



City of Clearwater Police Department Firing Range

Guaranteed Maximum Price Proposal

January 08, 2021

January 8, 2021

TO: Major David Dalton
Clearwater Police Department
Support Services Division
645 Pierce Street
Clearwater, FL 33756

RE: **POLICE DEPARTMENT FIRING RANGE and CITY OF CLEARWATER ENGINEERING DEPARTMENT
PROJECT NUMBER**

As requested, enclosed is the proposal for Design, Fabrication and Installation of Troy System Acoustical Panels at the Clearwater Police Department.

Project Duration shall be 120 calendar days from the date of the Notice to Proceed to achieve Substantial Completion.

ARTICLE 1 - Guaranteed Maximum Price (GMP) Proposal

Biltmore Construction Co., Inc. proposes to complete the work, as described herein, for the Guaranteed Maximum Price (GMP) of **Nine Hundred Sixty Two Thousand, Nine Hundred Seventy Three (\$962,973.00)** This Price is for the performance of the Work as described herein and in accordance with the Contract Documents and Exhibits A through Exhibit F.

This Guaranteed Maximum Price (GMP) proposal must be accepted in writing by the Owner on or before **February 28, 2021**. After said date, this Guaranteed Maximum Price (GMP) proposal shall be null and void, absent the express written acceptance by Biltmore Construction Co., Inc.

By acceptance of the GMP and issuance of a Contract Amendment, the City of Clearwater hereby incorporates the GMP into the Services for Continuing Contracts Agreement between Owner and Construction Manager dated August 21, 2020.

PROJECT SUMMARY

Project consists of the design, fabrication, and installation of Troy System acoustical panels at the Clearwater Police Department District 3 Substation 2851 McMullen Booth Road, Clearwater FL. In accordance with the Troy Acoustics Corporation proposal updated November 6, 2020 following the project review meeting. Also includes three (3) concrete enclosures. Troy Acoustics will provide a 5 year warranty that gun fire sound levels fired from Range after the Troy System is installed, will not exceed 3-5 dBA (Leg) over current ambient on a 3 hour time weight. The 3 dBA is approximate time a course of fire or qualification class last. The ambient levels will have to be established to have the decibel levels defined.

EXHIBIT A – Enumeration of Contract Documents

Contract Documents include the Drawings, Specifications, Addenda (*Construction Documents*), the Construction Manager at Risk Services for Continuing Contracts Agreement RFQ #40-20 dated August 21, 2020, General Conditions, Supplementary Conditions as expressly noted herein, and this Exhibit A, as well as the Guaranteed Maximum Price (GMP) Proposal in its' entirety. This GMP Proposal is expressly recognized as a Contract Document inasmuch as it forms the basis upon which the Guaranteed Maximum Price is based. *As such, in the event there is any disagreement, conflict, or ambiguity between the GMP Proposal and any other Contract Document, the GMP Proposal shall govern.*

The Owner's issuance of any Notice to Proceed, Purchase Order, or any other written directive or instructions to proceed with the Work, after this signed GMP Proposal has been delivered by Biltmore to the Owner, shall constitute an express acceptance of the foregoing Enumeration of Contract Documents and the enforceability thereof.

See Attached

GUARANTEED MAXIMUM PRICE BREAKDOWN

Itemized Description of the Trade Work	Base GMP Amount
Division 2-Site Construction (Abatement, Demolition, Earthwork)	\$ 0.00
Division 3-Concrete Enclosures	\$ 161,462.00
Division 4-Masonry	\$ 0.00
Division 5-Metals	\$ 0.00
Division 6-Wood and Plastics	\$ 0.00
Division 7-Thermal and Moisture Protection	\$ 0.00
Division 8-Doors and Windows	\$ 0.00
Division 9-Finishes (Acoustical)	\$ 640,400.00
Division 10-Specialties	\$ 0.00
Division 11-Equipment	\$ 0.00
Division 12-Furnishings	\$ 0.00
Division 13-Special Construction	\$ 0.00
Division 14-Conveying Systems	\$ 0.00
Division 15-Mechanical	\$ 2,500.00
Division 16-Electrical	\$ 5,000.00
Subcontractor Direct Cost (SDC) SUBTOTAL	\$ 809,362.00
Liability Insurance (.92%)	\$ 8,740.00
Performance and Payment Bond (.75%)	\$ 7,125.00
Builder's Risk Insurance	\$ By Owner
Subtotal Bond & Insurance	\$ 15,865.00
Survey Allowance	\$ 0.00
Maintenance of Traffic	\$ 0.00
Material Testing Allowance	\$ 500.00
General Requirements/Conditions/Staffing	\$ \$38,000.00
Project Contingency (5% of \$ 809,362.00)	\$ \$ 40,493.00
Pre-construction Services	\$ 4,500.00
CM Fee (6% of 904,220.00)	\$ 54,253.00
Total Guaranteed Maximum Price (GMP)	\$ 962,973.00

Existing Contract: This proposal is submitted in conjunction with the existing Construction Manager at Risk Services Continuing Contract entered into with the City of Clearwater on August 21, 2020 based on RFQ#40-20 and the City of Clearwater Police Department Firing Range GMP dated January 8, 2021 Pages 1-10 including the Enumeration of Documents (1 Page) and the Preliminary Construction Schedule (1 Page)

If the GMP exceeds \$150,000: Per Section III, Article 5.1 of the Contract Specifications, the contractor shall provide to the public entity a certified copy of the recorded bond. Once the City receives a certified copy of the recorded bond, a Notice to Proceed may be issued. Include the attached bond form as well as the Power of Attorney.

For work performed, invoices shall be submitted to the City of Clearwater, Engineering Department, ATTN: Veronica Josef, Senior Staff Assistant, P.O. Box 4748, Clearwater, Florida 33758-4748. Contingency services may be billed only after written authorization is provided by the City to proceed with those services.

City Code:

Biltmore Construction Co., Inc.

By: 

Vito DiRuggiero
Vice President


Date

CITY OF CLEARWATER, FLORIDA

Approved as to form:

Attest:

Owen Kohler
Assistant City Attorney

By: _____
Rosemarie Call
City Clerk

Countersigned:

Frank Hibbard
Mayor

William B. Horne II
City Manager

Date

Date