

**CONTRACT CHANGE ORDER****CONTRACT NO. CON-16-3442-01****CITY OF GOODYEAR**190 North Litchfield Road
P. O. Box 5100
Goodyear, Arizona 85338**CHANGE ORDER NO. 01**


Project	Goodyear Police Operations Center	Project No	FA1404
Consultant/Contractor	D. L. Withers Construction LLC.		
City Project Manager	Regis Reed		
Funding Source: (check all that apply)	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input checked="" type="checkbox"/> City <input type="checkbox"/> Other
Date of Council Approval	7/18/16	COAC No.	16-5874
Original Total Amount Approved by Council (include owner contingency amount)	\$4,650,000		
Original Contract Price	\$4,650,000		
Prior Change Order(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	\$	Total amount of ALL prior change orders (Do not include this amount)
Change Order Amount Requested	\$804,219		
Adjusted Contract Price (with this change order)	\$5,454,219	<input checked="" type="checkbox"/> Increase	<input type="checkbox"/> Decrease
Original Date of Completion	12/15/16	Date/Days	
Prior Adjusted Date of Completion	N/A	Date/Days	
Revised Date of Completion	N/A	Date/Days	<input type="checkbox"/> Increase <input type="checkbox"/> Decrease
Performance Bond Adjustment Required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Payment Bond Adjustment Required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Close Out Change Order	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
DESCRIPTION OF CHANGE: <input checked="" type="checkbox"/> See Attachment <input type="checkbox"/> Other			
This Change Order is the anticipated GMP II for the construction of the PD Ops Facility to complete the project.			
This document constitutes a binding contractual modification of the Contract identified above, and comprises the total compensation due the Consultant/Contractor for the work and contract time defined in this Change Order and it has been determined that it is not practical compete. No work shall be performed pursuant to this Change Order until this document is signed by all Parties. Except as provided herein, all terms and conditions of the Contract shall remain in full force and effect.			
City Project Manager	Date	 Consultant/Contractor	6-30-2016 Date
City Engineer/Asst City Engineer/ Director	Date	APPROVED AS TO FORM:	
City Procurement Manager	Date	City Attorney	Date



EXHIBIT A – PROJECT DESCRIPTION

6/27/16

Goodyear Police Operations Facility will consist of a 20,910 square feet building on approximately 4 acres of land as identified in construction documents which consist of drawings and specifications prepared by Architekton dated September 21, 2015:

Police Operations; patrol division/squad room, traffic division, records, K9, SAU, interview rooms, meeting/conference rooms, briefing room, community room, armory/equipment room, evidence transfer facility, locker rooms, fitness center, holding cells with booking area and sally port.

Lobby/Records: lobby with 2 transaction windows, 1 for general receptionist and 1 for records request, seating for 13 people and a records area for staff with high density file storage.

Lobby/Tow Release: lobby with 2 transaction windows for conducting vehicle tow release hearings, seating for 13 people and staff work area.

Site: public and secured parking, drainage and retention, landscaping, public gathering area.

Off Site: drainage, wet and dry utilities, street improvements on 143rd Ave and 145th Ave, sidewalks and landscaping.

EXHIBIT B – APPROVED GMP PROPOSAL AND ACCEPTANCE

GOODYEAR POLICE DEPARTMENT FACILITY

GMP PROPOSAL AND ACCEPTANCE FORM

GMP #2 – POLICE DEPARTMENT FACILITY

Contractor will complete the Work in accordance with the Contract Documents and accept in full payment for the Work items listed in the attached detailed estimate prepared in accordance with paragraph 2.6 in the Design Phase Agreement and upon which the GMP is based. A summary breakdown of the detailed estimate and GMP follows:

GMP Summary				AMOUNT	
A.	Direct Costs (Labor, Materials, Equipment, Warranty)			\$628,377	
INDIRECT COSTS				RATE	
B.	CM@Risk's Contingency			%	\$ 0.00
C.	Construction Fee			%	\$51,217
D.	General Conditions			%	\$59,648
	D1	Payment and Performance Bond	\$	%	\$ 7,450
	D2	Insurance	\$	%	\$ 7,143
E.	Taxes			%	\$50,384
			F. TOTAL GMP		\$804,219
OTHER COSTS					
G.	Owner Contingency (Optional)				\$
H.	Cash Allowance (Optional)				\$
				I. CONTRACT PRICE	\$804,219

Rates (Percentages) are calculated by dividing each amount by F, such as D/F, and D1/F.

Attachments to GMP Proposal

Value Engineering Items

Schedule of Values



CITY OF GOODYEAR POLICE DEPARTMENT FACILITY
11 N 146TH AVE, GOODYEAR 85338
Bld Date : 5-12-16 at 3:00 PM

GMP #2

DESCRIPTION OF WORK	SUBCONTRACTOR	SCHEDULE OF VALUES
10' ROOM DIVIDER FENCE	ADAMS	3,200
DETENTION STOOL	INTER SOL	1,000
HM DRS -ADD PASS THRU	HM REWORK	10,459
TOILET ACCESSORIES	IISI	17,220
FRP	NW FLR	3,880
ACCESS DOORS	GOLDEN W.	1,273
METAL LOCKERS	IISI	29,000
VISUAL DISPLAY BOARD	IISI	3,300
APPLIANCES	HOME DEPOT	14,641
ROLLER WINDOW BLINDS	INTER TEK	10,708
SIGNAGE - ALLOWANCE	AIRPARK	30,000
AIR/WATER STATION	JME	3,192
DOG KENNELS	MASON	19,095
NO-PICK SEALANTS	2 BROS	3,500
CERAMIC TILE	WHOLESALE	36,695
FLOORING	WHOLESALE	58,450
FELT WALL COVERING	REEVES	27,375
EPOXY FLOORING	WHOLESALE	10,000
METAL COUNTERTOPS	ACE	1,000
CARPORT	SKYLINE	49,850
RELOCATE SHADE STRUCTURE	CUTTING EDGE	31,546
ART GLASS SUPPORT	ALLOWANCE	18,000
FINAL CLEANUP	AZ SUPERIOR	3,500
ASIS #1 THRU #13	OWNER CHANGES	168,124
DRYWELLS	TORRENT	39,025
RIP RAP	REVEGATATION SERV.	32,423
LANDSCAPE	DTR	56,450
FIRE SPRINKLERS AT SALLY PORT CANOPY	A-1	1,770
CEILING FANS	HOME DEPOT	1,224
AUDIO VISUAL SYSTEM	CCS	69,484
SUB TOTAL		755,384
GEN CONDITIONS - GMP#2		59,648
BUILDERS RISK		1,183
LIABILITY INS.		5,960
PERF/PAY BOND		7,450
CONST FEE		51,217
SALES TAX		50,384
SUBTOTAL GMP #2		931,226
LESS ACCEPTED VE ALTERNATES 1 THROUGH 10		(127,007)
TOTAL GMP #2		804,219



EXHIBIT F
Accepted Value Engineering Items
 6/27/16

V.E. Alternate	Description	Deductive	Additive
1	Delete drywall as shown on Sheet C4-2 Keynotes #45 & #46, detailed on C7.4	(\$44,589)	
2	Reduce carport budget to Traffic/K9 to 18'x77'x8' straight beam full cantilevered. Command Unit 40'x45'x14' straight beam double cantilevered. Parking 20'x50'x14' straight beam full cantilevered.	(\$10,112)	
3	Delete relocation of canopy	(\$36,043)	
4	Omit full height chain link in IDF	(\$400)	
5	Delete refrigerator, coffee maker and microwave	(\$6,713)	
6	Plastic laminate at Lobby in lieu of stainless steel counter tops	(\$7,769)	
7	Change Homasote board and felt to carpet	(\$6,587)	
8	Delete display cabinet at Break Room	(\$1,482)	
9	Delete air/water station & Infrastructure	(\$3,647)	
10	Reduce landscaping size and quantity by \$8,460	(\$9,666)	
	Total V.E. Alternates Accepted	(\$127,007)	

LIST OF MAJOR SUBCONTRACTORS AND SUPPLIERS – EXHIBIT G

To enable Owner to evaluate the Contractor's GMP Proposal, the Contractor shall nominate all Subcontractors, persons, firms and corporations (including those who are to furnish the principal items of material and equipment) to whom the Contractor may award a Sub-agreement greater than or equal to \$150,000. If Contractor has not determined the Subcontractors to whom contracts will be awarded, all Subcontractors who have been, or will be, contacted to submit a proposal should be listed. If the Contractor intends to self-perform a classification of Work for which a specialty contractor's license is required, the Contractor shall nominate itself in the spaces provided for that purpose, and the Contractor shall furnish the Contractor's license number(s) for that classification. For each nominated Subcontractor, person, firm and corporation the Contractor shall enter, if available, the nominee's telephone number and required licensing information.

WORK TO BE PERFORMED	COMPANY NAME	CONTACT PERSON	PHONE NUMBER	LICENSE NUMBER
Fence & Gate	Adams Fence	Steve Adams	602/256-7800	224210
Detention Stools	Interior Solutions	Pete Mott	480/313-0782	
FRP	Northwest Floor & Wall	Phil DeLao	602/272-9201	068664
Access Doors	Golden West Sash & Door	Joe Lallo	818/341-2520	
Metal Lockers	Interstate Interior Systems, Inc.	William Obarski	480/813-3530	241689
Visual Display Boards	Interstate Interior Systems, Inc.	William Obarski	480/813-3530	241689
Roller Window Blinds	InteriorTek	Victoria Stuart	602/697-3441	133315
Signage	Airpark Signs & Graphics	Gretchen Wilde	480/966-6565	128889
Dog Kennels	Mason Company		937/780-2321	
Ceramic Tile	Wholesale Floors, Inc.	Brett Dominguez	602/248-7878	245663
Flooring	Wholesale Floors, Inc.	Brett Dominguez	602/248-7878	245663
Epoxy Flooring	Wholesale Floors, Inc.	Brett Dominguez	602/248-7878	245663
Carport	Skyline Steel	Carrie Lewis	480/926-0122	85457
Relocate Shade Structure	Cutting Edge Fabrication	Brett Dickens	520/791-3394	195341
Final Cleanup	AZ Superior Clean	Sterling Hastings	480/292-7892	

Rip Rap	Revegetation Services	Jake Anderson	480/988-3011	
Landscape	DTR Landscape Development LLC	Dick Roberts	623/516-0042	170486
Audio Visual System	CCS Presentation Systems	Tony Piowarsy	480/348-0100	140448

GENERAL PURPOSE RIDER

To be attached to and form part of Bond Number 58724768 effective June 30, 2016 issued by the Western Surety Company in the amount of \$ 4,650,000 DOLLARS, on behalf D.L. Withers Construction, LC of Phoenix, AZ as Principal and in favor of City of Goodyear as Obligee.

Now, Therefore, it is agreed that:

The bond limit is increased from \$ 4,650,000 to \$5,454,219

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This rider to be effective the 30th day of June, 2016.

Signed, sealed and dated this 30th day of June, 2016.

D.L. Withers Construction, LC

Principal

By:

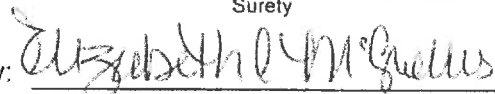


(Seal)

Western Surety Company

Surety

By:



(Seal)

Elizabeth A McGrellis, Attorney-in-fact

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Jeffery L Steed, Tracy A Miller, Jacob H Grover, Ronda H Epperson, Megan L Kelley, Corinne B Hayhurst, Elizabeth A McGrellis, Diane Walsh, Individually

of Gilbert, AZ, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 19th day of May, 2016.



WESTERN SURETY COMPANY

Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 19th day of May, 2016, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

June 23, 2021



J. Mohr, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 30th day of June, 2016.



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.