

**AMENDMENT 10 TO ADDENDUM NO. 20  
TO THE AGREEMENT DATED DECEMBER 22, 2015  
BETWEEN THE GREATER ORLANDO AVIATION AUTHORITY  
AND COST MANAGEMENT INC., dba CMI**

**Project:** Additional Construction Phase OAR Services for FY22 for W-S111 South Terminal C (Phase 1) – Program & Project Management Services (OAR) – Final Settlement, Orlando International Airport

**THIS AMENDMENT** is effective this day of Nov 3, 2023, by and between the **GREATER ORLANDO AVIATION AUTHORITY** (“Authority”), and **COST MANAGEMENT INC., dba CMI** (“Consultant”).

**WITNESSETH:**

**WHEREAS**, by Agreement dated December 22, 2015, Authority and Consultant entered into an agreement for Consultant to provide **Program and Project Management Services for the South Terminal C, Phase 1** at Orlando International Airport; and

**WHEREAS**, under the Agreement, Consultant agreed to perform such additional services for the Authority as are contained in any additional scope of work established by the Authority in any addendum to the Agreement and accepted in writing by the Consultant; and

**WHEREAS**, the Authority and the Consultant desire to enter into this Amendment to the Agreement to provide for a final settlement for services rendered by the Consultant under the terms of said Agreement.

**NOW, THEREFORE**, in consideration of the premises and the mutual covenants herein contained, the Authority and the Consultant do hereby agree as follows:


1. Consultant shall reduce services in accordance with the terms of the Agreement and the attached Exhibit “A.”
2. Authority shall be compensated for such reduction in services in the **CREDIT amount of TWO HUNDRED SEVEN THOUSAND THREE HUNDRED NINETY-FOUR AND 64/100 DOLLARS (\$207,394.64)**, broken down as follows:

<b>Professional Fees:</b>	<b>NTE:</b>	<b>(\$207,393.50)</b>
<b>Professional Fees:</b>	<b>LS:</b>	<b>\$0.00</b>
<b>Reimbursable Expenses:</b>	<b>NTE:</b>	<b><u>(\$1.14)</u></b>
<b>Total:</b>		<b>(\$207,394.64)</b>

3. Except as expressly modified in this Amendment, the Agreement dated December 22, 2015 and all prior addenda will remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto by their duly authorized representatives, have executed this Amendment this day of Nov 3, 2023.

**GREATER ORLANDO AVIATION AUTHORITY**

  
box SIGN 4W88Q9Z1-4L2688VQ

By:

Max Marble  
Sr. Vice President, Capital Programs  
Construction Committee Chair

Approved as to Form and Legality  
(for the benefit of GOAA only)  
this day of Nov 2, 2023



By:

box SIGN 1JBRLK51-4L2688VQ

**NELSON MULLINS BROAD AND  
CASSEL, Legal Counsel  
Greater Orlando Aviation Authority**

**COST MANAGEMENT INC., dba CMI**

  
box SIGN 1R68ZVX9-4L2688VQ

By:

Signature (Duly Authorized Rep.)

Ganesh Jiawon

Printed Name

President

Title



## Memorandum

**To: Members of the Construction Committee**

**From: Scott Shedek, Vice President of Construction**  
*(Prepared by Ross Spence, OAR)*

**Date: October 3, 2023**

**Re: Request for Approval of an Amendment to Addendum No. 20 to the Program and Project Management Services for the South Terminal C, Phase 1, Agreement with Cost Management, Inc. to Provide Additional Construction OAR Services for FY23 for W-S111, Terminal C (Phase 1) – Program & Project Management Services at the Orlando International Airport – FINAL SETTLEMENT**

In October 2015, the Aviation Authority awarded five contracts for Program and Project Management Services for the South Terminal C, Phase 1 (a/k/a Terminal C OAR contracts) to the following firms:

- Geotechnical Consultants International, Inc. (GCI)
- Cost Management, Inc. (CMI)
- Page One Consultants, Inc., n/k/a NV5
- KMI International Inc. (KMI) – final payment made
- CMTS Construction Management Services, LLC (CMTS) – final payment made

### **Background for this Addendum**

The scope of Addendum 20 included construction phase OAR services for FY22. On September 15, 2021, the Aviation Authority Board approved Addendum 20 to the Program and Project Management Services for South Terminal C, Phase 1, Agreement with Cost Management Inc. dba CMI in the amount of \$1,060,580. On November 16, 2021, the Construction Committee approved Amendment 1 to the Addendum for \$162,048. On December 15, 2021, the Aviation Authority Board approved Amendment 2 to the Addendum for \$898,952.00. On March 22, 2022, the Construction Committee approved Amendment 3 to the Addendum for \$245, 180.00. On May 10, 2022, the Construction Committee approved Amendment 4 to the Addendum for \$242,876.00. On May 31, 2022, the Construction Committee approved Amendment 5 to the Addendum for \$195, 348.00. On July 10, 2022, the Aviation Authority Board approved Amendment 6 to the Addendum for \$615,432.00. On June 28, 2022, the Construction Committee approved Amendment 7 to the Addendum for a No-Cost Time Extension. On November 1, 2022, the Construction Committee approved Amendment 8 to the Addendum for \$69,888.00. On November 22, 2022, the Construction Committee approved Amendment 9 for \$247,424.00

### **Issues**

On September 20, 2022, Terminal C opened to passenger traffic. Final payment has been made on two of the Terminal C OAR contracts (KMI and CMTS) with no issues, as those contracts were more limited in scope and did not have any subconsultants..

For the remaining three Terminal C OAR contracts, a global final settlement has been negotiated to resolve all requests for cost, time, and any other issues that were or could have been raised in connection of the W-S111 OAR contracts and the performance of OAR project management services for Terminal C.

The proposed settlement includes the following amendments, which result in a net credit to the Aviation Authority:

OAR Addendum	Amendment Value	<u>Subconsultants submitting final invoices</u>
CMI Add 018 -- no cost reconciliation	\$ 0.00	Archis
CMI Add 020 - credit	\$ (207,394.64)	AECOM
CMI Add 021 - credit	\$ (288,821.64)	
GCI Add 002	\$ 213,190.78	Hanson, Howe, PSI
GCI Add 009	\$ 107,792.00	WSP, BCSI
NV5 Add 011 - credit	\$ (83,754.50)	
<b>TOTAL NET CREDIT TO GOAA</b>	<b>\$ (258,988.00)</b>	

The remaining three OAR firms and their subconsultants have agreed to submit a final invoice for each Addendum on their W-S111 contracts no later than October 30, 2023. To enable the submission and payment of a final invoice in accordance with this agreement, the completion dates for Addendum 20 and Amendments 1-9 are hereby extended to September 30, 2023. The final invoice for Addendum 20 will be no more than \$77,376.00, which leaves a remaining unbilled balance of \$207,394.64 to be returned to the program budgets to be re-purposed for other program soft costs. The OAR firms and their subconsultants have accepted final payment on all other addenda/amendments that are not included in the above table and have agreed that no additional invoices will be submitted.

The Aviation Authority acknowledges that the services have been satisfactory performed and it has received the benefit of the services, which were instrumental in the successful completion of the construction services and opening of Terminal C. Since that time, lessons learned and best practices regarding capital program management have been incorporated into the Authority's capital program. Specifically, an executive program management firm has been retained for the follow-on expansion of Terminal C projects to avoid having a patchwork of multiple project management contracts with multiple addenda and amendments spanning different time periods.

The 2022 continuing program and project management services contracts are not impacted by this settlement.

There is no impact on the MWBE or LDB participation goals. This settlement will facilitate the final payment to this certified MWBE firm.

Funding is from General Airport Revenue Bonds, PFC, CFC, and FDOT. Funding source verified by Malvin Martinez of Construction Finance on 09 / 28 / 23 as correct and available.

It is respectfully requested that the Construction Committee approve an Amendment to Addendum 20 to the Project Management and Support Services Agreement for W-S111 with Cost Management, Inc. for a No Cost Time Adjustment to extend the completion date as described above and decrease the Addendum as shown below.

Not to Exceed Fees	(\$207,393.50)
Lump Sum Fees	\$0.00
Not to Exceed Expenses	(\$1.14)
<b>TOTAL</b>	<b>(\$207,394.64)</b>
AAC – Compliance Review Date	<i>L A Q</i> 9/22/23
AAC – Funding Eligibility Review Date	9/22/23

**STC Phase I Reconciliation**

CMI Addendum 20	Rate	Hrs	Add/Amd	Value
AECOM - STC Assistant Program Manager	\$208.00	309	GCI 09	\$ 64,272.00
AECOM - Senior Inspector I	\$117.00	112	GCI 09	\$ 13,104.00

Total

\$ 77,376.00

LAR

## RE: STC Phase 1 Final Amendments

Ganesh Jiawon <gj@cminc.biz>

Thu 9/21/2023 1:44 PM

To: Spence, Ross <ross.spence@aecom.com>

Cc: Priya Basant <prb@cminc.biz>; Stoeckert, Lisa <lisa.stoeckert@aecom.com>

### This Message Is From an External Sender

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hello ross

these appear to be correct. thanks for seeing this through.

yours truly  
ganesh jiawon



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main: 407.293.4168. mobile: 407.948.8145 fax: 407.293.0944  
e-mail address: [gj@cminc.biz](mailto:gj@cminc.biz) website: [www.cminc.biz](http://www.cminc.biz)  
ganesh's credentials include: leed ap, cgc, mrics.

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**From:** Spence, Ross <[ross.spence@aecom.com](mailto:ross.spence@aecom.com)>  
**Sent:** Wednesday, September 20, 2023 9:23 PM  
**To:** Ganesh Jiawon <[gj@cminc.biz](mailto:gj@cminc.biz)>  
**Cc:** Priya Basant <[prb@cminc.biz](mailto:prb@cminc.biz)>; Stoeckert, Lisa <[lisa.stoeckert@aecom.com](mailto:lisa.stoeckert@aecom.com)>  
**Subject:** STC Phase 1 Final Amendments

Hello Ganesh,

As previously reviewed, please see the below for the final actions to reconcile remaining values and address the Archis final payment on the STC via Amendments scheduled for 9/26/23 CCM.

- CMI Add 018 - no cost end date adjustment to reconcile final payment to Archis utilizing remaining balance.
- CMI Add 020 - final reconciliation credit to GOAA of (\$207,394.64) with closure of Addendum. Balance includes final payment for AECOM staff (Pankaj Gupta and Peter Brophy).
- CMI Add 021 - final reconciliation credit to GOAA of (\$288,821.64) with closure of Addendum.

Please confirm your approval.

Thanks.

**Ross Spence**

STC Sr. Program Director

D 1-407-825-4159 C 1-407-271-3204

[ross.spence@aecom.com](mailto:ross.spence@aecom.com)

**AECOM**

11064 Canal Road, Orlando, FL 32827

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## GREATER ORLANDO AVIATION AUTHORITY

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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: October 03, 2023

Re: Request for Approval of an Amendment to Addendum No. 20 to the Program and Project Management Services for the South Terminal C, Phase 1, Agreement with Cost Management, Inc. to Provide Additional Construction OAR Services for FY23 for W-S111, Terminal C (Phase 1) – Program & Project Management Services at the Orlando International Airport — FINAL SETTLEMENT

The subject request has no impact on small business participation.