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**TULSA COUNTY**  
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**PURCHASING**  
**DEPARTMENT**

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# MEMO

DATE: OCTOBER 7, 2015

FROM: LINDA R. DORRELL  
PURCHASING DIRECTOR



TO: BOARD OF COUNTY COMMISSIONERS

SUBJECT: AMENDMENT # 2- GUARANTEED MAXIMUM PRICE FOR MANHATTAN  
CONSTRUCTION COMPANY FOR CONSTRUCTION MANAGEMENT AT RISK FOR  
THE CONSTRUCTION OF ADDITIONAL HOUSING UNITS AT THE DAVID L. MOSS  
CORRECTIONAL CENTER, PHASE I AND II, EXCLUDING MECHANICAL

ON MARCH 9, 2015, THE BOARD OF COUNTY COMMISSIONERS APPROVED AN AGREEMENT  
BETWEEN THE BOARD OF COUNTY COMMISSIONERS AND MANHATTAN CONSTRUCTION  
COMPANY FOR THE CONSTRUCTION OF ADDITIONAL HOUSING UNITS AT THE DAVID L. MOSS  
CORRECTIONAL CENTER. CMF# 233925.

SUBMITTED FOR YOUR APPROVAL AND EXECUTION IS THE ATTACHED AGREEMENT BETWEEN  
THE BOARD OF COUNTY COMMISSIONERS AND MANHATTAN CONSTRUCTION, INC. FOR  
AMENDMENT # 2- GUARANTEED MAXIMUM PRICE, PHASE I AND PHASE II, EXCLUDING  
MECHANICAL.

LRD/tah

ORIGINAL: PAT KEY, COUNTY CLERK, FOR THE OCTOBER 12, 2015 AGENDA.

COPIES: COMMISSIONER JOHN M. SMALIGO  
COMMISSIONER KAREN KEITH  
COMMISSIONER RON PETERS  
RICK WEIGEL, SHERIFF  
MICHAEL WILLIS CHIEF DEPUTY  
VICKI ADAMS, CHIEF DEPUTY



# Document A133™ – 2009 Exhibit A

## Guaranteed Maximum Price Amendment

**for the following PROJECT:**

*(Name and address or location)*

Tulsa County Jail Expansion  
300 North Denver Avenue  
Tulsa, OK 74103

**THE OWNER:**

*(Name, legal status and address)*

Tulsa County Board of County Commissioners  
500 South Denver Avenue  
Tulsa, OK 74103-3832

**THE CONSTRUCTION MANAGER:**

*(Name, legal status and address)*

Manhattan Construction Company  
5601 South 122<sup>nd</sup> East Avenue  
Tulsa, OK 74146

**ARTICLE A.1**

**§ A.1.1 Guaranteed Maximum Price**

Pursuant to Section 2.2.6 of the Agreement, 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 Eleven Million Eighty-Seven Thousand Three Hundred Sixty Three Dollars (\$ 11,087,363.00 ), 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.)*

Per Attached Exhibits A

**§ 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.

As Identified in Exhibit A

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

Per Attached Exhibit B

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

Document	Title	Date	Pages
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§ 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.)

Per Attached Exhibit C

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.)

Per Attached Exhibit C

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.)

**ARTICLE A.2**

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

Per Attached Exhibit D

OWNER (Signature)

Board of County Commissioners

John Smaligo, Chairman

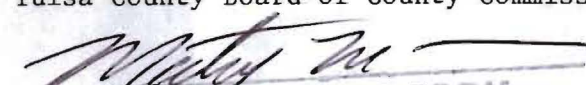
(Printed name and title)

Tulsa County Board of County Commissioners

CONSTRUCTION MANAGER (Signature)

John Reyhan - President

(Printed name and title)

  
 APPROVED AS TO FORM  
 ASSISTANT DISTRICT ATTORNEY

# **Additions and Deletions Report for AIA<sup>®</sup> Document A133<sup>™</sup> – 2009 Exhibit A**

This Additions and Deletions Report, as defined on page 1 of the associated document, reproduces below all text the author has added to the standard form AIA document in order to complete it, as well as any text the author may have added to or deleted from the original AIA text. Added text is shown underlined. Deleted text is indicated with a horizontal line through the original AIA text.

Note: This Additions and Deletions Report is provided for information purposes only and is not incorporated into or constitute any part of the associated AIA document. This Additions and Deletions Report and its associated document were generated simultaneously by AIA software at 08:44:37 on 09/30/2015.

## **PAGE 1**

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...

Per Attached Exhibits A

## **PAGE 2**

As Identified in Exhibit A

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Per Attached Exhibit B

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Per Attached Exhibit C

...

Per Attached Exhibit C

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Per Attached Exhibit D