



## AMENDMENT ONE

### Coconino Estates Improvements Phase I Construction Manager at Risk Agreement

#### Construction Services Northern Portion – Amendment No. 1

Project No. 03-18005  
Agreement No. 2019-37

This First Amendment (“Amendment”) to the fully executed Construction Manager at Risk Services Agreement No. 2019-37 dated 5/21/20 (the “Agreement”) for the Coconino Estates Improvements Phase I (the “Project”) is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the City of Flagstaff, an Arizona municipal corporation with offices at 211 West Aspen Avenue, Flagstaff, Arizona 86001, and Eagle Mountain Construction, an Arizona corporation with offices at 3100 Cadent Ct., Flagstaff, Arizona 86004.

This Amendment is for the CMAR Construction Phase Services of the northern portion of the Coconino Estates Improvements Phase I Project Scope. Scope of Work for the northern portion is pursuant to the Scope of Work outlined in Amendment One Exhibit A.

The parties to the Agreement for Coconino Estates Improvements Phase I project, the City of Flagstaff and Eagle Mountain Construction, hereby agree to the following Amendment: all other provisions of the Agreement shall remain unchanged in full force and effect. New text is underlined.

#### ARTICLE 5 – CONTRACT PRICE

##### 5.1 – Contract Price

5.1.1 The original Agreement Contract Price for the CMAR Construction Services Fee for the southern portion is in the amount of **\$6,588,283.00**. The Contract Price for the northern portion is **\$3,267,356.33**, which includes a Guaranteed Maximum Price of \$3,192,513.34 and an Owner’s Contingency of \$74,842.99 the sum of which is the Contract Price for the southern portion.

EXHIBIT A – GMP - Coconino Estates Improvements Phase I North, dated 10/19/20, 2 page(s).

The total Contract Price under the Agreement, as amended by this Amendment, shall be **nine million, eight hundred fifty-five thousand, six hundred thirty-three dollars and thirty-three cents (\$9,855,639.33)**.

#### ARTICLE 6 – CHANGES TO CONTRACT PRICE AND TIME

The Scheduled Date of Completion of the work for the Coconino Estates Improvements Phase 1 – North project under this First Amendment is 11/12/2022, which is inclusive of the original agreement term of 900-calendar days.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed by their duly authorized representatives as of the date first written above. This Amendment will be in full force and effect only when it has been approved and executed by the duly authorized City officials.

*(Please sign in blue ink. Submit original signatures – photocopies not accepted)*

**City of Flagstaff**

**Eagle Mountain Construction**

By: \_\_\_\_\_  
Greg Clifton, City Manager

By: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney