

**AMENDMENT 7 TO ADDENDUM #17  
BP-S177, SOUTH TERMINAL C, PHASE 1, AIRSIDE EXPERIENTIAL  
MEDIA ENVIRONMENT (GMP#6-S.5)**

This Amendment is effective this 7th day of February, 2023, by and between the **Greater Orlando Aviation Authority** ("Owner") and **Hensel Phelps Construction** ("CM@R").

WHEREAS, by Agreement dated March 20, 2017, the Owner and the CM@R entered into an agreement for Construction Management at Risk Services for the South Airport Terminal C, Phase 1 ("Program"); and

WHEREAS, on July 1, 2019, the parties entered into Addendum 17 in the amount of \$11,463,235.00 to provide for the award of BP-S177, South Terminal C, Phase 1, Airside Experiential Media Environment (GMP#6-S.5); and

WHEREAS, on February 27, 2020, the parties entered into Amendment 1 to Addendum 17 in the amount of (\$533,676.00) to provide for GMP revisions to BP-S177, South Terminal C, Phase 1, Airside Experiential Media Environment (GMP#6-S.5); and

WHEREAS, on February 12, 2021, the parties entered into Amendment 2 to Addendum 17 in the amount of \$277,512.00 to provide for GMP revisions to BP-S177, South Terminal C, Phase 1, Airside Experiential Media Environment (GMP#6-S.5); and

WHEREAS, on May 7, 2021, the parties entered into Amendment 3 to Addendum 17 in the amount of (\$90,725.00) to provide for GMP revisions to BP-S177, South Terminal C, Phase 1, Airside Experiential Media Environment (GMP#6-S.5); and

WHEREAS, on April 21, 2022, the parties entered into Amendment 4 to Addendum 17 in the amount of (\$1,097,566.00) to provide for GMP revisions to BP-S177, South Terminal C, Phase 1, Airside Experiential Media Environment (GMP#6-S.5); and

WHEREAS, on July 21, 2022, the parties entered into Amendment 5 to Addendum 17 in the amount of (\$55,793.67) to provide for GMP revisions to BP-S177, South Terminal C, Phase 1, Airside Experiential Media Environment (GMP#6-S.5); and

WHEREAS, on November 8, 2022, the parties entered into Amendment 6 to Addendum 17 in the amount of (\$4,269.41) to provide for GMP revisions to BP-S177, South Terminal C, Phase 1, Airside Experiential Media Environment (GMP#6-S.5); and

WHEREAS, the parties desire to enter into this Amendment 7 to Addendum 17 for GMP revisions in BP-S177, South Terminal C, Phase 1, Airside Experiential Media Environment (GMP#6-S.5) as more fully described below.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, the Owner and the CM@R do hereby agree as follows:

1. The Guaranteed Maximum Price as more fully described in Exhibit A is hereby revised to the following:

<b>GMP 6S.5</b>	<b>Original GMP Budget</b>	<b>Current GMP Budget*</b>	<b>Proposed GMP Amendment</b>	<b>Proposed GMP Final Total</b>
Direct Cost of Work	\$8,486,215.00	\$9,330,305.00	\$0.00	\$9,330,305.00
Unbought Scope	\$1,504,376.00	\$0.00	\$0.00	\$0.00
Allowances	\$0.00	\$0.00	\$0.00	\$0.00
CMAR Contingency	\$499,530.00	\$0.00	\$0.00	\$0.00
Owner Contingency	\$249,765.00	\$0.00	\$0.00	\$0.00
P&P Bond	\$75,626.00	\$65,699.75	\$0.58	\$65,700.33
Fee	\$647,723.00	\$562,712.17	(\$1.48)	\$562,710.69
<b>TOTAL</b>	<b>\$11,463,235.00</b>	<b>\$9,958,716.92</b>	<b>(\$0.90)</b>	<b>\$9,958,716.02</b>

\*Current GMP Budget as of CCM 12/20/2022

2. The Consent of Surety that reflects the current cumulative contract value is attached hereto and incorporated herein as Exhibit B.
3. Except as expressly modified herein, the terms and conditions of the Agreement and Addendum #17 remain unchanged. In the event of a conflict between the terms of this Amendment and those of the Agreement or Addendum #17, the terms of this Amendment shall prevail and control.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment the day and year first written above.

**CMAR**

Hensel Phelps Construction

By: 

Print Name: DAVID CARR

Title: PROJECT MANAGER

Approved as to Form and Legality (for the benefit of GOAA only)

this 7 day of Feb, 2023

By:   
 NELSON MULLINS BROAD AND CASSEL  
 Legal Counsel  
 Greater Orlando Aviation Authority

**OWNER**

Greater Orlando Aviation Authority

By: \_\_\_\_\_  
 Kevin J. Thibault, P.E., Chief Executive Officer

**SOUTH AIRPORT TERMINAL C, PHASE 1**

**CONSENT OF SURETY TO DECREASE THE PENAL SUM OF THE BONDS #106694000**

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, HENSEL PHELPS CONSTRUCTION as Principal, and TRAVELERS CASUALTY AND SURETY COMPANY, as Surety, hereby acknowledge that the Payment and Performance Bonds, dated effective June 12, 2017, that were executed by the Principal and Surety and submitted to the GREATER ORLANDO AVIATION AUTHORITY remain in effect and the Cumulative Contract Value is hereby decreased to reflect the execution of **Amendment 7 to Addendum 17 (GMP #6-S.5) and Amendment 6 to Addendum 19 (GMP #6-S.6)**, which are hereby referenced and incorporated into the Bonds, and, therefore, the Penal Sum for each Bond decreased to **SIX HUNDRED EIGHTY-THREE MILLION SEVEN HUNDRED EIGHTEEN THOUSAND TWO HUNDRED FORTY-TWO AND 73/100 Dollars (\$683,718,242.73)**. All other terms of the Bonds shall remain unchanged.

SIGNED THIS 23th DAY OF January, 2023.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, on the date set forth above.

Signed, sealed and delivered  
in the presence of:

HENSEL PHELPS CONSTRUCTION  
Principal

By: *Justin C. Starnes*  
Justin C. Starnes, Vice President  
Name and Title


*Shik Waller*  
*Cami Henry Miller*  
(SEAL)



TRAVELERS CASUALTY AND SURETY COMPANY  
Surety

By: *Royal R. Lovell*  
Royal R. Lovell, Attorney-in-Fact  
Name and Title  
Flood and Peterson Insurance, Inc.  
Agency

*Nancy Keiser*  
*Royal R. Lovell*  
(SEAL)



(Countersignature by a Florida Licensed Agent)

4687 W. 18<sup>th</sup> Street, Greeley, CO 80634  
Address

Royal R. Lovell, Florida Non-Resident Agent  
Name and Title  
Flood and Peterson Insurance, Inc.  
Agency  
4687 W. 18<sup>th</sup> Street, Greeley, CO 80634  
Address

NOTE: The respective corporate seals should be affixed. Additionally, a certified copy of a Power-of-Attorney appointing the individual Attorney-in-Fact for the Surety, as well as the Power-of-Attorney appointing the Florida licensed agent, should be attached.

**EXHIBIT "B"**





**Travelers Casualty and Surety Company of America**  
**Travelers Casualty and Surety Company**  
**St. Paul Fire and Marine Insurance Company**

**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Royal R Lovell** of **GREELEY**, **Colorado**, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

**IN WITNESS WHEREOF**, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **21st** day of **April**, 2021.



State of Connecticut

City of Hartford ss.

By:   
 Robert L. Raney, Senior Vice President

On this the **21st** day of **April**, 2021, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

**IN WITNESS WHEREOF**, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June**, 2026



  
 Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

**RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

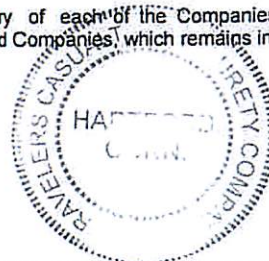
**FURTHER RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

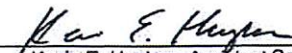
**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this **23rd** day of **January**, 2023



  
 Kevin E. Hughes, Assistant Secretary

**To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.**  
**Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.**





**GREATER ORLANDO AVIATION AUTHORITY**

Orlando International Airport  
One Jeff Fuqua Boulevard  
Orlando, Florida, 32827-4392  
(407) 825-2001

# Memorandum

**To:** Members of the Construction Committee

**From:** Scott Shedek, Director of Construction  
(As prepared by Ross Spence, OAR)

**Date:** January 3, 2023

**Re:** Request for Recommendation of Approval of an Amendment to Addendum No. 17 to the Construction Management at Risk (CM@R) Entity Services for the South Terminal C, Phase 1 Agreement with Hensel Phelps Construction for GMP 6S.5 (BP-S177), South Airport Terminal C, Phase I – Airside Experiential Media Environment (EME), at the Orlando International Airport.

On May 7, 2019, the Construction Committee approved Addendum 17 in the amount of \$11,463,235.00 to the above referenced agreement. This proposed final cost reconciliation resolves all contingency requests and all other requests for costs and additional time. The OAR and Hensel Phelps Construction have reviewed the financial status of the GMP and have determined it is appropriate to reduce the current balance by the proposed amount.

Upon approval, the Final value is as follows:

<b>GMP 6S.5</b>	<b>Original GMP Budget</b>	<b>Current GMP Budget*</b>	<b>Proposed GMP Amendment</b>	<b>Proposed GMP Final Total</b>
Direct Cost of Work	\$8,486,215.00	\$9,330,305.00	\$0.00	\$9,330,305.00
Unbought Scope	\$1,504,376.00	\$0.00	\$0.00	\$0.00
Allowances	\$0.00	\$0.00	\$0.00	\$0.00
CMAR Contingency	\$499,530.00	\$0.00	\$0.00	\$0.00
Owner Contingency	\$249,765.00	\$0.00	\$0.00	\$0.00
P&P Bond	\$75,626.00	\$65,699.75	\$0.58	\$65,700.33
Fee	\$647,723.00	\$562,712.17	(\$1.48)	\$562,710.69
<b>TOTAL</b>	<b>\$11,463,235.00</b>	<b>\$9,958,716.92</b>	<b>(\$0.90)</b>	<b>\$9,958,716.02</b>

\*Current GMP Budget as of CCM 12/20/2022

<b>GMP 6S.5 – P1</b>	<b>Original GMP Budget</b>	<b>Current GMP Budget*</b>	<b>Proposed GMP Amendment</b>	<b>Proposed GMP Final Total</b>
Direct Cost of Work	\$8,486,215.00	\$9,330,305.00	(\$0.00)	\$9,330,305.00
Unbought Scope	\$1,504,376.00	\$0.00	\$0.00	\$0.00
Allowances	\$0.00	\$0.00	\$0.00	\$0.00
CMAR Contingency	\$499,530.00	\$0.00	\$0.00	\$0.00
Owner Contingency	\$249,765.00	\$0.00	\$0.00	\$0.00
P&P Bond	\$75,626.00	\$65,699.75	\$0.58	\$65,700.33
Fee	\$647,723.00	\$562,712.17	(\$1.48)	\$562,710.69
<b>TOTAL</b>	<b>\$11,463,235.00</b>	<b>\$9,958,716.92</b>	<b>(\$0.90)</b>	<b>\$9,958,716.02</b>

\*Current GMP Budget as of CCM 12/20/2022

<b>GMP 6S.5 – P1X</b>	<b>Original GMP Budget</b>	<b>Current GMP Budget*</b>	<b>Proposed GMP Amendment</b>	<b>Proposed GMP Final Total</b>
Direct Cost of Work	\$0.00	\$0.00	(\$0.00)	\$0.00
Unbought Scope	\$0.00	\$0.00	\$0.00	\$0.00
Allowances	\$0.00	\$0.00	\$0.00	\$0.00
CMAR Contingency	\$0.00	\$0.00	\$0.00	\$0.00
Owner Contingency	\$0.00	\$0.00	\$0.00	\$0.00
P&P Bond	\$0.00	\$0.00	(\$0.00)	\$0.00
Fee	\$0.00	\$0.00	(\$0.00)	\$0.00
<b>TOTAL</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>(\$0.00)</b>	<b>\$0.00</b>

\*Current GMP Budget as of CCM 12/20/2022

Funding is from General Airport Revenue Bonds. Funding source verified by Melvin Martinez of Construction Finance on 12/29/22 as correct and available.

It is respectfully requested that the Construction Committee recommend to the Authority Board approval of an Amendment to Addendum No. 17 to the Construction Management at Risk (CM@R) Entity Services for the South Airport Terminal C, Phase 1 Agreement with Hensel Phelps Construction for GMP 6S.5, (BP-S177) South Terminal C, Phase 1 – Airside Experiential Media Environment (EME), at the Orlando International Airport.

DCOW	\$9,330,305.00
Unbought Scope	\$0.00
Allowances	\$0.00
Contingencies	\$0.00
P&P Bond	\$65,700.33
Fee	\$562,710.69
<b>Total</b>	<b>\$9,958,716.02</b>
AAC	
Legal	<i>KMR</i>



**GREATER ORLANDO AVIATION AUTHORITY**

Orlando International Airport  
5850-B Cargo Road  
Orlando, Florida 32827-4399

**MEMORANDUM**

To: Members of the Construction Committee

From: Edelis Molina, Sr. Small Business Administrator

Date: January 03, 2023

Re: Request for Recommendation of Approval of an Amendment to Addendum No. 17 to the Construction Management at Risk (CM@R) Entity Services for the South Terminal C, Phase 1 Agreement with Hensel Phelps Construction for BP-S00177, STC Airside Experiential Media Environment (EME) (GMP No. 6-S.5), at the Orlando International Airport.

Hensel Phelps Construction did not propose any MWBE/LDB/VBE participation on this GMP No. 6-S.5 for Construction Services because of the specialized scope of the required services. As such, the proposed Amendment No. 04 to Addendum No. 17 for BP-S00177 (GMP No. 6-S.5) does not have any impact on the small business participation.



Upon motion of Mr. Pelletier, second by Mr. Hunt, vote carried to approve Change Order BP-S00193-03, South Employee Lot, with McCree Design Builders, Inc., for the total amount of \$142,254.63, and no time extension, with funding from previously approved General Airport Revenue Bonds.

- C. **CHANGE ORDER G-00040-01 FOR FINAL CHANGE ORDER.** Ms. Harvey presented the request for Change Order No. 01 on G-00040, Roadway Airline Signage Relocation, with AC Signs, LLC. Discussion ensued.

Upon motion of Mr. Hunt, second by Mr. Pelletier, vote carried to approve Change Order G-00040-01, Roadway Airline Signage Relocation, with AC Signs, LLC, for the total amount of \$15,176.18, and no time extension, with funding from previously approved General Airport Revenue Bonds.

- D. **CHANGE ORDER V-S00033-02 FOR VARIOUS REVISIONS.** Ms. Merck presented the request for Change Order No. 02 on V-S00033-02, Terminal C CBP and TSA Regulatory Changes (Design/Build), with Clancy & Theys Construction Company. Discussion ensued.

Upon motion of Ms. Dennis, second by Mr. Hunt, vote carried to approve Change Order V-S00033-02, Terminal C CBP and TSA Regulatory Changes (Design/Build), with Clancy & Theys Construction Company, for the total amount of \$58,291.95, and no time extension, with funding from previously approved General Airport Revenue Bonds.

### **TERMINAL C**

#### **REQUEST FOR RECOMMENDATION OF APPROVAL OF AN AMENDMENT TO ADDENDUM NO. 17 TO THE CONSTRUCTION MANAGEMENT AT RISK (CM@R) ENTITY SERVICES FOR THE SOUTH TERMINAL C, PHASE 1 AGREEMENT WITH HENSEL PHELPS CONSTRUCTION FOR BP-S00177 (GMP NO. 6-S.5), SOUTH TERMINAL C, PHASE 1 – AIRSIDE EXPERIENTIAL MEDIA ENVIRONMENT (EME), AT THE ORLANDO INTERNATIONAL AIRPORT.**

3. Mr. Spence presented the memorandum, dated January 3, 2023. Discussion ensued.

Upon motion of Mr. Pelletier, second by Ms. Dennis, vote carried to recommend to the Aviation Authority Board approval of an Amendment to Addendum No. 17 to the Construction Management at Risk (CM@R) Entity Services for South Terminal C, Phase 1, Agreement with Hensel Phelps Construction, for BP-S00177, South Terminal C, Phase 1, Airside Experiential Media Environment (EME) (GMP No. 6-S.5), for a total negotiated deductive GMP Amendment amount of (\$0.90), which includes \$0.58 for Performance and Payment Bond, and the deductive amount of (\$1.48) from the CM@R Fee (6.031%), resulting in a revised GMP amount of \$9,958,716.02, with funding credited to General Airport Revenue Bonds.

#### **REQUEST FOR RECOMMENDATION OF APPROVAL OF AN AMENDMENT TO ADDENDUM NO. 19 TO THE CONSTRUCTION MANAGEMENT AT RISK (CM@R) ENTITY SERVICES FOR THE SOUTH TERMINAL C, PHASE 1 AGREEMENT WITH HENSEL PHELPS CONSTRUCTION FOR BP-S00179 (GMP NO. 6-S.6), SOUTH AIRPORT TERMINAL C, PHASE 1 – STC AIRSIDE CONCOURSE, AT THE ORLANDO INTERNATIONAL AIRPORT.**

4. Mr. Spence presented the memorandum, dated January 3, 2023. Discussion ensued.

Upon motion of Mr. Hunt, second by Mr. Pelletier, vote carried to recommend to the Aviation Authority Board approval of an Amendment to Addendum No. 19 to the Construction Management at Risk (CM@R) Entity Services for South Terminal C, Phase 1, Agreement with Hensel Phelps Construction for BP-S00179, South Terminal C, Phase 1, Airside Concourse (GMP No. 6-S.6), for a total negotiated deductive GMP Amendment amount of (\$0.86), which includes the deductive amount of (\$0.76) from Performance and Payment Bonds, and the deductive amount of (\$0.10) from CM@R's Fee (6.031%), resulting in a revised total GMP amount of \$21,517,353.41, with funding from FDOT Grants to the extent eligible, Passenger Facility Charges to the extent eligible and General Airport Revenue Bonds.

#### **REQUEST FOR APPROVAL OF AN ADDENDUM TO THE CONTINUING CIVIL ENGINEERING CONSULTANT SERVICES AGREEMENT WITH AVCON, INC. FOR DESIGN UPDATES AND CONSTRUCTION ADMINISTRATION SERVICES FOR E-S00011, PARKING GARAGE C LEVEL 4 RESERVED PARKING CONFIGURATION, AT THE ORLANDO INTERNATIONAL AIRPORT.**

5. Mr. Sorondo presented the memorandum, dated January 3, 2023. Discussion ensued.





## GREATER ORLANDO AVIATION AUTHORITY

Orlando International Airport  
One Jeff Fuqua Boulevard  
Orlando, Florida 32827-4392

### MEMORANDUM

TO: Members of the Aviation Authority

FROM: Scott Shedek, Chairman, Construction Committee

DATE: January 18, 2023

### ITEM DESCRIPTION

Recommendation of the Construction Committee to Approve (1) an Amendment to Addendum No. 17 to the Construction Management at Risk (CM@R) Entity Services for South Terminal C, Phase 1, Agreement with Hensel Phelps Construction, for Project Bid Package (BP) No. S00177, South Terminal C, Phase 1, Airside Experiential Media Environment (EME) (Guaranteed Maximum Price (GMP) No. 6-S.5) at the Orlando International Airport; and (2) an Amendment to Addendum No. 19 to the Construction Management at Risk (CM@R) Entity Services for the South Terminal C, Phase 1, Agreement with Hensel Phelps Construction, for Project Bid Package (BP) No. S00179, South Terminal C, Phase 1, Airside Concourse (Guaranteed Maximum Price (GMP) No. 6-S.6) at the Orlando International Airport

### BACKGROUND

The Terminal C, Phase 1, Program provides for a world-class domestic and international airport terminal building, consisting of a new airside terminal with up to 15 airline gates and a landside terminal with both secure and non-secure areas, and may include, but is not limited to, all associated improvements and infrastructure required or related thereto, such as sitework, roadways, aprons, runways, taxiways, other airfield work, utilities, landscaping, lighting, walkways, pedestrian bridges, expansion of the parking garage, a new and/or expanded chiller plant, aircraft loading bridges, and all interior design, such as concessions planning, ticketing, and security improvements, and baggage handling systems.

On March 19, 2017, the Aviation Authority's Finance Committee approved the award of a Construction Management at Risk (CM@R) Entity Services for South Terminal C, Phase 1, Agreement to Hensel Phelps Construction.

On June 19, 2019, the Aviation Authority Board approved Addendum No. 17 to the Construction Management at Risk (CM@R) Entity Services for South Terminal C, Phase 1, Agreement with Hensel Phelps Construction, for BP No. S00177, South Terminal C, Phase 1, Airside Experiential Media Environment (EME) (GMP No. 6-S.5) at the Orlando International Airport, for a total negotiated GMP amount of \$11,463,235. Since 2019, the Aviation Authority Board has approved amendments to Addendum No. 17, for a total revised GMP amount of \$9,957,716.92. The scope of BP No. S00177 will include furnishing and installing all mechanical, electrical, structural, low voltage and architectural finishes for the EME system including, but not limited to, Portal Media Feature and related work required for a complete EME system in the Airside Terminal of South Terminal C.

On November 13, 2019, the Aviation Authority Board approved Addendum No. 19 to the Construction Management at Risk (CM@R) Entity Services for South Terminal C, Phase 1, Agreement with Hensel Phelps Construction for BP No. S00179, South Terminal C, Phase 1, Airside Concourse (GMP No. 6-S.6) at the Orlando International Airport, for a total negotiated GMP amount of \$81,251,370. Since 2019, the Aviation Authority Board has approved amendments to Addendum No. 19, for a total revised GMP amount of \$21,531,672. The scope of BP No. S00179 provides concrete, masonry, roofing,

waterproofing, fireproofing, doors, frames and hardware, tile, resilient tile and carpet, fire suppression, plumbing and Heating, Ventilation, and Air Conditioning (HVAC), electrical and low voltage work for the South Terminal C, Phase 1 Program.

## ISSUES

The amendments to BP No. S00177 and BP No. S00179 are the final cost reconciliation, and resolves all contingency requests and all other requests for costs and additional time.

The Terminal C Program Team and Hensel Phelps Construction have reviewed the current financial status and progress of the work in BP No. S00177, and have determined that, in accordance with the contract documents, it is appropriate at this time to decrease the Direct Cost of Work, and Performance and Payment Bond, including the associated CM@R fee amount, as shown below.

GMP	Original GMP Budget (A)	Current GMP Budget (B)	Proposed GMP Amendment (C)	Proposed Revised GMP (D) = (B) + (C)
Direct Cost of Work	\$ 8,486,215	\$9,334,305.00	\$ 0.00	\$9,330,305.00
Unbought Scope	\$ 1,504,376	\$ 0.00	\$ 0.00	\$ 0.00
CM@R Contingency	\$ 499,530	\$ 0.00	\$ 0.00	\$ 0.00
Owner Contingency	\$ 249,765	\$ 0.00	\$ 0.00	\$ 0.00
<b>SUBTOTAL:</b>	<b>\$10,739,886</b>	<b>\$9,334,305.00</b>	<b>\$ 0.00</b>	<b>\$9,330,305.00</b>
Perf. & Payment Bond	\$ 75,626	\$ 65,699.75	\$ 0.58	\$ 65,700.33
Fee (6.031%)	\$ 647,723	\$ 562,712.17	(\$ 1.48)	\$ 562,710.69
<b>Total GMP Addendum Cost:</b>	<b>\$11,463,235</b>	<b>\$9,958,716.92</b>	<b>(\$ 0.90)</b>	<b>\$9,958,716.02</b>

Hensel Phelps Construction is committed to 20% Minority and Women Business Enterprise (MWBE) and 4% Local Developing Business (LDB) participation for Construction Services. Participation goals were not established for this GMP because of the specialized nature of the GMP scope of services. The proposed GMP Amendment for BP No. S00177 does not have any impact on the small business participation.

The Terminal C Program Team and Hensel Phelps Construction have reviewed the current financial status and progress of the work in BP No. S00179, and have determined that, in accordance with the contract documents, it is appropriate at this time to decrease the Performance and Payment Bond, including the associated CM@R fee amount, as shown below.

GMP	Original GMP Budget (A)	Current GMP Budget (B)	Proposed GMP Amendment (C)	Proposed Revised GMP (D) = (B) + (C)
Direct Cost of Work	\$72,421,002	\$20,159,573.74	(\$0.00)	\$20,159,573.74
Unbought Scope	\$ 237,500	\$ 0.00	(\$0.00)	\$ 0.00
Allowances	\$ 0	\$ 0.00	(\$0.00)	\$ 0.00
CM@R Contingency	\$ 2,906,340	\$ 0.00	(\$0.00)	\$ 0.00
Owner Contingency	\$ 559,436	\$ 0.00	(\$0.00)	\$ 0.00
<b>Total Direct Cost of Work</b>	<b>\$76,124,278</b>	<b>\$20,159,573.74</b>	<b>(\$0.00)</b>	<b>\$20,159,573.74</b>
P&P Bond	\$ 536,037	\$ 141,956.54	(\$0.76)	\$ 141,955.78
CM@R Fee (6.031%)	\$ 4,591,055	\$ 1,215,823.99	(\$0.10)	\$ 1,215,823.89
<b>Total GMP Addendum Cost:</b>	<b>\$81,251,370</b>	<b>\$21,517,354.27</b>	<b>(\$0.86)</b>	<b>\$21,517,353.41</b>

Hensel Phelps Construction is committed to 20% Minority and Women Business Enterprise (MWBE) and 4% Local Developing Business (LDB) participation for Construction Services. Because of the funding source for BP No. S00179, Hensel Phelps Construction proposed Disadvantages Business Enterprise (DBE) participation goals per bid scope of work for Construction Services. The proposed GMP Amendment for BP No. S00179 does not have any impact on the small business participation. Currently, Hensel Phelps Construction's estimated cumulative participation for BP No. S00179 is 11% DBE for Construction Services.

On January 3, 2023, the Construction Committee recommended approval of (1) an Amendment to Addendum No. 17 to the Construction Management at Risk (CM@R) Entity Services for South Terminal



C, Phase 1, Agreement with Hensel Phelps Construction, for Project Bid Package (BP) No. S00177, South Terminal C, Phase 1, Airside Experiential Media Environment (EME) (Guaranteed Maximum Price (GMP) No. 6-S.5) at the Orlando International Airport; and (2) an Amendment to Addendum No. 19 to the Construction Management at Risk (CM@R) Entity Services for the South Terminal C, Phase 1, Agreement with Hensel Phelps Construction, for Project Bid Package (BP) No. S00179, South Terminal C, Phase 1, Airside Concourse (Guaranteed Maximum Price (GMP) No. 6-S.6) at the Orlando International Airport, as outlined in the memorandum.

#### **ALTERNATIVES**

None.

#### **FISCAL IMPACT**

There is no fiscal impact to the Terminal C Program budget.

#### **RECOMMENDED ACTION**

It is respectfully requested that the Aviation Authority Board resolve to accept the recommendation of the Construction Committee and (1) approve an Amendment to Addendum No. 17 to the Construction Management at Risk (CM@R) Entity Services for South Terminal C, Phase 1, Agreement with Hensel Phelps Construction, for Project Bid Package (BP) No. S00177, South Terminal C, Phase 1, Airside Experiential Media Environment (EME) (Guaranteed Maximum Price (GMP) No. 6-S.5) at the Orlando International Airport; (2) approve an Amendment to Addendum No. 19 to the Construction Management at Risk (CM@R) Entity Services for the South Terminal C, Phase 1, Agreement with Hensel Phelps Construction, for Project Bid Package (BP) No. S00179, South Terminal C, Phase 1, Airside Concourse (Guaranteed Maximum Price (GMP) No. 6-S.6) at the Orlando International Airport; and, (3) authorize an Aviation Authority Officer or the Chief Executive Officer to execute the necessary documents following satisfactory review by legal counsel.