AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item:

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement: BOCC and Chris Klein Construction

Term Begins: 5/28/18 **Term Ends:** 3/31/2019 **Grant Contract #:** 2017-01-021

Summary:

A further task has been identified and which needs to be addressed for the Ohio City Town Hall project. There are funds available within the current budget and which can be allocated to address this task. This Second Amendment extends the work completion date and approves the reallocation of

Fiscal Impact:

Submitted by: Office of the County Attorney **Submitter's Email Address:** rmagruder@gunnisoncounty.org

Finance Review: (●) Required ( ) Not Required

Comments:
No concerns, included in budget. on

Reviewed by: GUNCOUNTY1\lNienhueser Discharge Date: 10/23/2018

County Attorney Review: ( ) Required (●) Not Required

Comments:

Reveiwed by: Discharge Date: Certificate of Insurance Required Yes ( ) No ( )

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 10/25/2018

(●) Consent Agenda ( ) Regular Agenda ( ) Worksession Time Allotted: 0

Agenda Date: 11/6/2018

Revised April 2015

SECOND AMENDMENT TO CONTRACT AGREEMENT

THIS SECOND AMENDMENT TO CONTRACT AGREEMENT ("Second Amendment") modifies that certain Contract Agreement by and between the Board of County Commissioners of the County of Gunnison, Colorado and Christopher Klein Construction, Inc., a Colorado corporation, dated April 18, 2017 and assigned Gunnison County Legal Instrument No: 2017- 43 ("Contract Agreement") and the Amendment to Contract Agreement between the parties dated November 21, 2017 and assigned Gunnison County Legal Instrument No: 2017-145 ("Amendment").

The Contract Agreement and Amendment thereto were entered into for the project titled: *Ohio City Town Hall Phase II, Interior and Exterior Rehabilitation.*

This purpose of this Second Amendment is to include a further additional task associated with the Storefront Window Rehabilitation and final task for the project which modifies the Contract Agreement and Amendment thereto as follows:

1. Scope of Work. Relevant to paragraphs 3 and 5, and Appendix "A" titled: *Contractor's Bid Proposal* of the Contract Agreement, and paragraph 1 and Attachment 1 of the Amendment, the Scope of Work shall include the additional and final task of reinforcing braces to the south storefront window to reduce shear forces on the egress door.

Item 1, *Window and Door Rehabilitation* identified under the Bid Schedule in Appendix "A" of the Contract Agreement and paragraph 1 of the Amendment shall be increased to include an addition of Sixteen Thousand One Hundred Seventy Five and 59/100 U.S. Dollars ($16,175.59).

The total amount for Item 1, *Window and Door Rehabilitation* identified in Appendix A of the Contract Agreement and paragraph 1 of the Amendment, shall be increased from Thirty One Thousand Eight Hundred Seventy Four and No/100 U.S. Dollars ($31,874.00) to Forty Eight Thousand Forty Nine and 59/100 U.S. Dollars (48,049.59).

The total amount of compensation identified in Paragraph 5 and in the Total Bid Schedule Amount in Appendix "A" of the Contract Agreement and paragraph 1 of the Amendment shall be increased from Ninety Nine Thousand Four Hundred Fifty Six and 33/100 U.S. Dollars ($99,456.33) to One Hundred Fifteen Thousand Six Hundred Thirty One and 92/100 U.S. Dollars (115,631.92) as identified in approved Change Order No: 7 attached hereto and incorporated herein by reference as Exhibit "A".

2. Work Completion Date. All work identified in the Contract Agreement's Scope of Work has been fully and timely completed, including the addition of the Storefront Window Stabilization, the subject matter of the Amendment thereto. With the addition of final task of the project, reinforcement of the south storefront

window, the work completion date shall be extended. Relevant to Paragraph 4 of the Contract Agreement and paragraph 2 of the Amendment thereto, the current work completion date for the completion of the Scope of Work was May 25, 2018. The work completion date for the additional task is hereby extended to March 31, 2019.

3. CSHF Approval. The Colorado State Historical Fund ("CSHF") has provided funds for the project titled: *Ohio City Town Hall Phase II, Interior and Exterior Rehabilitation*, the subject matter of the Contract Agreement and Amendment thereto. The CSHF has informally approved the additional task of further reinforcement of the south storefront window and utilization of the unused funds allocated within the project budget in the amount of Sixteen Thousand One Hundred Seventy Five and 59/100 U.S. Dollars ($16,175.59). This Second Amendment is contingent upon receiving formal approval from the CSHF. Contractor shall not proceed until Gunnison County receives formal approval.

4. Reaffirmation and Ratification. Except as modified herein, the terms and conditions of the Contract Agreement and Amendment thereto shall be and hereby are reaffirmed and ratified.

This Amendment to the Contract Agreement shall be effective nunc pro tunc May 25, 2018.

APPROVED this ~~5th~~ 6th day of November, 2018.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

By: _____
Phil Chamberland, Chairperson

ATTEST:

_____
Deputy County Clerk

CHRISTOPHER KLEIN CONSTRUCTION, INC.,
a Colorado corporation

By: _____
Christopher Klein, President

CHANGE ORDER

Order No. **07**
Date: **October 12, 2018**

PROJECT: *THE OHIO CITY TOWN HALL PHASE II, INTERIOR AND EXTERIOR REHABILITATION*

OWNER: *BOARD OF COUNTY COMMISSIONERS, GUNNISON COUNTY*

CONTRACTOR: *CHRISTOPHER KLEIN CONSTRUCTION, INC*

The following changes are hereby made to the CONTRACT DOCUMENTS:
Per SK-04 dated 10/11/18, add steel reinforcing braces to the south storefront window to reduce shear forces on the egress door.

Justification:
It was discovered that during wind-loaded conditions, the south egress door sticks. The intent of the repair work is to reinforce the storefront window in a manner to reduce the shear stresses on the egress door.

Change to CONTRACT PRICE:	$ 16,175.59
Original CONTRACT PRICE:	$ 73,489.00
Current CONTRACT PRICE adjusted by previous CHANGE ORDERS	$ 99,456.33
The CONTRACT PRICE due to this CHANGE ORDER will be (increased) (decreased) by:	$ 16,175.59
The new CONTRACT PRICE including this CHANGE ORDER will be	$ 115,631.92

Change to CONTRACT TIME:
The CONTRACT TIME will be (increased) (decreased) by 516 calendar days.
The date for completion of all work will be March 31, 2019 (Date).

Approvals Required:
To be effective this Order must be approved by Gunnison County if it changes the scope or objective of the PROJECT, or as may otherwise be required by the SUPPLEMENTAL GENERAL CONDITIONS.

Requested by:

Christopher Klein, Christopher Klein Construction, Inc. — Date: 10/12/2018

Recommended by:

Ben White, Ben White Architecture, LLC — Date: 10/12/2018

Accepted by: Gunnison County Approval

John Cattles, Gunnison County — Date: 10/15/18

EXHIBIT
A