



**BOARD OF SUPERVISORS AGENDA ITEM REPORT  
CONTRACTS / AWARDS / GRANTS**

Requested Board Meeting Date: November 17, 2015

or Procurement Director Award

**Contractor/Vendor Name (DBA):** Sundt Construction, Inc.

**Project Title/Description:**

Construction Manager at Risk Services for Downtown Court Complex.

**Purpose:**

Amendment No. 22, Contract No. CT-FM-11042215-P. This Amendment is required to extend the Contract term through November 29, 2016. Administering Department: Facilities Management.

**Procurement Method:**

This extension is for commissioning services required to verify and document that the performance of the facility and its systems meet the objectives and criteria established in the construction documents in order to achieve Leadership in Energy and Environmental Design (LEED) certification; and to correct a Scrivener's error made in Change Order No. 21 overstating the prior Change Order and Revised Contract amount by \$101,774.00.

Subsequent to Solicitation For Qualifications No. 1101289, this Contract was initially awarded by the Board of Supervisors on March 8, 2011 for an initial term of one (1) year effective April 25, 2011 for an amount not to exceed \$500,000.00 for pre-construction services and a total project cost including pre-construction services and construction services for a not to exceed amount of \$40,500,000.00. Following previously approved changes and amendments by the Board of Supervisors and Procurement Director according to their respective authorities, the current Contract value is \$92,725,816.00 and the Contract expires on November 29, 2015.

**Program Goals/Predicted Outcomes:**

This Amendment allows the Contractor to complete commissioning within the County Public Service Center.

**Public Benefit:**

Building will operate in the most efficient manner.

**Metrics Available to Measure Performance:**

Final work to complete the commissioning in the building. This work will be closely monitored by Facilities Management to ensure successful performance is obtained.

**Retroactive:**

No

Procure Dept 11-05-15 PM 03:47  
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COB: 11-9-15  
Addendum

2 pgs (1)

**Original Information**

Document Type: \_\_\_\_\_ Department Code: \_\_\_\_\_ Contract Number (i.e., 15-123): \_\_\_\_\_

Effective Date: \_\_\_\_\_ Termination Date: \_\_\_\_\_ Prior Contract Number (Synergen/CMS): \_\_\_\_\_

Expense Amount: \$ \_\_\_\_\_  Revenue Amount: \$ \_\_\_\_\_

Funding Source(s): \_\_\_\_\_

Cost to Pima County General Fund: \_\_\_\_\_

Contract is fully or partially funded with Federal Funds?  Yes  No  Not Applicable to Grant Awards

Were insurance or indemnity clauses modified?  Yes  No  Not Applicable to Grant Awards

Vendor is using a Social Security Number?  Yes  No  Not Applicable to Grant Awards

If Yes, attach the required form per Administrative Procedure 22-73.

**Amendment Information**

Document Type: CT Department Code: FM Contract Number (i.e., 15-123): 11042215-P

Amendment No.: 22 AMS Version No.: 4041

Effective Date: 11/17/15 New Termination Date: 11/29/16

Expense  Revenue  Increase  Decrease Amount This Amendment: \$0.00

Funding Source(s): Certificates of Participation Series 2014

Cost to Pima County General Fund: \$0.00

Contact: Ana Wilber *Ana Wilber* (MA)

Department: Management Telephone: 520-724-8166

Department Director Signature/Date: *[Signature]* 11/2/15

Deputy County Administrator Signature/Date: *[Signature]* 11-5-15

County Administrator Signature/Date: *[Signature]* 11/5/15  
(Required for Board Agenda/Addendum Items)

|   |   |
|---|---|
| <b>PIMA COUNTY FACILITIES MANAGEMENT DEPARTMENT</b> |   |
| <b>PROJECT:</b>                                     | Construction Manager at Risk Services for Downtown Court Complex                |
| <b>CONTRACTOR:</b>                                  | Sundt Construction, Inc.<br>2015 West River Road, Suite 101<br>Tucson, AZ 85704 |
| <b>CONTRACT NO.:</b>                                | CT-FM-11042215-P  |
| <b>AMENDMENT NO.:</b>                               | Twenty-Two (22)   |
| <b>FUNDING:</b>                                     | Certificates of Participation Series 2014                                       |

|  |
|--|
| <b>CONTRACT</b>  |
| <b>NOCT-FM-11042215-P</b>  |
| <b>AMENDMENT NO. 22</b>  |
| This number must appear on all invoices, correspondence and documents pertaining to this contract. |

|  |                                  |    |               |
|--|----------------------------------|----|---------------|
| <b>CONTRACT TERM:</b> 04/25/2011 - 06/03/2011  | <b>ORIGINAL CONTRACT AMOUNT:</b> | \$ | 101,774.00    |
| <b>TERMINATION PRIOR AMENDMENT:</b> 11/29/2015 | <b>PRIOR CHANGE ORDERS:</b>      | \$ | 92,624,042.00 |
| <b>TERMINATION THIS AMENDMENT:</b> 11/29/2016  | <b>AMOUNT THIS CHANGE ORDER:</b> | \$ | -             |
|  | <b>REVISED CONTRACT AMOUNT:</b>  | \$ | 92,725,816.00 |

**CONSTRUCTION CONTRACT AMENDMENT**

**WHEREAS**, COUNTY and CONTRACTOR have entered into the Contract referenced above for Construction Manager at Risk services for the Downtown Court Complex; and

**WHEREAS**, COUNTY and CONTRACTOR pursuant to Article I- Term and Extension/Renewal/Changes have agreed to extend the termination date of the Contract for one year; and

**WHEREAS**, COUNTY and CONTRACTOR agree to correct a Scrivener's error made in Change Order No.21 which overstated the Prior Change Order and Revised Contract Amount by \$101,774.00.

**NOW, THEREFORE**, it is agreed as follows:

**1. CHANGE** the following sentence in Article I- Term and Extension/Renewal/Changes as follows:

From: "...shall terminate on **November 29, 2015**, unless sooner terminated..."

To: "...shall terminate on **November 29, 2016**, unless sooner terminated..."

**2. CHANGE** the "Prior Change Orders" and "Revised Contract Amount" as they appear on Change Order No. 21 as follows:

|                            |                 |
|----------------------------|-----------------|
| Prior Change Order Amount: | \$92,624,042.00 |
| Revised Contract Amount:   | \$92,725,816.00 |

This Amendment shall be effective on November 17, 2015.

**(REMAINDER OF PAGE IS INTENTIONALLY LEFT BLANK)**

All other provisions of the Contract, not specifically changed by this Amendment, shall remain in effect and be binding upon the parties.

IN WITNESS WHEREOF, the parties have affixed their signatures to this Amendment on the dates written below.

APPROVED:

\_\_\_\_\_  
Chair, Board of Supervisors

\_\_\_\_\_  
Date

CONTRACTOR:

  
\_\_\_\_\_  
Signature

DAVID OLCAK Project Director  
Name and Title (Please Print)

11/6/15  
Date

ATTEST:

\_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Deputy County Attorney

**ANDREW FLAGG**

\_\_\_\_\_  
Name (Please Print)

11/3/2015  
Date