

**AMENDMENT NO. 14  
TO CONTRACT NO. 2010-316**

This Contract Amendment made and entered into upon execution by both parties by and between **SARASOTA COUNTY**, a political subdivision of the State of Florida, hereinafter referred to as the "**COUNTY**," and, Gilbane Building Company, d/b/a Mills Gilbane, hereinafter referred to as "**CONSTRUCTION MANAGER**."

**WITNESSETH**

**WHEREAS**, the COUNTY and the CONSTRUCTION MANAGER entered into Contract No. 2010-316 ("Contract"), dated May 26, 2010, for Construction Management Services for the Construction of Spring Training Facilities; and

**WHEREAS**, the Contract was amended on September 28, 2010 (Amendment No. 1) to add a new scoreboard funded by the Orioles to the Project; and

**WHEREAS**, the Contract was amended on December 7, 2010 (Amendment No. 2) to add funding from the Orioles and the City of Sarasota for upgrades and changes for the Project and to reconcile the GMP based on direct purchases made by the COUNTY up to the date of the Amendment; and

**WHEREAS**, the Contract was amended on January 25, 2011 (Amendment No. 3) to add funding from the Orioles and funding from the Environmental Remediation Reserve Account, pursuant to the Interlocal Agreement Establishing an Environmental Remediation Reserve Account dated April 16, 2010, for upgrades and changes for the Project and to reconcile the GMP based on direct purchases made by the COUNTY up to the date of this Amendment; and

**WHEREAS**, the Contract was amended on February 22, 2011 (Amendment No. 4) to add funding from the Orioles and funding from the Construction Fund Account for upgrades and changes for the Project; and

**WHEREAS**, the Contract was amended on April 12, 2011 (Amendment No. 5) to establish a Guaranteed Maximum Price ("Clubhouse GMP") for Phase II of the Project (the "Clubhouse Project"); and

**WHEREAS**, the Contract was amended on May 10, 2011 (Amendment No. 6) to increase the Guaranteed Maximum Price to provide funding for work on the Project previously directed by the Orioles and substantially completed by the CONSTRUCTION MANAGER and to add funds for certain work authorized by said Amendment; and

**WHEREAS**, the Contract was amended on May 10, 2011 (Amendment No. 7) to increase the Clubhouse Guaranteed Maximum Price to provide funding to advance purchase hydro-therapy equipment; and

**WHEREAS**, the Contract was amended on June 7, 2011 (Amendment No. 8) to add remaining/unspent funds, which had been previously reduced, to the Contract Divisions from which they were taken as a result of the Direct Purchase Program purchase order closeout and reconciliation, correspondingly increasing the Guaranteed Maximum Price; and

**WHEREAS**, the Contract was amended on July 26, 2011 (Amendment No. 9) to increase the Clubhouse Guaranteed Maximum Price by \$4,963,352.00 for a revised Guaranteed Maximum Price of \$5,638,352.00; and

**WHEREAS**, the Contract was amended on September 13, 2011 (Amendment 10) to increase the Clubhouse Guaranteed Maximum Price by \$474,037.00 for optional components including washers and dryers, flooring, three trellises and purchase of kitchen equipment; and

**WHEREAS**, the Contract was amended on October 11, 2011 (Amendment 11) to increase the Clubhouse Guaranteed Maximum Price by \$70,000.00 for an optional component for enhancements to the observation tower; and

**WHEREAS**, the Contract was amended on October 25, 2011 (Amendment 12) to increase the Clubhouse Guaranteed Maximum Price by \$42,000.00 for an optional component for upgrading the flooring material to be used in the weight room; and

**WHEREAS**, the Contract was amended on November 15, 2011 (Amendment 13) to increase the Clubhouse Guaranteed Maximum Price by \$60,000.00 to add funds to the Owner Allowances line item; and

**WHEREAS**, the COUNTY and the CONSTRUCTION MANAGER now wish to amend the Contract to revise the Clubhouse GMP as further detailed below.

**NOW THEREFORE**, the COUNTY and CONSTRUCTION MANAGER, in consideration of the mutual covenants contained herein, do agree to amend the Contract as follows:

1. The Clubhouse GMP is increased with this Amendment in the amount of \$65,000.00. The Clubhouse GMP, as increased herein, is further identified on Exhibit A, GMP Adjustments and Exhibit B, Added Items, attached and incorporated herein. The revised Clubhouse GMP is \$6,349,389.00.

CLUBHOUSE GMP CONTRACT AMOUNT	\$ 6,284,389.00
ADDITION BY AMENDMENT NO. 14	\$ 65,000.00
ADJUSTED CONTRACT AMOUNT	\$ 6,349,389.00

2. Except as modified herein, all other terms, covenants, and conditions of the Contract shall remain in full force and effect.

[Remainder of Page intentionally left blank]

**IN WITNESS WHEREOF**, the COUNTY and CONSTRUCTION MANAGER have executed this Amendment as of the last date written below.

WITNESS:

Print Name: Nancy A. Coultas

Signed By: [Signature]

Date: 9 Nov 11

CONSTRUCTION MANAGER:

Signed By: [Signature]

Title: SA VICE PRES, REGIONAL MGR

Date: 9 Nov 11

SARASOTA COUNTY BOARD OF  
COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

BY: [Signature]  
CHAIRMAN

DATE: 12/6/11

ATTEST:

KAREN E. RUSHING, Clerk of the Circuit Court and Ex-Officio Clerk of the Board of COUNTY Commissioners

BY: [Signature]  
DEPUTY CLERK

Approved as to form and correctness:

BY: [Signature]  
TRW COUNTY ATTORNEY



**Exhibit A  
GMP Adjustments**

<b>Ed Smith Clubhouse</b>				
	Original Contract Amount	*Current Contract Amount	Proposed Amount Amendment #14	
Division 2 Existing Conditions	\$ 140,000.00			
Division 3 Concrete		\$ 209,479.00	\$ 209,479.00	
Division 4 Masonry		\$ 386,940.00	\$ 386,940.00	
Division 5 Metals		\$ 170,915.00	\$ 170,915.00	
Division 6 Wood, Plastics and Composites		\$ 202,575.00	\$ 202,575.00	
Division 7 Thermal and Moisture Protection		\$ 185,667.00	\$ 185,667.00	
Division 8 Openings		\$ 317,256.00	\$ 317,256.00	
Division 9 Finishes		\$ 238,998.00	\$ 238,998.00	
Division 10 Specialties		\$ 659,458.72	\$ 659,458.72	
Division 11 Equipment		\$ 60,571.00	\$ 60,571.00	
Division 12 Furnishings Excluding Stadium Seating		\$ 287,284.63	\$ 287,284.63	
Division 126300 Stadium Seating		-	-	
Division 13 Special Construction		-	-	
Division 14 Conveying Equipment		\$ 184,489.65	\$ 184,489.65	
Division 21 Fire Protection		\$ 50,360.00	\$ 50,360.00	
Division 22 Plumbing		\$ 40,535.00	\$ 40,535.00	
Division 23 HVAC		\$ 496,372.00	\$ 496,372.00	
Division 26 Electrical	\$ 150,000.00	\$ 661,045.00	\$ 661,045.00	
Division 27 Communications		\$ 748,600.00	\$ 813,600.00	
Division 28 Fire Alarm and Detection Systems		-	-	
Division 31 Earthwork		-	-	
Division 32 Exterior Improvements		\$ 147,657.00	\$ 147,657.00	
Division 33 Utilities		\$ 76,100.00	\$ 76,100.00	
Owner Allowances	\$ 50,000.00	-	-	
CM at Risk Contingency		\$ 146,747.00	\$ 146,747.00	
Cost of Davis-Bacon - Labor Compliance		\$ 164,491.00	\$ 164,491.00	
Cost of Davis-Bacon - Administrative Compliance		-	-	
COST OF THE WORK	\$ 340,000.00	\$ 5,435,541.00	\$ 5,500,541.00	
GENERAL CONDITIONS	\$ 117,422.00	\$ 555,480.00	\$ 555,480.00	
Insurance (INS)	\$ 4,250.00	\$ 79,611.60	\$ 79,611.60	
Payment & Performance Bonds	\$ 3,128.00	\$ 54,653.60	\$ 54,653.60	
FEE (CM at Risk Fee)	\$ 10,200.00	\$ 159,102.80	\$ 159,102.80	
<b>Total GMP</b>	<b>\$475,000.00</b>	<b>\$6,284,389.00</b>	<b>\$6,349,389.00</b>	Proposed Revised GMP
		\$5,809,389.00	\$65,000.00	

\* Current Contract Amount reflects changes to the GMP made as a result of modifications to line items for budget adjustments, the use of Owner Allowances and previous Contract Amendments.

**EXHIBIT B**  
**ADDED ITEMS**

<b>ADDED ITEM</b>	<b>PRICE</b>
Light Fixtures and Lighting Control Upgrade in Existing Batting Cage at Ed Smith Sports Complex (Clubhouse Component)	\$65,000.00
<b>TOTAL</b>	<b>\$ 65,000.00</b>

RESOLUTION 2011-223

AMENDING 2011-2012 BUDGET

BOARD OF COUNTY COMMISSIONERS  
SARASOTA COUNTY, FLORIDA

AMENDMENT NO. B2012-015

**RE: FY2012 Budget Amendment for Orioles Donation**

WHEREAS, Section 129.06 Florida Statutes (2011) provides legal authority for the adoption of budget amendments: to incorporate the receipt of unanticipated funds and to provide for their appropriation; to make transfers in handling receipts and disbursements; and to make other budget amendments.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, as follows:

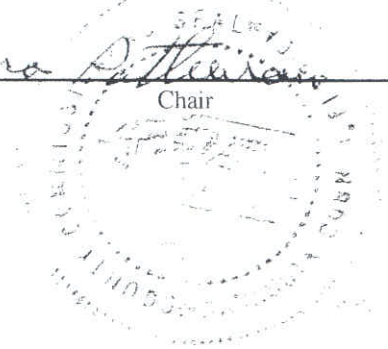
That pursuant to the authority of Section 129.06(2)(d), which concerns receipts of a nature from a source not anticipated and received for a particular purpose, the following funds be increased or decreased for the fiscal year beginning October 1, 2011 and ending September 30, 2012.

		<u>INCREASE</u>	<u>DECREASE</u>
<u>REVENUES</u>			
<b>Capital Improvements</b>	<b>Fund 390</b>		
Contributions and Donations		\$ 65,000	
<b>TOTAL</b>		<u>\$ 65,000</u>	<u>\$ 0</u>
 <u>APPROPRIATIONS</u>			
<b>Capital Improvements</b>	<b>Fund 390</b>		
Capital Outlay		\$ 65,000	
<b>TOTAL</b>		<u>\$ 65,000</u>	<u>\$ 0</u>

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption. PASSED AND DULY ADOPTED this 6th day of December, 2011.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

BY: Nora Patterson  
Chair



ATTEST:  
KAREN E. RUSHING, Clerk of Circuit Court  
and Ex-Officio Clerk to the Board of County  
Commissioners of Sarasota County, Florida

BY: Spring Belmont  
Deputy Clerk

2011-223