

FIRST AMENDMENT TO THE
OWNER AND CONSTRUCTION MANAGEMENT AT RISK SERVICES AGREEMENT
KAUFMAN LYNN, INC., GENERAL CONTRACTORS

PROJECT NAME: LAKE WORTH MIDDLE SCHOOL CLASSROOM ADDITION
PROJECT NO.: 2131-8307

This First Amendment made this 22nd day of March, 2007.

Prior to execution of this Amendment, the Owner and the Construction Manager have spent considerable time studying the scope of work, drawings, plans and specifications as described more particularly in the Construction Manager's GMP Proposal. The Construction Manager has had full access to the Architect and all Engineers to ascertain the complete scope of the Project. Furthermore, the Owner has encouraged the Construction Manager to verify all drawings and specifications for complete accuracy with all Governmental Agencies having jurisdiction over the Construction Manager's Work. The Construction Manager represents to the best of his knowledge after careful review that the above described documents are currently complete and sufficient to provide buildings with substantially complete and functional systems, and to furnish a Guaranteed Maximum Price. Therefore, the Construction Manager will not make claims for change orders for omissions of items that are reasonably inferable from the above described documents and agrees not to charge Owner any additional cost on account of incidental discrepancies that might appear in the above described documents. Construction Manager acknowledges that the Contract and Guaranteed Maximum Price are all inclusive of the Work required to complete the Project and based upon the negotiated and approved documents described in the Guaranteed Maximum Price Proposal dated February 13, 2007, as attached and incorporated as Exhibit Z.

In accordance with the requirements of Article 7 of the Agreement dated September 7, 2006 Project No: 2131-8307, is hereby amended to incorporate a Guaranteed Maximum Price in the amount of \$6,989,651 as detailed in Exhibit B attached. Execution of this Amendment does not alter the responsibilities of the Construction Manager or the extent of the Agreement beyond those already stated in Article 1 of the executed Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to the September 7, 2006 Agreement the day and year first written above.

Construction Manager:

KAUFMAN LYNN, INC., GENERAL CONTRACTORS
Company

By: Michael Kaufman, President
Name (printed) Title

[Signature] 2/16/07
Signature Date

Attest: Ron Zegiel, Chief Estimator
Name (printed) Title

[Signature] 3/16/07
Signature Date

The School Board of Palm Beach County

Chairman

Date

Superintendent

Date

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

[Signature]
School District Attorney

Digitally signed by Kathleen Jacques-Adams
DN: cn=Kathleen Jacques-Adams, c=US, o=SDPBC, ou=Legal Services,
email=kadams@palmbeach112.fl.us
Location: Kaufman Lynn, Inc., General Contractors, First Amendment GMP, Lake Worth Middle
School Classroom Addition, Project No. 2131-8307
Date: 2007.02.26 10:58:05 -0500

Date


(Corporate Seal)

**EXHIBIT B
GUARANTEED MAXIMUM PRICE SUMMARY**

**PROJECT NAME: Lake Worth Middle School Classroom Addition
PROJECT NO: 2131 - 8307**

DIVISION 1 - GENERAL REQUIREMENTS (Direct Cost Items Related to Site).....	\$ 10,200
DIVISION 2 - SITE CONSTRUCTION.....	\$ 898,696
DIVISION 3 - CONCRETE.....	\$ 691,165
DIVISION 4 - MASONRY.....	\$ 118,445
DIVISION 5 - STEEL.....	\$ 262,730
DIVISION 6 - CARPENTRY.....	\$ 155,168
DIVISION 7 - THERMAL/MOISTURE.....	\$ 319,185
DIVISION 8 - WINDOWS AND DOORS.....	\$ 354,180
DIVISION 9 - FINISHES.....	\$ 598,215
DIVISION 10 - SPECIALTIES.....	\$ 266,740
DIVISION 11 - EQUIPMENT.....	\$ 3,075
DIVISION 12 - FURNISHINGS.....	\$ 104,720
DIVISION 13 - SPECIAL CONSTRUCTION.....	\$ -
DIVISION 14 - ELEVATOR.....	\$ -
DIVISION 15 - MECHANICAL.....	\$ 967,540
DIVISION 16 - ELECTRICAL.....	\$ 897,500
TOTAL (divisions 1-16 including accepted value engineered items).....	\$ 5,647,559
BONDS AND INSURANCE.....	\$ 62,682
CONSTRUCTION PHASE FEE (On Site Staff).....	\$ 573,379
GENERAL CONDITIONS (Direct Cost Items Related to Field Staff).....	\$ 238,561
CONSTRUCTION MANAGER FEE (Overhead & Profit).....	\$ 354,723
CONSTRUCTION CONTINGENCY.....	\$ 169,121
ALLOWANCE (Extraordinary Costs).....	\$ -
DEDUCT : SALES TAX RECOVERY (Guaranteed).....	\$ (56,374)
TOTAL GUARANTEED MAXIMUM PRICE.....	\$ 6,989,651
PRECONSTRUCTION PHASE FEE.....	\$ 45,115
TOTAL CONSTRUCTION COST (Preconstruction Fee + GMP).....	\$ 7,034,766

Certified True and Correct by:

 , CFO 2/13/2007
NAME/TITLE DATE

Project: Lake Worth Middle School Classroom Addition - GMP

Architect: Harvard Jolly

Date: February 13, 2007

Bidg SF New: 30,550

Bidg SF Reno: 2,780

Total SF Active

Weeks 48

Months 11.0

Estimator: Tom Koster

Id#	Description	Quantity	Unit	Unit Price	GMP Amount	W/MBE	Comments/Division Totals
02-000	SITE WORK						\$ 898,696
02-050	Demolition - Sidewalks & Misc. Site	1	ls	28,345.00	\$ 28,345		Miami Wrecking Allowance
02-055	Misc Underground Conduit, Irrigation, Landscaping Demo	1	ls	10,000.00	\$ 10,000		
02-070	Surveying - Civil Scope of Work	1	ls	11,800.00	\$ 11,800		Caulfield & Wheeler
02-070	Surveying - Building Scope of Work	1	ls	12,580.00	\$ 12,580		Caulfield & Wheeler
02-100	Sitework Package	1	ls	678,250.00	\$ 678,250		Mora Engineering
	Permit Fee and Procurement Allowance	1	ls	3,000.00	\$ 3,000		Allowance
02-122	Temp. Fencing	1,810	lf	7.62	\$ 13,798		Federal
02-123	Temp. Gates @ Fencing	1	ls	6,391.00	\$ 6,391		Federal
02-125	Site Logistics & Restoration	1	ls	26,222.00	\$ 26,222		KLI
02-500	Paving & Surfacing - Asphalt Restoration	1	ls	0.00	\$ -		In Mora Engineering
02-500	Temporary Access Roads	1	ls	0.00	\$ -		In Mora Engineering
02-500	Roadway Maintenance During Construction	1	ls	5,000.00	\$ 5,000		KLI
02-670	Drainage & Mobilization	1	ls	0.00	\$ -		In Mora Engineering
02-700	Water Service	1	ls	0.00	\$ -		In Mora Engineering
02-720	Sewer Service	1	ls	0.00	\$ -		In Mora Engineering
02-800	New Chain Link Fencing	1	ls	0.00	\$ -		In Mora Engineering
02-900	Landscaping - Trees, Plants, Sod	1	ls	8,115.00	\$ 8,115		Tropic Fence
02-920	Irrigation	1	ls	75,710.00	\$ 75,710		All Green
02-960	Soils/ Density Testing	1	ls	19,485.00	\$ 19,485		Sunnyland
02-965	Engineer's Testing/ Inspections	1	ls	0.00	\$ -		By Owner
02-970	Sod	40,000	sf	0.00	\$ -		By Owner
							In All Green
03-000	CONCRETE						\$ 691,165
03-090	Concrete Package - Tilt Up Wall Construction	1	ls	691,165.00	\$ 691,165		Drawdy Bros.
03-090	Concrete Package - Chiller Yard	1	ls	0.00	\$ -		In Drawdy
03-090	Concrete Package - Cart Storage Renovate Handball Cts	1	ls	0.00	\$ -		In Drawdy
03-090	Concrete Package - Covered Walks & Plaza Patio Walks	1	ls	0.00	\$ -		In Drawdy
03-330	Soil Poisoning	33,330	sf	0.00	\$ -		In Drawdy
04-000	MASONRY						\$ 118,445
04-010	Masonry Package - Tilt Up Wall Construction	1	ls	118,445.00	\$ 118,445		Ron Kendall Masonry
	Masonry Package - Chiller Yard	1	ls	0.00	\$ -		In Ron Kendall
	Masonry Package - Cart Storage Renovate Handball Cts	1	ls	0.00	\$ -		In Ron Kendall
	Masonry Package - Fill Ceils Complete	1	ls	0.00	\$ -		In Ron Kendall
05-000	METALS						\$ 262,730
05-100	Structural Steel Package	1	ls	262,730.00	\$ 262,730		Industrial Steel
	Panel to Panel & Panel to Footing Material	1	ls	0.00	\$ -		In Industrial Steel

Id#	Description	Quantity	Unit	Unit Price	GMP Amount	W/MBE	Comments/Division Totals
06-000	WOOD & PLASTICS						\$ 155,168
06-010	Carpentry Subcontract	33,330	sf	0.25 \$	8,333 \$		KLI
06-400	Built-in Workstations, Counters, Cabinets, etc.	1	ls	146,835.00 \$	146,835 \$		Institutional Products
07-000	THERMAL/MOISTURE PROTECTION						\$ 319,185
07-200	Insulation - Foam In Place Block Insulation	1	ls	1,300.00 \$	1,300 \$		Southern Foam
07-250	Spray-On Fireproofing	1	ls	0.00 \$	- \$		N.I.C.
07-270	Firestopping - Misc	1	ls	9,660.00 \$	9,660 \$		Allstates
07-500	Membrane Roofing - 20 yr NDL, Fire Rated Cap Sheet, 4 ply	333	sq	866.76 \$	288,899 \$		Weiss & Woolrich
07-505	Lightweight Concrete	30,000	sf	0.00 \$	- \$		In Weiss & Woolrich
07-525	Asphalt Shingles, Rigid Insulation @ Golf Cart	1,600	sf	0.00 \$	- \$		In Weiss & Woolrich
07-725	Roof Hatch / With Ladder Up Post	1	ea	0.00 \$	- \$		In Weiss & Woolrich
07-900	Joint Sealers	1	ls	19,335.00 \$	19,335 \$		Coman
08-000	DOORS & WINDOWS						\$ 354,180
08-100	Metal Doors & Frames	1	ls	87,960.00 \$	87,960 \$		Quality Eng. Prodit
08-200	Wood & Plastic Doors	1	ls	0.00 \$	- \$		In QEP
08-210	Finish Hardware	1	ls	0.00 \$	- \$		In QEP
08-210	Knox Box	4	ea	650.00 \$	2,600 \$		KLI
08-150	Doors/Frames/Hardware Labor	1	ls	14,575.00 \$	14,575 \$		Case Doors
08-900	Special Windows (Lite Kits at Misc Doors & Frames)	1	ls	0.00 \$	- \$		In Sol-A-Trol
08-900	Windows - Operables & Fixed	1	ls	249,045.00 \$	249,045 \$		Sol-A-Trol
09-000	FINISHES						\$ 598,215
09-050	Drywall Package	1	ls	333,165.00 \$	333,165 \$		Division 9 Interiors
09-200	Stucco Exterior & Interior	1	ls	30,990.00 \$	30,990 \$		SFD
09-200	Exterior Framing & Stucco for Elec. Chase - RFI 21	1	ls	10,000.00 \$	10,000 \$		Allowance
09-300	Tile Flooring	1	ls	74,160.00 \$	74,160 \$		McDermott
09-500	Acoustical Ceilings	1	ls	35,500.00 \$	35,500 \$		A Beautiful
09-790	VCT/ Base	26,650	sf	1.64 \$	43,575 \$		Brookside
09-860	Floor Preparation	33,330	sf	0.30 \$	10,000 \$		Brookside
09-900	Painting Package	1	ls	60,825.00 \$	60,825 \$		TWG
09-910	Painting - Exterior	1	ls	0.00 \$	- \$		In TWG
09-950	Wall Covering/Vinyl	1	ls	0.00 \$	- \$		N.I.C.

Id#	Description	Quantity	Unit	Unit Price	GMP Amount	W/MBE	Comments/Division Totals
10-000	SPECIALTIES						\$ 266,740
10-050	Appliances - Dishwasher & Refrigerator	1	ls	2,500.00	\$ 2,500		Allowance
10-055	Corner Guards - Supply & Install	100	ea	44.40	\$ 4,440		K/LA
10-075	Electric Pencil Sharpeners	20	ea	40.00	\$ 800		K/LA
10-100	Tack Boards - Various Sizes	36	ea	0.00	\$ 14,175		Polyvision
10-100	Marker Board w/ Map & Chalk Rail - 16 x 4	19	ea	0.00	\$ -		In Polyvision
10-105	GPS Clocks	0	ea	0.00	\$ -		In Electrician
10-110	Exterior Plaques	1	ea	3,500.00	\$ 3,500		Allowance
10-110	Display Cases - 4 x 6 units By Claridge	3	ea	2,050.00	\$ 6,150		FL Chalk/K/LA
10-200	Louvers/ Vents	1	ea	2,435.00	\$ 2,435		SE Specialty
10-350	Flagpoles	0	ea	0.00	\$ -		N/A
10-375	Bicycle Racks	0	ea	0.00	\$ -		N/A
10-500	Lockers	0	ea	0.00	\$ -		N/A
10-532	Aluminum Walkway Canopy - Including Foundations & Design	4,450	sf	40.71	\$ 181,180		Walker Design
10-520	Fire Extinguishers -	1	ls	1,530.00	\$ 1,530		Triangle Fire
10-655	Toilet Partitions & Urinal Screens	16	ea	748.75	\$ 11,980		Elects
10-670	Storage Shelving	1	ls	16,175.00	\$ 16,175		Multiline
10-800	Toilet/Bath Accessories	1	ls	12,035.00	\$ 12,035		Elects
10-950	Signage - Interior Doors	1	ls	9,840.00	\$ 9,840		Baron
11-000	EQUIPMENT						\$ 3,075
11-130	LCD Projector	0	ea	0.00	\$ -		NIC
11-130	Projection Screens - 6'6"x4'h (Manual Pull Down, Wall Mtd)	18	ea	170.83	\$ 3,075		Nat'l Stage & Window
11-130	DVD/VCR Combo Unit	0	ea	0.00	\$ -		NIC
11-130	Sound Field Enhancement Equipment	0	ea	0.00	\$ -		NIC
11-130	Document Camera	0	ea	0.00	\$ -		NIC
11-130	ITV/Future Equipment	0	ea	0.00	\$ -		NIC
11-130	Wireless Laptop Cart	0	ea	0.00	\$ -		NIC
11-130	Computers	0	ea	0.00	\$ -		NIC
11-130	Printers/Scanners	0	ea	0.00	\$ -		NIC
12-000	FURNISHINGS						\$ 104,720
12-345	Chemistry Lab Equipment & Casework	1	ls	94,725.00	\$ 94,725		Steve Ward & Assoc.
12-500	Window Treatments - Vertical Blinds	1	ls	9,995.00	\$ 9,995		Window Interiors
13-000	SPECIAL CONSTRUCTION						\$ -
14-000	CONVEYING SYSTEMS						\$ -
15-000	MECHANICAL						\$ 967,540
15-300	Fire Protection - Bldg & Underground Service	33,330	sf	2.89	\$ 96,400		Farmer & Irwin
15-300	Fire Protection - Flow Test	1	ls	1,000.00	\$ 1,000		Allowance
15-400	Plumbing	1	ls	216,670.00	\$ 216,670		Wilbur Plumbing
15-500	H.V.A.C.	1	ls	653,470.00	\$ 653,470		HYVAC
15-500	Acoustical Sound Panels @ Chiller Yard	1	ls	0.00	\$ -		In Hyvac

Id#	Description	Quantity	Unit	Unit Price	GMP Amount	W/MBE	Comments/Division Totals
16-000	ELECTRICAL						\$ 897,500
16-050	Basic Electrical - Fixtures, Gear, Wiring & New Service	33,330	sf	26.93	\$ 897,500		DEC
16-050	Basic Electrical - Chiller Plant		ls		\$ -		In DEC
16-200	Generators	0	ls		\$ -		N/A
16-500	Lighting	1	ls		\$ -		In DEC
16-600	Special Systems - Security (Empty Conduits Only)	1	ls		\$ -		In DEC
16-600	Special Systems - Card Access Conduit & Wire	3	ea		\$ -		In DEC
16-600	Special Systems - Video Surveillance (Empty Conduits Only)	1	ls		\$ -		In DEC
16-600	Special Systems - EMCS (Empty Conduits Only)	1	ls		\$ -		In DEC
16-600	Special Systems - Phones (Empty Conduits Only)	1	ls		\$ -		In DEC
16-600	Special Systems - Data & Voice (Empty Conduits Only)	1	ls		\$ -		In DEC
16-600	Special Systems - Master TV & Antenna (Empty Conduits Only)	1	ls		\$ -		In DEC
16-710	Intercom System	1	ls		\$ -		In DEC
16-750	Lightning Protection & TVSS	1	ls		\$ -		In DEC
16-800	Fire Alarms	1	ls		\$ -		In DEC
HARD BUDGETS COSTS							
DIVISION 1 GENERAL REQUIREMENTS (Direct Cost Related to Site)					\$ 5,637,359		\$ 5,637,359
CONSTRUCTION PHASE FEE					\$ 10,200		
GENERAL CONDITIONS (Direct Cost Related to Field Staff)					\$ 573,379		
SUBTOTAL					\$ 6,449,499		
MANAGEMENT FEE					\$ 354,723		
SUBTOTAL					\$ 6,804,222		
GENERAL LIABILITY INSURANCE					\$ -		NIC
SUBTOTAL					\$ 6,804,222		
BUILDERS RISK INSURANCE					\$ -		NIC
SUBTOTAL					\$ 6,804,222		
PAYMENT & PERFORMANCE BOND					\$ 62,682		
WARRANTIES					\$ 10,000		
SUBTOTAL					\$ 6,876,904		
OWNER'S ARCHITECTURAL DESIGN CONTINGENCY					\$ -		
CONSTRUCTION CONTINGENCY					\$ 169,121		
SALES TAX RECOVERY					\$ (56,374)		
GUARANTEED MAXIMUM PRICE TOTAL					\$ 6,989,651	\$ 1,598,720	22.87%