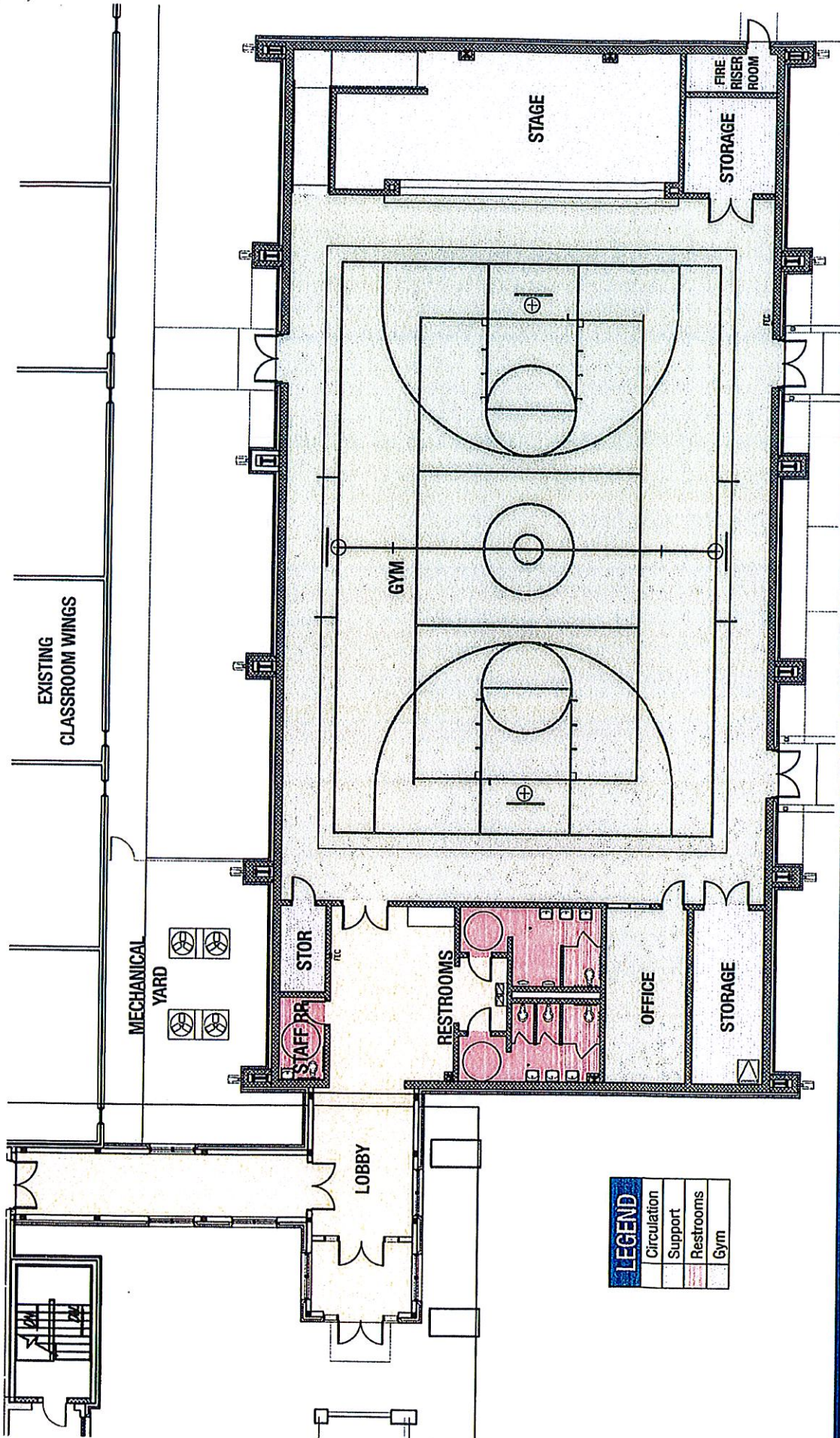
Exhibit A

UNITED INDEPENDENT
SCHOOL DISTRICT
LAREDO, TEXAS

UISD

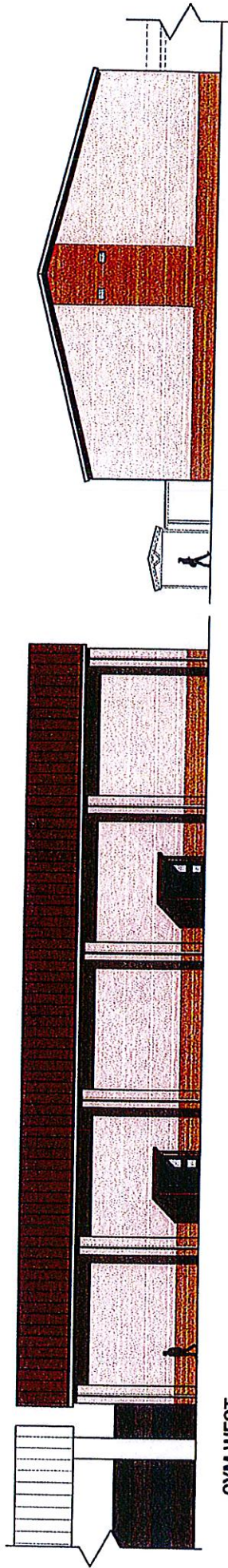
UNITED INDEPENDENT SCHOOL DISTRICT - TRAUTMANN ELEMENTARY SCHOOL
CLASSROOM WING ADDITION AND MAIN BUILDING RENOVATIONS
SITE IMPROVEMENTS

munoz
ARCHITECTURE & DESIGN

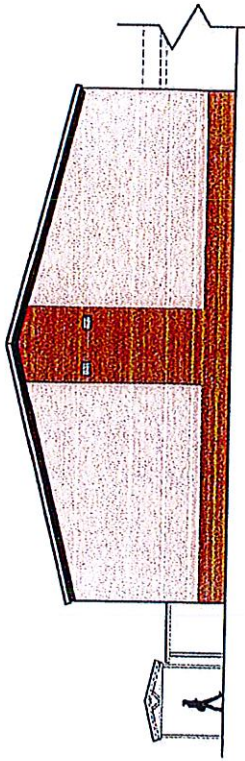


LEGEND	
[Symbol]	Circulation
[Symbol]	Support
[Symbol]	Restrooms
[Symbol]	Gym

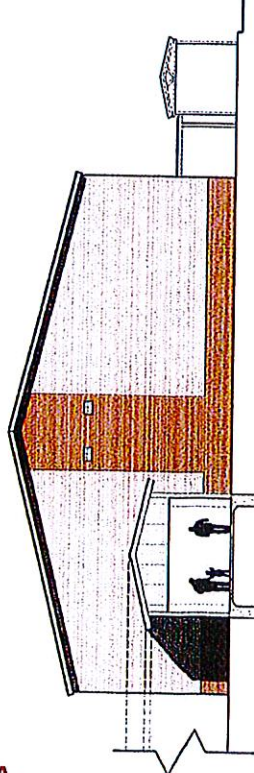
Exhibit A



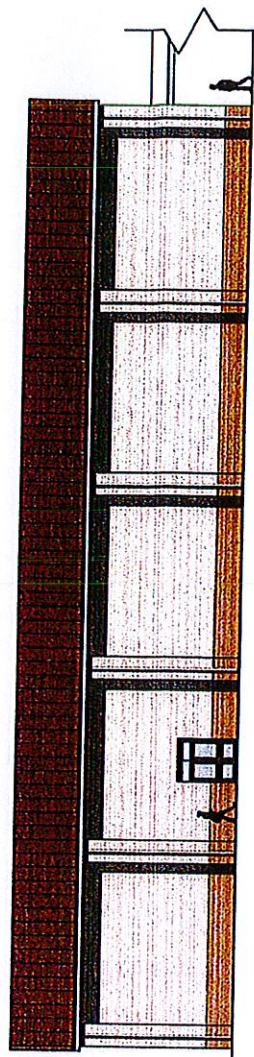
GYM WEST



GYM SOUTH



GYM NORTH



GYM EAST

Exhibit A

UISD UNITED INDEPENDENT SCHOOL DISTRICT LAREDO, TEXAS
 UNITED INDEPENDENT SCHOOL DISTRICT - TRAUTMANN ELEMENTARY SCHOOL
 CLASSROOM WING ADDITION AND MAIN BUILDING RENOVATIONS
NEW GYM ELEVATIONS (ALTERNATE No. 2)
muñoz ARCHITECTURE & DESIGN

**LEYENDECKER CONSTRUCTION, INC.
CONSTRUCTORS AND ENGINEERS**

LAREDO, TEXAS 78041

TELEPHONE (956)-722-0531
FAX (956)-722-8215

P. O. BOX 1827
4220 SANDERS

7-May-15
United Independent School District
C/O Mrs. Cordelia Flores Jackson, Purchasing Director
Laredo, Texas

United ISD
TRAUTMANN ELEMENTARY SCHOOL ADDITIONS/RENOVATIONS

TRAUTMANN SITE IMPROVEMENTS

Allowance on landscaping, hydro seeding, sod, trees, and irrigation	\$	57,500.00	
Concrete flatwork and fencing	\$	53,280.00	
Subtotal	\$	110,780.00	
CMAR fee per agreement	8.75% \$	9,693.25	
Subtotal	\$	120,473.25	
Bond cost	\$	1,445.68	
Total			\$ 121,918.93

TRAUTMANN CLASSROOM WING

Building construction including fire protection	\$	2,550,600.00	
CMAR fee per agreement	8.75% \$	223,177.50	
Subtotal	\$	2,773,777.50	
Bond cost	\$	32,400.00	
Total			\$ 2,806,177.50

TRAUTMANN ADMINISTRATION AREA REMODEL

Building construction including	\$	956,884.00	
fire protection including backflow preventer, 50 lf of fire line, and assumption that adequate water supply is available	\$	956,884.00	
Subtotal	\$	956,884.00	
CMAR fee per agreement	8.75% \$	83,727.35	
Subtotal	\$	1,040,611.35	
Bond cost	\$	12,487.34	
Total			\$ 1,053,098.69

TRAUTMANN HVAC UPGRADES

Subtotal	\$	444,200.00	
CMAR fee per agreement	8.75% \$	38,867.50	
Subtotal	\$	483,067.50	
Bond cost	\$	5,796.81	
Total			\$ 488,864.31

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TRAUTMANN ELEMENTARY SCHOOL ADDITIONS/RENOVATIONS

TRAUTMANN RESTROOMS ALTERNATE 1			
Restroom construction	\$	126,127.00	
Subtotal	\$	126,127.00	
CMAR fee per agreement	\$	126,127.00	
Subtotal	8.75% \$	11,036.11	
Bond cost	\$	137,163.11	
Total	\$	993.19	
			\$ 138,156.30
TRAUTMANN GYM ALTERNATE 2			
Building construction including fire protection	\$	1,359,852.00	
Relocation of playground equipment, concrete slab, and cast in place rubber surface	\$	1,264,036.00	
Subtotal	\$	95,816.00	
CMAR fee per agreement	\$	1,359,852.00	
Subtotal	8.75% \$	118,987.05	
Bond cost	\$	1,478,839.05	
Total	\$	16,615.32	
			\$ 1,495,454.37
GENERAL CONTINGENCY ALLOWANCE			\$ 50,000.00
TOTAL FOR ALL PHASES INCLUDING ALTERNATES 1 AND 2			\$ 6,153,670.10
GUARANTEED MAXIMUM PRICING BASED ON 75% DOCUMENTS DATED 4-27-15			

Sincerely,



Gary A. Leyendecker, P. E.
President