



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

Topic: Approval of Amendment of Guaranteed Maximum Price (GMP) for Arndt Elementary School Classroom Wing Addition

Submitted by: Mrs. Cordelia Jackson/Mr. Ignacio R. Alaniz of: Purchasing Department/Construction Dept.

Approved for transmittal to school board: **OCTOBER 22, 2015** _____

Procurement Recommendation:

The Administration recommends approval of and Amendment to the Guaranteed Maximum Price (GMP) for Arndt Elementary Classroom Wing Addition in the amount of \$42,390.66. This amendment is a result of modifications to the scope of work related to additional storm drainage utilities that need to be built as a result of the classroom wing addition.

When the GMP was submitted, the specifications did not require underground storm drainage systems, but the final plans and specifications developed by the Architect and Civil Engineer, require additional improvements to the existing campus to ensure adequate functionality and compliance with ADA regulations. (Please see attached exhibit with site plan and cost proposal breakdown information).

Rationale:

Staff has complied with all applicable federal, state and local purchasing policies and procedures in obtaining pricing information for the items listed above.

Budgetary Information:

2013 Phase II Bond Proceeds

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
ARNDT ELEMENTARY SCHOOL CLASSROOM WING ADDITION
AND PARKING LOT EXPANSION**

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 Arndt 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 Parking Lot Expansion at Arndt 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 is seeking to modify the Scope of Work related to additional storm drainage utilities that are needed to be built as a result of the classroom wing addition which is to be considered as an addition to the general scope of Work under the Contract. The site plan for the proposed storm drain 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 storm drain. The Guaranteed Maximum Price for the construction of the storm shall not exceed FORTY-TWO THOUSAND THREE HUNDRED NINETY DOLLARS SIXTY-SIX CENTS (\$42,390.66) 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 FORTY-TWO THOUSAND THREE HUNDRED NINETY DOOLLARS SIXTY-SIX CENTS (\$42,390.66) to construct the storm drain.

4. Article A.1 §1.1.2. Exhibit "B" to this amendment is to be 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.

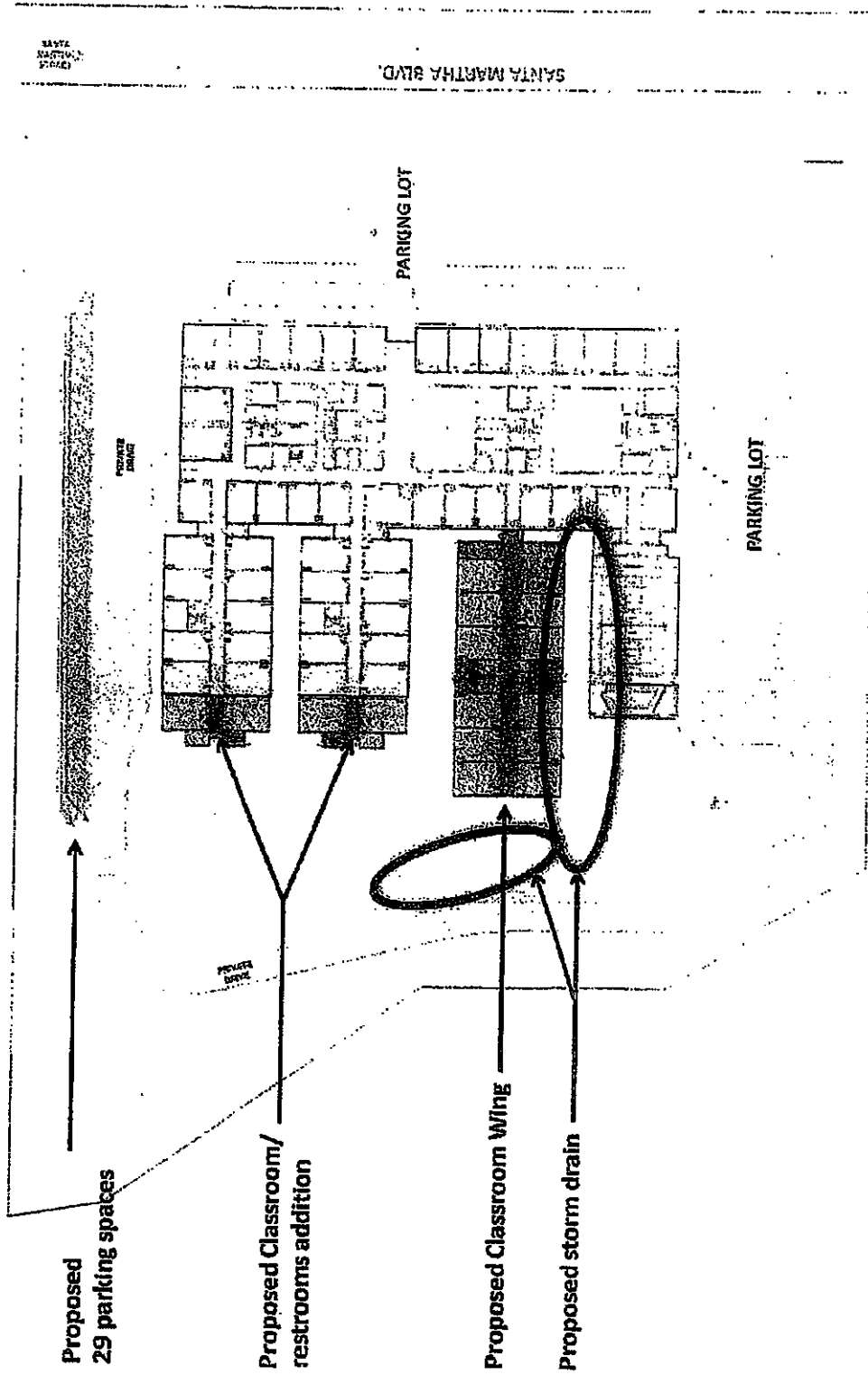
BY: _____

Name: Gary Leyendecker

Title: _____

Date: _____

SITE PLAN



Proposed 29 parking spaces

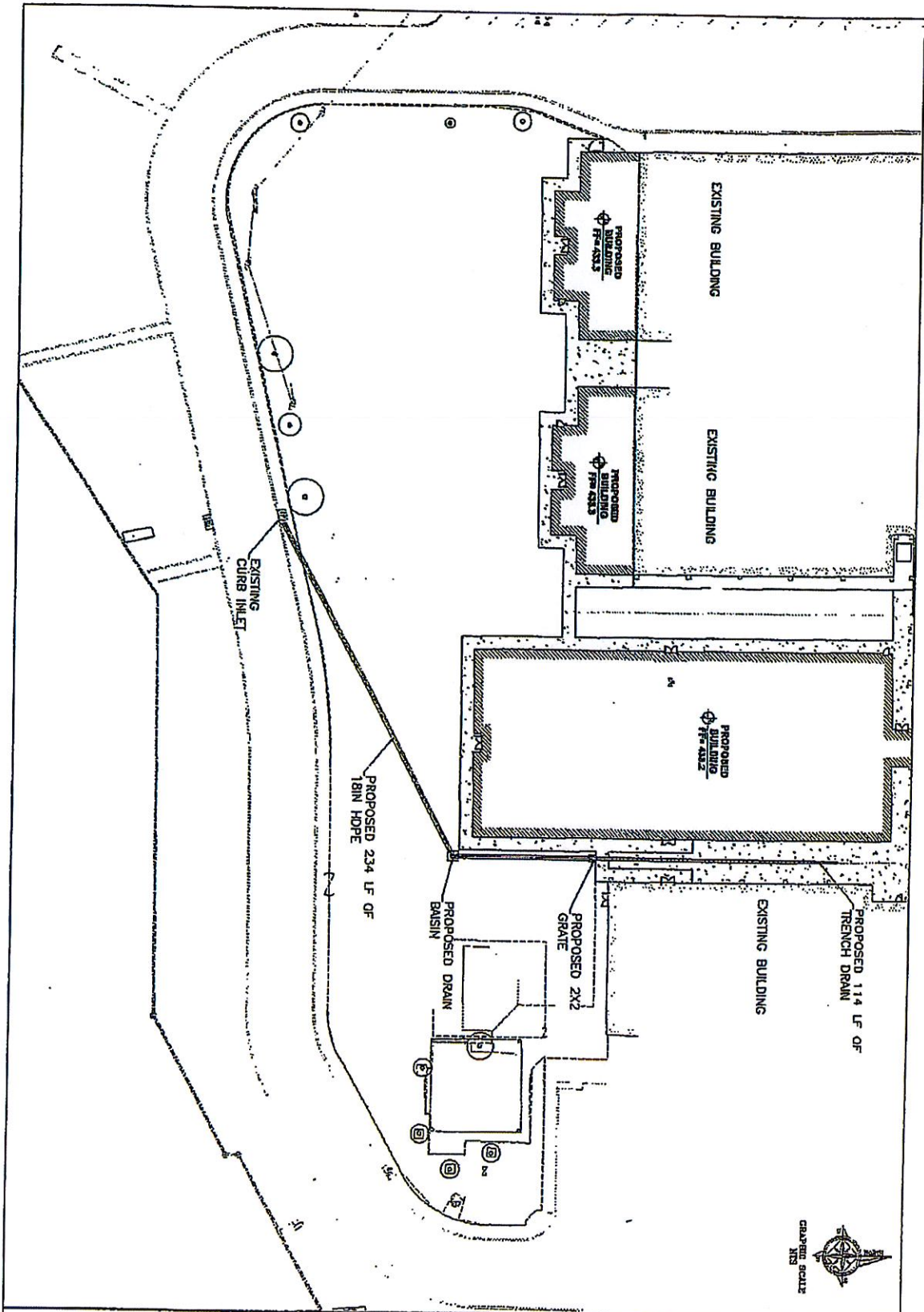
Proposed Classroom/ restrooms addition

Proposed Classroom Wing

Proposed storm drain

Exhibit A

OVERALL SITE PLAN



<p>DATE: _____</p> <p>PROJECT NAME: _____</p> <p>SCALE: _____</p> <p>DATE: _____</p>	<p>USD ARNDT ELEMENTARY SCHOOL</p> <p>CLASSROOM WING ADDITION & PARKING LOT EXPANSION</p> <p>SANTA MARTHA BLVD, LAREDO, TX</p> <p>ARCHITECT'S NOTE: _____</p>	<p>FRANK</p> <p>plunger</p> <p>ARCHITECTS</p> <p>1000 WEST 10TH STREET, SUITE 100</p> <p>LAREDO, TEXAS 77901</p> <p>TEL: 957-222-1111</p> <p>FAX: 957-222-1112</p> <p>WWW.FRANKPLUNGER.COM</p>
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Exhibit A

**Construction Manager at Risk (CMAR)
Amendment of Guaranteed Maximum Price (GMP)
Arndt Elementary School
Additions and Improvements Project**

- PROJECT CONSTRUCTION APPROVED GMP : \$2,889,835.00
(includes a contingency allowance of \$100,000.00)
- PROPOSED COST FOR STORM DRAINAGE IMPROVEMENTS: \$ 18,823.00
(See attached project site plan and civil drainage plan)
- PROPOSED COST FOR CONSTRUCTION OF STORM DRAIN: \$ 23,567.66

TOTAL: \$ 42,390.66

• **RECOMMENDATION:**

Approve the proposed Amendment to the GMP for Additional Storm Drainage Improvements at Arndt Elementary School Classroom Wing Addition Project in the amount of \$42,390.66.



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

TELEPHONE (956)-722-0531
 PAX (956)-722-8215
 LAREDO, TEXAS 78041
 P. O. BOX 1827
 4220 SANDERS

10-Sep-15
 USD Arndt Elementary School
 C/O Mr. Enrique Rangel, P. E. Assistant Superintendent
 C/O Mr. Ignacio Alaniz, Construction Director
 3501 Eiert Saunders
 Laredo, Texas 78040

Arndt Elementary School
 Proposed Cost on Scope Modification

DESCRIPTION		
Provide required labor, materials, equipment, and supervision for the construction of trench system for site drainage between existing building and new classroom wing.		
Concrete forming, concrete pour, concrete materials, and reinforcing on trench		\$ 6,987.00
Trench grate and frame		\$ 9,945.00
Subtotal		\$ 16,932.00
CMAR fee 9.85%		\$ 1,667.80
Subtotal		\$ 18,599.80
Bond Cost 1.20%		\$ 223.20
Total		\$ 18,823.00

Thank you.
 Sincerely,
Rene Cortes, Jr.
 Rene Cortes, Jr.

Renee Cortes Jr.

From: Juan.Silva@Ferguson.com
Sent: Monday, August 17, 2015 9:33 AM
To: cortes@leycon.net
Subject: ARNDT ELEM TRENCH QUOTE

Good morning mr renee , see quote for trench grates and frames per you request! thank you

From: Juan Silva - 1160 TEXAS [mailto:juan.silva@ferguson.com]
Sent: Monday, August 17, 2015 9:30 AM
To: Silva, Juan [Ferguson] - 1160 Laredo
Subject: Email Bid# B804992

Price Quotation # B804992

FERGUSON ENTERPRISES INC #1160

5711 MCPHERSON ROAD
SUITE 305
LAREDO, TX 78041-6537
Phone : 956-284-2393
Fax : 956-726-8050

Bid No.: B804992
Bid Date: 6/8/17/15
Quoted By: JUA
Customer: LEYENDECKER CONSTRUCTION INC
PO BOX 1827
LAREDO, TX 78044-1827

Cust Phone: 956-722-4531
Terms: NET 10TH PROX
Ship To: LEYENDECKER CONSTRUCTION INC
PO BOX 1827
LAREDO, TX 78044-1827

Cust PO#: ARNDT ELEM

Job Name: ARNDT ELEM

Item	Description	Quantity	Net Price	UM	Total
SP-M4992415	24"LONG 1-1/2"TYPE SIDE PC.FRAME	120	18.750	FT	2250.00
SP-M49903149	HEAVY DUTY TRENCH GRATE W/TYPE P AD	120	.51250	FT	6150.00

Subtotal: \$8400.00
Inbound Freight: \$1545.00
Tax: \$0.00
Order Total: \$9945.00

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT. UNLESS NOTED OTHERWISE. Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This Quote is offered contingent upon the Buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at http://www.leycon.com/terms_conditions.html. **Cart Buyers:** All items quoted are open market unless noted otherwise. **LEAD LAW WARNING:** It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with "NFP" in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.

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C/O Mr. Enrique Rangel, P. E. Assistant Superintendent
C/O Mr. Ignacio Alantiz, Construction Director
3501 East Saunders
Laredo, Texas 78040

**Arndt Elementary School
Proposed Cost on Scope Modification Storm Drain**

DESCRIPTION
Provide required labor, materials, equipment, and supervision for the construction of storm drain as indicated on final documents prepared by AE
240 lf of 18" HDPE pipe
1 each 2x2 junction box
1 each 18" basin
\$ 21,200.00

Subtotal		\$ 21,200.00
CM/AR fee	9.85%	\$ 2,088.20
Subtotal		\$ 23,288.20
Bond Cost	1.20%	\$ 279.46
Total		\$ 23,567.66

Thank you.
Sincerely,
Renee Cortes, Jr.
Renee Cortes, Jr.

Amendment of Guaranteed Maximum Price (GMP)

Arndt Elementary School

Additions and Improvements:

Classroom Wing Addition

Parking Lot & Drainage Improvements



Advisory Bond Oversight Committee Meeting

September 14, 2015

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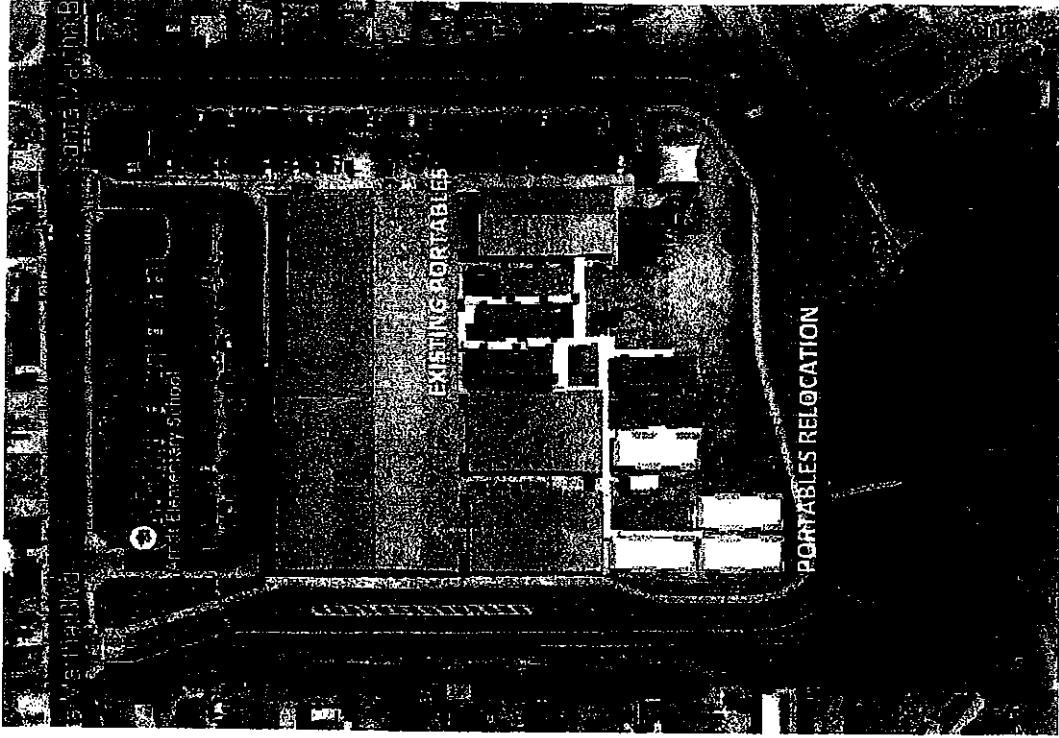
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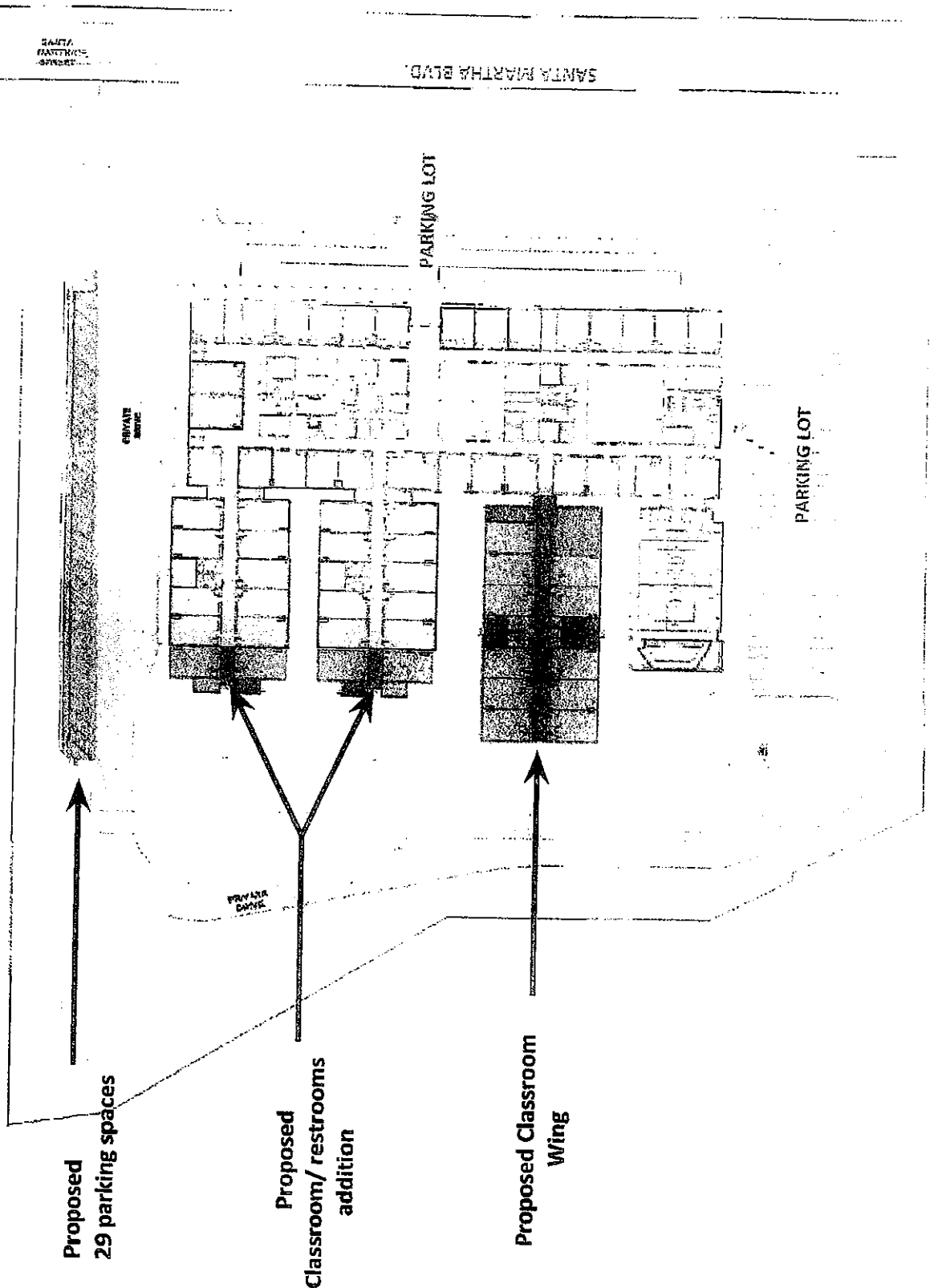


SCOPE OF WORK

- Add 29 parking spaces
- Add 15 classrooms
- 1 Science Classroom
- Re-design playground
- Parking lot drainage improvements
- Portable classroom relocation
- Add student restrooms
- Add staff restrooms



SITE PLAN

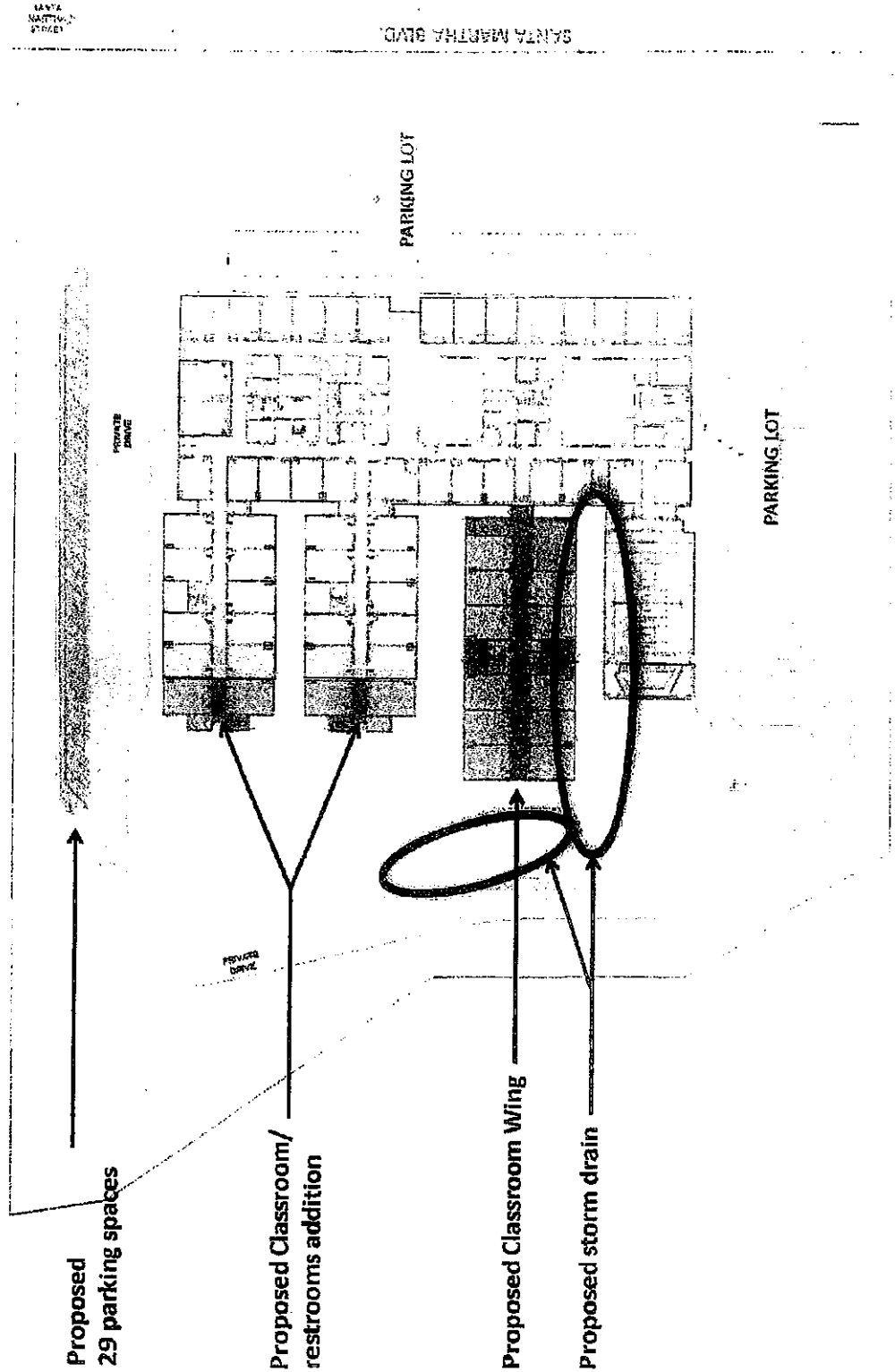


Proposed
29 parking spaces

Proposed
Classroom/
restrooms
addition

Proposed Classroom
Wing

SITE PLAN



Proposed
29 parking spaces

Proposed Classroom/
restrooms
addition

Proposed Classroom Wing

Proposed storm drain

PARKING LOT


PARKING LOT


SANTA
MARTHA BLVD.
29th Street

SANTA MARTHA BLVD.



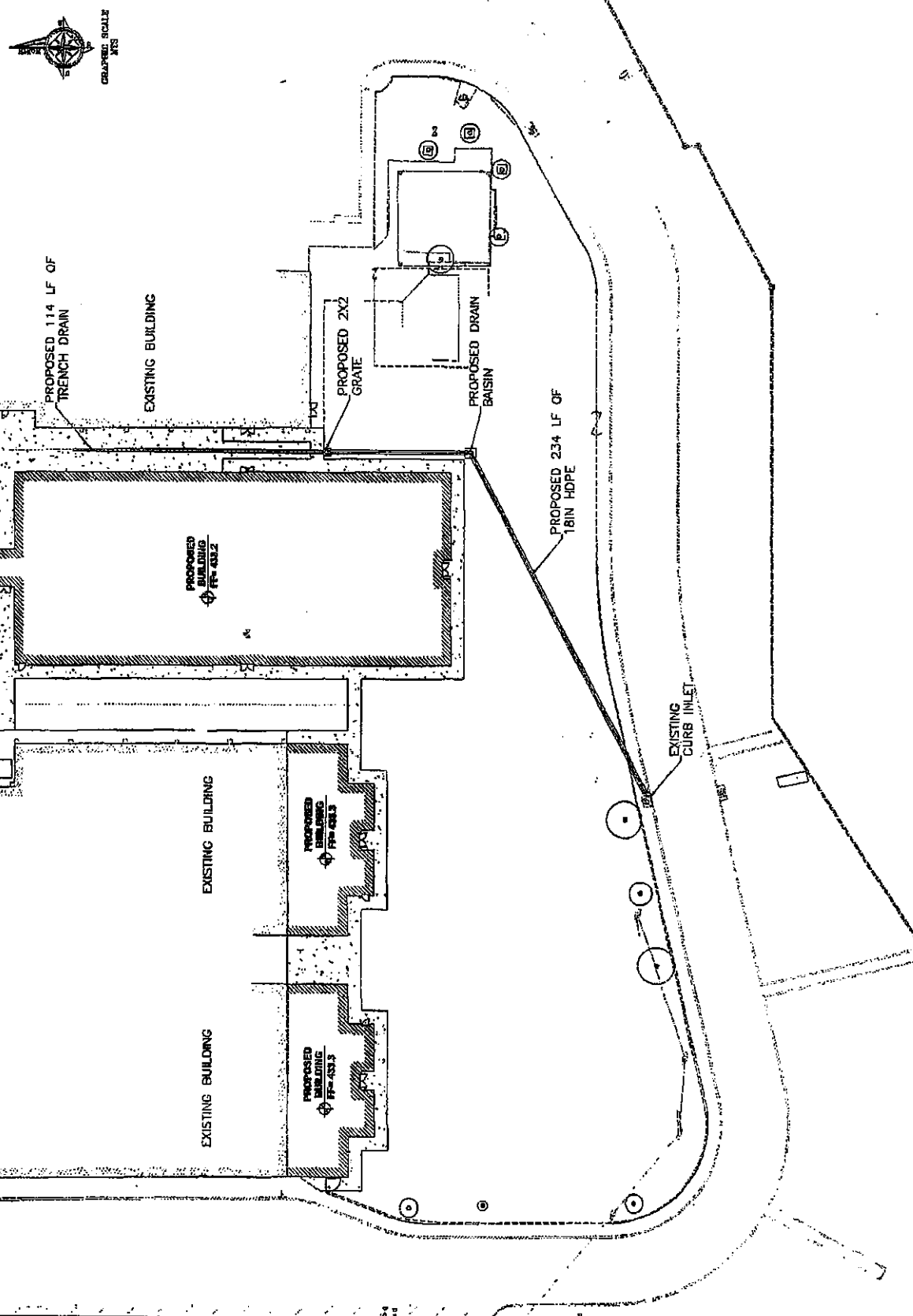
OVERALL SITE PLAN


FRANK ARCHITECTS
 1000 WEST 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 TEL: 303.733.1100
 FAX: 303.733.1101
 WWW.FRANKARCHITECTS.COM


pflieger
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 FAX: 303.733.1101
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ARCHITECTS: FRANK ARCHITECTS
 CIVIL ENGINEERS: PFLIEGER ENGINEERS
USD ARNDT ELEMENTARY SCHOOL
CLASSROOM WING ADDITION & PARKING LOT EXPANSION
 SANTA MARTHA BLVD, LARSDO, TX

TITLE: _____
 PHASE: _____
CONSTRUCTION DOCUMENTS
 SHEET NUMBER: _____
 DRAWN BY: _____
 CHECKED BY: _____
 DATE: _____



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