

AMENDMENT NO. ONE
CHOLLA WATER TREATMENT PLANT
PROCESS AND BOOSTER PUMP STATION IMPROVEMENTS - GMP3
(Construction Manager at Risk Agreement, Contract No. C20-0896)

This Amendment No. One (“Amendment”) to the Construction Manager at Risk Agreement (“Agreement”) is made this _____ day of _____, 2023, (“Effective Date”), by and between the City of Glendale, an Arizona municipal corporation (“City”) and PCL Construction, Inc., a Colorado corporation authorized to do business in Arizona (“Contractor”).

RECITALS

- A. City and PCL Construction, Inc. (“Contractor”) previously entered into Construction Manager at Risk Agreement GMP3, Contract No. C20-0896, dated October 13, 2020 (“Agreement”); and
- B. City and PCL Construction, Inc. (“Contractor”) entered into a contract extension, Contract No. C20-0896-1, dated March 3, 2022, increasing the length of term of contract; and
- C. City is seeking to increase the Guaranteed Maximum Price for Construction Manager at Risk GMP3 due to contractor assistance and unforeseen conditions and increase the compensation to be paid under this agreement by an additional \$219,752.99 and extend the term thru August 15, 2023;
- D. City and Contractor wish to modify and amend the Agreement subject to and strictly in accordance with the terms of this Amendment.

AGREEMENT

In consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Contractor hereby agree as follows:

- 1. **Recitals.** The recitals set forth above are not merely recitals but form an integral part of this Amendment.
- 2. **Term.** The term of the Agreement is extended for a ten (10) month period from October 22, 2022 through August 15, 2023, unless otherwise terminated or canceled as provided by the Agreement. All other provisions of the Agreement except as set forth in this Amendment shall remain in their entirety.
- 3. **Scope of Work.** The scope of work is expanded to include PCL assist with unrelated underground feeder wire repair and west wing underground plumbing replacement at the administration building.

4. **Compensation.** The compensation shall be increased by an additional \$219,752.99
5. **Insurance Certificate.** Current certificate will expire on May 1, 2023 and a new certificate applying to the extended term must be provided prior to this date to Materials Management and the Contract Administrator.
6. **Non-discrimination.** Contractor must not discriminate against any employee or applicant for employment on the basis of race, color, religion, sex, national origin, age, marital status, sexual orientation, gender identity or expression, genetic characteristics, familial status, U.S. military veteran status or any disability. Contractor will require any Sub-contractor to be bound to the same requirements as stated within this section. Contractor, and on behalf of any subcontractors, warrants compliance with this section.
7. **No Boycott of Israel.** To the extent A.R.S § 35-393 through § 35-393.03 are applicable, the parties hereby certify that they are not currently engaged in, and agree for the duration of the Agreement to not engage in, a boycott of goods or services from Israel, as that term is defined in A.R.S § 35-393.
8. **Attestation of PCI Compliance.** When applicable, the Contractor will provide the City annually with a Payment Card Industry Data Security Standard (PCI DSS) attestation of compliance certificate signed by an officer of Contractor with oversight responsibility.
9. **Ratification of Agreement.** City and Contractor hereby agree that except as expressly provided herein, the provisions of the Agreement shall be, and remain in full force and effect and that if any provision of this Amendment conflicts with the Agreement, then the provisions of this Amendment shall prevail.

[Signatures on the following page.]

CITY OF GLENDALE, an Arizona
municipal corporation

Kevin R. Phelps, City Manager

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

PCL Construction, Inc.
a Colorado corporation



By: Mike McKinney

Its: District Manager

CHOLLA WATER TREATMENT PLANT ADMINISTRATION BUILDING IMPROVEMENTS April 17, 2023	
Description	Authorized Expenditure
Construction – Cholla WTP Improvements	
GMP#3	
PCL Construction - GMP #3	\$4,046,768.00
Project Allowance	\$1,462,000.00
Owners Contingency	\$550,877.00
(GMP3 Total = \$6,059,645.00)	
Amendment #1 – Time Extension ONLY	\$0.00
Amendment #2 - Final Compensation Adjustment	
PCL assist with unrelated underground feeder wire repair - \$126,101.59	\$219,752.99
West Wing Underground Plumbing replacement at administration building – \$93,651.40	
Construction Sub-Total	\$6,279,397.99



CONSTRUCTION LEADERS

November 22, 2021

Tom K.aczmarowski
City of Glendale
Engineering Department
5850 West Glendale Avenue
Glendale AZ 85301
TK.aczmarowski@glendaleaz.com

Subject: Cholla WTPimprovements Project#161751 & 161752-GMP 3

Re: RFP # P-060 - Repulling Feeders

Mr. K.aczmarowski,

PCL Construction, Inc. hereby submits Request for GMP 3 Allowance release in the amount of \$126,101.59 for the above referenced project.

This proposal includes the labor and materials to:

- Removal of damaged feeder cables
- Loading out of scrap recycling for COG.
- Reinstallation of new feeders.

This proposal does not include:

- Anything not listed above.
- Caustic removal or remediation
- Generator rentals

This proposal includes normal markups per the contract documents.

Pricing for this proposal is based upon labor, material and normal markup cost elements. This proposal does not include costs associated with sequence changes, disruptions or delays, extended overhead and acceleration. This scope of work must be done concurrently with annual plant shutdown.

Sincerely,
PCL Construction

A handwritten signature in black ink, appearing to read 'Paul LaVanne'.

PaulLaVanne
Project Engineer
Phone 805-551-9836
E-mail: paullavannc@pcl.com

PCL CONSTRUCTION, INC.
1711 West Greentree Drive, Suite 201 - Tempe, Arizona 85284
District Phone (480) 829-6333 District Fax (480) 829-8252
www.pcl.com



CRX Detail Report - CRX-0028

PCL CONSTRUCTION, INC.
Civil Infrastructure 54

Project #: 5403193
Project Name: Cholla WTP GMP 3
Location: 4805 W Cholla St
GLENDALE, AZ

CRX Description: RFP P60 - Repulling Feeders

Summary		Subtrade	Quote \$
Labor	6,458.00	LJUDVIK ELECTRIC CO	88,069.00
Material	323.00		
Equipment	1,645.00		
Subtrade	88,069.00		
Overhead	19,133.57		
Fee	10,473.02		
Total Quote:	\$126,101.59		

Cost Code	Description	Quantity	UoM	Labor Hours		Labor		Material		Equipment		Subtrade		Total	
				Prod	Total	Rate	Total	Rate	Total	Rate	Total	Rate	Total		
150001	DIRECT FORCES WORK Self Perform Scope	1.00	LS	1.000	1.000	---	6,458	---	323	---	1,645	---	---	---	8,426.00
TOTAL	DIRECT FORCES WORK			1.0	6,458.00		323.00		1,645.00		8,426.00				8,426.00
990100	MARKUP ON DIRECT FORCES Fee		LS	---	---	15.00%	969	15.00%	48	15.00%	247	---	---	---	1,263.90
TOTAL	MARKUP ON DIRECT FORCES				968.70		48.45		246.75		1,263.90				1,263.90
600100	SUBTRADE WORK Electrical	1.00	LS	---	---	---	---	---	---	---	---	---	88,069	---	88,069.00
TOTAL	SUBTRADE WORK				88,069.00		88,069.00		88,069.00		88,069.00				88,069.00
012508	SUBTRADE MARKUP Subtrade Bond		%	---	---	---	---	---	---	---	---	1.358%	1,196	---	1,195.98
TOTAL	SUBTRADE MARKUP				1,195.98		1,195.98		1,195.98		1,195.98				1,195.98
TOTAL	DIRECT FORCES & SUBTRADES			1.0	7,426.70		371.45		1,891.75		89,264.98				98,954.88



CRX Detail Report - CRX-0028

PCL CONSTRUCTION, INC.
Civil Infrastructure 54

Project #: 5403193
Project Name: Cholla WTP GMP 3
Location: 4805 W Cholla St
GLENDALE, AZ

CRX Description: RFP P60 - Repulling Feeders

Cost Code	Description	Quantity	UoM	Labor Hours		Labor		Material		Equipment		Subtrade		Total	
				Prod	Total	Rate	Total	Rate	Total	Rate	Total	Rate	Total	Rate	Total
MARKUP ON TOTAL CRX															
012506	US CONTRACT BOND Class B	%													593.73
012601	Gen Liab-USA	%													846.16
012602	Builders Risk	%													401.58
015301	Gen Requirements	%													2,519.91
016010	General Conditions	%													7,335.45
016730	AZ Gross Receipts Tax	%													6,240.76
990100	Fee	%													9,935.86
990100	Fee	%													-726.74
TOTAL	MARKUP ON TOTAL CRX			1.0			7,426.70		371.45		1,891.75		89,264.98		27,146.71
TOTAL	CRX #: CRX-0028														126,101.59



CONSTRUCTION LEADERS

November 4, 2022

Tom Kaczmarowski
City of Glendale
Engineering Department
5850 West Glendale Avenue
Glendale AZ 85301
TKaczmarowski@glendaleaz.com

Subject: Cholla WTP Improvements Project #161751 & 161752 – GMP 3

Re: RFP # P-078 - West Wing UG Plumbing Replacement

Mr. Kaczmarowski,

PCL Construction, Inc. hereby submits Request for GMP 3 Allowance release in the amount of \$184,171.26 for the above referenced project.

This proposal includes the labor and materials to:

- CPVC UG Plumbing Replacement
 - Sawcut and removal of concrete trenches throughout lab, sample room, electrical room, corridor, office, south exterior of electrical room and asphalt in parking lot
 - Excavation and backfill of trenches.
 - Installation of new acid waste plumbing servicing west side of building.
 - Placement of new concrete with D/E reinforcement.
- Copper Sample Lines
 - Excavate and backfill of existing copper lines on exterior of sample room.
 - Re-route existing copper sample lines South of Sample Room through wall and routed in wall and overhead.
- Reduced labor rate costs for PCL Supplied Labor. Savings of \$15,209.98 reflected in pricing.

This proposal does not include the following:

- Anything not listed above.
- Re-work of newly installed framing and finishes.
- Potential schedule impacts.
- Replacement Fixtures
- Asphalt Patching

This proposal includes normal markups per the contract documents.

Pricing for this proposal is based upon labor, material and normal markup cost elements. This proposal does not include costs associated with sequence changes, disruptions or delays, extended overhead and acceleration.

PCL CONSTRUCTION, INC.

1711 West Greentree Drive, Suite 201 – Tempe, Arizona 85284

District Phone (480) 829-6333 District Fax (480) 829-8252

www.pcl.com



CONSTRUCTION LEADERS

Sincerely,

PCL Construction

A handwritten signature in black ink, appearing to read "Paul LaVanne", with a horizontal line extending to the right.

Paul LaVanne
Project Engineer
Phone 805-551-9836
E-mail: paullavanne@pcl.com



CRX Detail Report - CRX-0049

Project #: 5403193
 Project Name: Cholla WTP GMP 3
 Location: 4805 W Cholla St
 GLENDALE, AZ

PCL CONSTRUCTION, INC.
 Civil Infrastructure 54

CRX Description: RFP P78 - West Wing Underground Plumbing Replacement

Summary		Subtrade	Quote \$
Labor	66,258.77	GT MECHANICAL	39,923.93
Material	19,944.96		
Equipment	8,037.23		
Subtrade	39,923.93		
Overhead	27,523.05		
Fee	22,483.32		
Total Quote:			\$184,171.26

Cost Code	Description	Quantity	UoM	Labor Hours		Labor		Material		Equipment		Subtrade		Total	
				Prod	Total	Rate	Total	Rate	Total	Rate	Total	Rate	Total	Rate	Total
150001	DIRECT FORCES WORK Self Perform Scope	1.00	LS	1.000	1.000	---	66,259	---	19,945	---	8,037	---	---	---	94,240.96
TOTAL	DIRECT FORCES WORK			1.0	1.0		66,258.77		19,944.96		8,037.23				94,240.96
990100	MARKUP ON DIRECT FORCES Fee		LS	---	---	15.00%	9,939	15.00%	2,992	15.00%	1,206	---	---	---	14,136.14
TOTAL	MARKUP ON DIRECT FORCES						9,938.82		2,991.74		1,205.58				14,136.14
602200	SUBTRADE WORK GT Mech - Admin Plumbing	1.00	LS	---	---	---	---	---	---	---	---	---	39,924	---	39,923.93
TOTAL	SUBTRADE WORK												39,923.93		39,923.93
012508	SUBTRADE MARKUP Subtrade Bond		%	---	---	---	---	---	---	---	---	---	1.358%	542	542.17
TOTAL	SUBTRADE MARKUP													542.17	542.17
TOTAL	DIRECT FORCES & SUBTRADES			1.0			76,197.59		22,936.70		9,242.81		40,466.10		148,843.20



CRX Detail Report - CRX-0049

PCL CONSTRUCTION, INC.
Civil Infrastructure 54

Project #: 5403193
Project Name: Cholla WTP GMP 3
Location: 4805 W Cholla St
GLENDALE, AZ

CRX Description: RFP P78 - West Wing Underground Plumbing Replacement

Cost Code	Description	Quantity UoM	Labor Hours		Labor		Material		Equipment		Subtrade		Total	
			Prod	Total	Rate	Total	Rate	Total	Rate	Total	Rate	Total	Rate	Total
012506	MARKUP ON TOTAL CRX													
	US CONTRACT BOND Class B	LS												893.06
012601	Gen Liab-USA	LS												1,272.76
012602	Builders Risk	LS												604.04
015301	Gen Requirements	LS												3,790.33
016010	General Conditions	LS												11,033.64
016730	AZ Gross Receipts Tax	LS												9,387.05
990100	Fee	LS												14,945.05
990100	Fee	LS												-6,597.87
TOTAL	MARKUP ON TOTAL CRX			1.0		76,197.59		22,936.70		9,242.81		40,466.10		35,328.06
TOTAL	CRX #: CRX-0049													184,171.26

NOTE: Cost allocated at \$90,519.86 to GMP3 currently available contract funds and remaining \$93,651.40 required by GMP3 Contract Change order