

CITY OF BELLA VISTA  
P. O. BOX 5655  
101 TOWN CENTER  
Bella Vista, AR 72714

MEETING: **SPECIAL MEETING** of the CITY COUNCIL

DATE AND TIME: **MONDAY, SEPTEMBER 14, 2015**  
**– 5:00 P.M.**

LOCATION: City Hall Conference Room  
101 TOWN CENTER  
Bella Vista, Arkansas

- I. **CALL TO ORDER:** This meeting has been given public notice in accordance with the Section 25-19-106 of the Freedom of Information Act, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.
- II. **ROLL CALL:** Mayor Peter Christie, Aldermen Becky Morgan, John Flynn, James Wozniak, Frank Anderson, Allen King, and Larry Wilson.
- III. **NEW BUSINESS:**
  - A. **RESOLUTION** – Authorizing the Mayor and City Clerk to Enter Into a Guaranteed Maximum Price Amendment to the Construction Management Contract With Clinard Construction Management, Inc. in the Amount of \$2,250,000.00 For The Construction of Fire Station No. 4
- IV. **ADJOURNMENT**

\*\*\* Please note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, please contact the City Clerk at 479-876-1255.

RESOLUTION NO. \_\_\_\_\_

CITY OF BELLA VISTA, ARKANSAS

**AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A GUARANTEED MAXIMUM PRICE AMENDMENT TO THE CONSTRUCTION MANAGEMENT CONTRACT WITH CLINARD CONSTRUCTION MANAGEMENT, INC. IN THE AMOUNT OF \$2,250,000.00 FOR THE CONSTRUCTION OF FIRE STATION NO. 4**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA, ARKANSAS:**

**Section 1:** The Mayor and City Clerk are hereby authorized to enter into a guaranteed maximum price amendment to the construction management contract with Clinard Construction Management, Inc. in the amount of \$2,250,000.00 for the construction of Fire Station No. 4. A copy of the amendment is attached to this resolution and incorporated herein as if set out word for word.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

APPROVED:

\_\_\_\_\_  
PETER CHRISTIE  
MAYOR

ATTEST:

\_\_\_\_\_  
WAYNE JERTSON  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
JASON KELLEY  
STAFF ATTORNEY

Requested by: Mayor  
Prepared by: Jason Kelley, Staff Attorney



**AIA**<sup>®</sup>

# Document A133<sup>™</sup> – 2009 Exhibit A

## Guaranteed Maximum Price Amendment

**for the following PROJECT:**

*(Name and address or location)*

City of Bella Vista Fire Station #4  
1539 Forrest Hills Blvd.  
Bella Vista, Arkansas 72714

**THE OWNER:**

*(Name, legal status and address)*

City of Bella Vista  
101 Town Center  
Bella Vista, Arkansas 72714

**THE CONSTRUCTION MANAGER:**

*(Name, legal status and address)*

Clinard Construction Management, Inc.  
615 N. Walton Blvd. Suite D  
Bentonville, Arkansas 72712  
479-271-6212

**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 Two Million Two Hundred Fifty Thousand and 00/100 (\$ 2,250,000.00 ), 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.)*

See attached proposal dated 09/09/2015 in the total amount of \$2,250,000. Note the added Contingency Item #1925 in the amount of \$51,863.11 resulting from the Owner accepting a number of agreed upon Value Engineering cost reductions and additions.

§ 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:

**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<sup>™</sup>-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.

(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.)

§ 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:

§ 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.)

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.)

Bid set drawings dated July 31, 2015 by Wittenberg, Delony & Davidson, Inc.  
Project manual issue set dated July 2015

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:

April 30, 2016

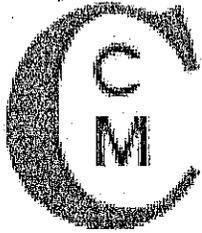
OWNER (Signature)

Peter Christie Mayor  
(Printed name and title)

CONSTRUCTION MANAGER (Signature)

J. Mark Clinard President  
(Printed name and title)

Init.



# Proposal

Totals

*Clinard Construction Management, Inc.*  
Job# 3060 to 3060

6-1-11-51  
09/09/15  
12:27 PM  
mark  
Page # 1

Item/Cost Code	Description	Amount
<b>3060 City of BV Fire Station</b>		
1017.000	Printing & Reproductions	2,800.00
1031.000	Bonds & Surety	26,250.00
1032.000	Builders Risk Insurance	4,410.00
1042.000	Project Manager	22,000.00
1043.000	Superintendent	69,000.00
1046.000	General Labor	10,000.00
1061.000	Safety & OSHA Requirements	1,960.00
1068.000	Water Connection Fees	4,500.00
1310.000	Surveyor & Layout	5,000.00
1410.000	Testing Lab Services	16,000.00
1415.000	Soils borings/testing	1,500.00
1510.000	Temporary Utilities	2,400.00
1514.000	Construction Toilets	1,045.00
1545.000	Trash Removal & Cleanup	8,850.00
1580.000	Signage, Postage, Misc.	1,150.00
1585.000	Project Sign	1,200.00
1590.000	Job Trailer	6,500.00
1710.000	Final Cleaning	1,627.12
1925.000	Contingency	51,863.11
2220.000	Excavate/Backfill/Compact	166,413.00
2276.000	Retaining Walls	16,264.80
2280.000	Soil Treatment	1,383.71
2501.000	Class 7 Base	11,332.65
2516.000	Site Concrete & Paving	273,130.17
2720.000	Storm Sewerage	19,578.00
2785.000	Electric Power Transmission	30,051.73
2900.000	Landscaping	22,192.17
3301.000	Concrete Work	148,253.65
4200.000	Unit Masonry	77,817.23
5011.000	Misc. Steel	26,642.87
6101.000	Rough Carpentry Labor	1,004.00
6102.000	Rough Carpentry Materials	1,635.00
6220.000	Millwork	52,247.15
7100.000	Waterproofing	30,930.23
7224.000	Simple Saver Insulation System	13,191.36

# Proposal

Continued

09/09/15

Page # 2 of 2

Item/Cost Code	Description	Amount
7728.000	Ice/Snow Guards	3,750.00
8100.000	Metal Doors & Frames	32,405.70
8200.000	Wood Door Labor	4,869.40
8360.000	Sectional OH Doors	72,037.00
8410.000	Aluminum Entrances & SF	10,751.84
8630.000	Vinyl Clad Windows	7,089.80
8815.000	Interior Glazing	2,008.00
9270.000	Metal Studs/Drywall/Accoustic	112,889.76
9541.000	Cultured Marble	14,747.76
9699.000	Flooring	33,053.69
9901.000	Painting	35,662.08
10160.000	Metal Toilet Compartments	5,805.80
10350.000	FLAGPOLES	500.00
10430.000	Exterior Signs	1,028.96
10538.000	Canopies	25,990.55
11148.000	Exhaust Extraction Equipment	66,883.47
12520.000	Shades	4,514.99
13121.000	Pre-Engineered Buildings	123,110.05
13121.005	PEMB Steel Erection	98,492.40
15400.000	Plumbing	136,730.80
15500.000	Heating, Ventilating, & Air Co	77,659.40
16050.000	Electrical	232,325.60
16625.000	Access Control System	17,570.00
<b>Grand Total:</b>		<b>2,250,000.00</b>