



AIA® Document A133™ – 2009 Exhibit A

Guaranteed Maximum Price Amendment

for the following PROJECT:

(Name and address or location)

Wilson Elementary School Science Addition and Renovation
Denton, TX

THE OWNER:

(Name, legal status and address)

Denton Independent School District
1307 North Locust
Denton, Texas 76201

THE CONSTRUCTION MANAGER:

(Name, legal status and address)

Charter Builders, A Division of Balfour Beatty Construction, LLC
1505 LBJ Freeway
Suite 700
Dallas, TX 75234

ARTICLE A.1

§ A.1.1 Guaranteed Maximum Price

Pursuant to Section 2.2.6 of the Agreement, dated December 11, 2007, the Owner and Construction Manager hereby amend the Agreement to establish a Guaranteed Maximum Price. As agreed by the Owner and Construction Manager, the Guaranteed Maximum Price is an amount that the Contract Sum shall not exceed. The Contract Sum consists of the Construction Manager's Fee plus the Cost of the Work, as that term is defined in Article 6 of this Agreement.

§ A.1.1.1 The Contract Sum is guaranteed by the Construction Manager not to exceed Six Hundred Ten Thousand Two Hundred Sixty-Three Dollars and Zero Cents (\$ 610,263), subject to additions and deductions by Change Order as provided in the Contract Documents.

§ A.1.1.2 **Itemized Statement of the Guaranteed Maximum Price.** Provided below is an itemized statement of the Guaranteed Maximum Price organized by trade categories, allowances, contingencies, alternates, the Construction Manager's Fee, and other items that comprise the Guaranteed Maximum Price.
(Provide below or reference an attachment.)

See Exhibit C

§ A.1.1.3 The Guaranteed Maximum Price is based on the following alternates, if any, which are described in the Contract Documents and are hereby accepted by the Owner:
(State the numbers or other identification of accepted alternates. If the Contract Documents permit the Owner to accept other alternates subsequent to the execution of this Amendment, attach a schedule of such other alternates showing the amount for each and the date when the amount expires.)

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AIA Document A201™–2007, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

Init.

See Exhibit E

§ A.1.1.4 Allowances included in the Guaranteed Maximum Price, if any:
(Identify allowance and state exclusions, if any, from the allowance price.)

Item	Price (\$0.00)
Owner's Contingency	\$35,000
Hardware	\$20,000
Signage	\$2,000
Pier Overages/Casing	\$5,000
Test and Balance	\$2,100
HVAC Controls/Access	\$9,969

§ A.1.1.5 Assumptions, if any, on which the Guaranteed Maximum Price is based:

See Exhibit C

§ A.1.1.6 The Guaranteed Maximum Price is based upon the following Supplementary and other Conditions of the Contract:

Document	Title	Date	Pages
Not Applicable			

§ A.1.1.7 The Guaranteed Maximum Price is based upon the following Specifications:
(Either list the Specifications here, or refer to an exhibit attached to this Agreement.)

See Exhibit A

Section	Title	Date	Pages
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§ A.1.1.8 The Guaranteed Maximum Price is based upon the following Drawings:
(Either list the Drawings here, or refer to an exhibit attached to this Agreement.)

See Exhibit A

Number	Title	Date
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§ A.1.1.9 The Guaranteed Maximum Price is based upon the following other documents and information:
(List any other documents or information here, or refer to an exhibit attached to this Agreement.)

See Exhibits A through F

ARTICLE A.2

§ A.2.1 The anticipated date of Substantial Completion established by this Amendment:

March 1, 2012

OWNER (Signature)

CONSTRUCTION MANAGER (Signature)

(Printed name and title)

Charles E. DeVoe, III, President

(Printed name and title)

Init.

**AMENDMENT TO AGREEMENT
BETWEEN OWNER AND CONSTRUCTION MANAGER
WILSON ELEMENTARY SCHOOL
SCIENCE ADDITION AND RENOVATION
DENTON INDEPENDENT SCHOOL DISTRICT
MAY 18, 2011**

EXHIBIT A

Pages A-1 – A-7

EXHIBIT A

Listing of Addenda:

Addendum #1, dated April 21, 2011

26 pages

Addendum #1A, dated April 21, 2011

2 pages

General Conditions

Part of Owner/CM
Agreement

Instructions to Proposers

Issued by Charter
Builders, Ltd. April 26,
2011

**Specifications Table of Contents,
a copy of which is attached**

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Drawings, an index of which is attached

None

CONTRACT CONDITIONS AND SPECIFICATIONS
FOR
SCIENCE ADDITION AND RENOVATION
OF
WILSON ELEMENTARY SCHOOL
FOR
DENTON INDEPENDENT SCHOOL DISTRICT

Project Manual

Corgan Associates, Inc.
401 N. Houston Street
Dallas, Texas 75202
(214) 748-2000

30 March 2011

CAI Project #11023.0000



30 March 2011

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**AMENDMENT TO AGREEMENT
BETWEEN OWNER AND CONSTRUCTION MANAGER
WILSON ELEMENTARY SCHOOL
SCIENCE ADDITION AND RENOVATION
DENTON INDEPENDENT SCHOOL DISTRICT
MAY 18, 2011**

EXHIBIT B

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EXHIBIT B – ALLOWANCE ITEMS

SCHEDULE OF ALLOWANCES

Owner's Contingency	\$35,000
Hardware	\$20,000
Signage	\$2,000
Pier Overages/Casing	\$5,000
Test and Balance	\$2,100
HVAC Controls/Access	\$9,969

**AMENDMENT TO AGREEMENT
BETWEEN OWNER AND CONSTRUCTION MANAGER
WILSON ELEMENTARY SCHOOL
SCIENCE ADDITION AND RENOVATION
DENTON INDEPENDENT SCHOOL DISTRICT
MAY 18, 2011**

EXHIBIT C

Pages C-1 – C-7

EXHIBIT C – ASSUMPTIONS AND CLARIFICATIONS

See Sheets C-2 through C-7



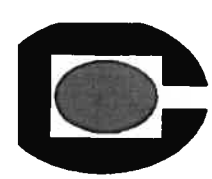
After further development of the Contract Documents for Denton ISD Wilson Elementary School Science Addition and Renovation, a clearer understanding of the project scope, the Guaranteed Maximum Price (GMP) proposal (which includes General Conditions, Cost of Work, Subcontracts and Purchase Orders, Contingencies, Allowances and Fee) has been developed with the following Clarifications and Assumptions:

- 1) The cost of associated tri-party agreements & city impact fees are excluded from the GMP.
- 2) Abatement of all hazardous materials found on the project shall be removed by the Owner in a timely manner to avoid delays to the project schedule. The costs associated with abatement services are excluded from the GMP.
- 3) 3rd party material testing services are by the Owner and the costs of said services are excluded from the GMP.
- 4) Sales tax is excluded from the GMP.
- 5) Subcontractor default insurance will be cost at the stipulated rate of 1.35% of the final subcontract and purchase order amounts.
- 6) Labor Burden associated with wages and salaries will be considered cost at the stipulated rate of 55%.
- 7) Premium casualty insurance including excess and auto will be considered cost at the stipulated rate of 0.65% of the contract amount.
- 8) Contractors Payment and Performance Bond will be considered cost at a stipulated rate of 0.77% of the contract amount.
- 9) Cost for information technology software, support & services required in the performance of the work will be considered cost at the stipulated rate of 0.37% of the contract amount.
- 10) Contractor retainage will be held at the rate of 5% of the cost of work. Retainage will not be held on material purchase orders.
- 11) Contractor Contingency has been developed at the rate of 3.75% of the contract amount.
- 12) Preconstruction services will be provided at a cost of \$0.00.
- 13) Contractor's one year warranty period shall begin at substantial completion. Administration and supervision of the work during said warranty period will be considered a reimbursable cost at a stipulated rate of 0.10% of the contract amount.
- 14) Contractor's fee shall be considered cost at the stated rate of 3.0% of the GMP original total.
- 15) In accordance with the contract terms, should the contractor use self owned equipment in the execution of the work, the costs associated with said equipment will be on a rental basis per the attached equipment schedule.
- 16) Any unused funds shall be returned to the owner a savings at the end of the project.

Wilson Elementary School Science Classroom Addition									
Denton ISD			Guaranteed Maximum Price			Total Bldg Area		1,780	
Denton, TX			Documents Dated 03/31/2011						
			Estimate Dated 04/26/2011						
General Summary									
CODE	ITEM		LABOR	MATERIAL	SUB	TOTAL	COMMENTS	\$/SqFt	
	General Conditions & Equipment		40,625	0	29,987	70,612		39.67	
01 21 00	Allowances							0.00	
	Owner's Contingency		XXXXXX	XXXXXX	35,000	35,000		19.66	
	Hardware		XXXXXX	XXXXXX	20,000	20,000		11.24	
	Card Access	TDI	XXXXXX	XXXXXX	XXXXXX	0		0.00	
	Signage		XXXXXX	XXXXXX	2,000	2,000		1.12	
	Pier Overages/Casing		XXXXXX	XXXXXX	5,000	5,000		2.81	
	PA & Fire Alarm System Expansion	27 05 28	XXXXXX	XXXXXX	XXXXXX	0		0.00	
	Test & Balance	Delta-T	XXXXXX	XXXXXX	2,100	2,100		1.18	
	HVAC Controls / Access	TDI	XXXXXX	XXXXXX	9,969	9,969		5.60	
00 00 01	REIMBURSABLES - C.O.W.								
	Subcontractor Default Insurance		XXXXXX	XXXXXX	8,115	8,115		4.56	
02 41 19	Selective Demolition		XXXXXX	5,000	22,285	27,285		15.33	
31 10 00	Site Clearing		XXXXXX	XXXXXX	14,610	14,610		8.21	
31 22 00	Grading	31 22 00	XXXXXX	XXXXXX	XXXXXX	0		0.00	
31 22 19	Finish Grading	31 22 00	XXXXXX	XXXXXX	XXXXXX	0		0.00	
31 31 16	Termite Control		XXXXXX	XXXXXX	250	250		0.14	
31 63 29	Drilled Piers	03 31 00	XXXXXX	XXXXXX	XXXXXX	0		0.00	
32 13 00	Rigid Paving	03 31 00	XXXXXX	XXXXXX	XXXXXX	0		0.00	
33 00 00	Site Drainage & Utilities	N/A	XXXXXX	XXXXXX	XXXXXX	0		0.00	
	Landscaping & Irrigation		XXXXXX	2,500	5,795	8,295		4.66	
03 11 00	Concrete Formwork	03 31 00	XXXXXX	XXXXXX	XXXXXX	0		0.00	
03 20 00	Concrete Reinforcement	03 31 00	XXXXXX	XXXXXX	XXXXXX	0		0.00	
03 31 00	Structural Concrete		XXXXXX	XXXXXX	46,600	46,600		26.18	
36 62 14	Grouting Steel Base Plates	03 31 00	XXXXXX	XXXXXX	XXXXXX	0		0.00	
04 05 13	Masonry Mortar & Grout	04 21 13	XXXXXX	XXXXXX	XXXXXX	0		0.00	
04 05 19	Masonry Anchorage, Reinforcement & Accessories	04 21 13	XXXXXX	XXXXXX	XXXXXX	0		0.00	

Wilson Elementary School Science Classroom Addition									
Denton ISD			Guaranteed Maximum Price					Total Bldg Area 1,780	
Denton, TX			Documents Dated 03/31/2011						
			Estimate Dated 04/26/2011						
General Summary									
CODE	ITEM		LABOR	MATERIAL	SUB	TOTAL	COMMENTS	\$/SqFt	
09 65 19	Resilient Tile Flooring		XXXXXX	2,000	19,806	21,806		12.25	
09 91 13	Exterior Painting	09 91 23	XXXXXX	XXXXXX	XXXXXX	0		0.00	
09 91 23	Interior Painting		XXXXXX	XXXXXX	4,950	4,950		2.78	
	Portland Cement Plaster		XXXXXX	XXXXXX	2,075	2,075		1.17	
10 11 00	Visual Display Units		XXXXXX	XXXXXX	1,405	1,405		0.79	
10 14 00	Signs		XXXXXX	XXXXXX	475	475		0.27	
10 26 13	Wall & Corner Guards	NONE	XXXXXX	XXXXXX	XXXXXX	0		0.00	
10 28 13	Toilet & Bath Accessories	NONE	XXXXXX	XXXXXX	XXXXXX	0		0.00	
10 44 00	Fire Protection Devices		XXXXXX	XXXXXX	400	400		0.22	
10 90 99	Pencil Sharpeners	BY OWNER	XXXXXX	XXXXXX	XXXXXX	0		0.00	
10 90 99	Projection Screens		XXXXXX	XXXXXX	393	393		0.22	
10 90 99	Projector Mounts	27 05 28	XXXXXX	XXXXXX	XXXXXX	0		0.00	
11 30 00	Appliances		XXXXXX	2,000	XXXXXX	2,000		1.12	
21 00 00	Fire Protection Systems & Equipment		XXXXXX	XXXXXX	5,000	5,000		2.81	
22 00 00	Plumbing Systems & Equipment		XXXXXX	XXXXXX	56,000	56,000		31.46	
23 00 00	HVAC Systems & Equipment	22 00 00	XXXXXX	XXXXXX	XXXXXX	0		0.00	
26 00 00	Electrical Systems & Equipment		XXXXXX	XXXXXX	21,950	21,950		12.33	
27 05 28	Telephone & Data Systems Rough-In		XXXXXX	XXXXXX	19,224	19,224		10.80	
27 10 00	Voice & Data Cabling Distribution System	27 05 28	XXXXXX	XXXXXX	XXXXXX	0		0.00	
	Expansion of Existing Integrated								
27 51 16	Intercommunications Systems	27 05 28	XXXXXX	XXXXXX	XXXXXX	0		0.00	
28 31 00	Expansion of Existing Fire Alarm System	27 05 28	XXXXXX	XXXXXX	XXXXXX	0		0.00	
								0.00	
SUBTOTAL			40,625	11,500	515,953	568,078		319.14	

Wilson Elementary School Science Classroom Addition								
Denton ISD			Guaranteed Maximum Price			Total Bldg Area		1,780
Denton, TX			Documents Dated 03/31/2011					
			Estimate Dated 04/26/2011					
General Summary								
CODE	ITEM		LABOR	MATERIAL	SUB	TOTAL	COMMENTS	\$/SqFt
		CONTINGENCY	0.0350			19,883		11.17
						587,961		330.31
		FEE AT	0.0300			17,639		9.91
						605,599		340.22
		BOND AT	0.0077			4,663		2.62
		TOTAL BASE BID				610,263		342.84
		BUDGET AMOUNT:				523,000		
		DIFFERENCE:				(87,263)		



charter builders

a **Balfour Beatty** company

Name: _____
 Number: _____
 Rental Charge Month: _____

Qty	Item	Cost Code	Equip. Value	Equip. ID	Daily Rate	Weekly Rate	Monthly Rate	Total	Comments
	Air Compressor				\$23.00	\$69.00	\$207.00		
	Box Fan				\$20.78	\$62.33	\$187.00		
	Copier				\$27.22	\$81.67	\$245.00		
	Crane Mat (4' X 16')				\$6.11	\$18.33	\$55.00		
	Crane Mat (4' X 20")				\$7.78	\$23.33	\$70.00		
	Crane Mat (8' X 16')				\$10.00	\$30.00	\$90.00		
	Dehumidifier				\$24.44	\$73.33	\$220.00		
	Generator				\$33.89	\$101.67	\$305.00		
	Golf Cart				\$22.22	\$66.67	\$200.00		
	Heater (Electric) 2kw				\$6.67	\$20.00	\$60.00		
	Heater (Electric) 10kw				\$28.89	\$86.67	\$260.00		
	Heater (Fuel)				\$31.22	\$93.67	\$281.00		
	Mule				\$34.89	\$104.67	\$314.00		
	Power Washer				\$40.89	\$122.67	\$368.00		
	6' Stair Tower (1 Section)				\$5.33	\$16.00	\$48.00		
	Tire Shaker				\$25.00	\$75.00	\$225.00		
	Welder				\$38.22	\$114.67	\$344.00		
	Water Pump 2"				\$32.22	\$96.67	\$290.00		
	Water Pump 4"				\$57.89	\$173.67	\$521.00		
	Storage Container				\$13.89	\$41.67	\$125.00		
	18 Wheeler Storage Trailer				\$13.89	\$41.67	\$125.00		
	Theodolite				\$50.00	\$150.00	\$450.00		
	Total Station				\$84.44	\$253.33	\$760.00		
	Data Collector				\$36.22	\$108.67	\$326.00		
	GPS Epoch Surveying Equip				\$160.56	\$481.67	\$1,445.00		
	Auto Level				\$21.11	\$63.33	\$190.00		
	Laser Level				\$13.33	\$40.00	\$120.00		

Client/Supervisor: _____ Date: _____

Project Manager: _____ Date: _____

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SCIENCE ADDITION AND RENOVATION
DENTON INDEPENDENT SCHOOL DISTRICT
MAY 13, 2011**

EXHIBIT D

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EXHIBIT D – COMPLETION SCHEDULE

Substantial Completion Date: March 1, 2012

**AMENDMENT TO AGREEMENT
BETWEEN OWNER AND CONSTRUCTION MANAGER
WILSON ELEMENTARY SCHOOL
SCIENCE ADDITION AND RENOVATION
DENTON INDEPENDENT SCHOOL DISTRICT
MAY 18, 2011**

EXHIBIT E

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EXHIBIT E – ALTERNATE PRICES

None

**AMENDMENT TO AGREEMENT
BETWEEN OWNER AND CONSTRUCTION MANAGER
WILSON ELEMENTARY SCHOOL
SCIENCE ADDITION AND RENOVATION
DENTON INDEPENDENT SCHOOL DISTRICT
MAY 18, 2011**

EXHIBIT F

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EXHIBIT F – UNIT PRICES

None