

**AMENDMENT 6 TO ADDENDUM NO. 21
TO THE AGREEMENT DATED DECEMBER 22, 2015
BETWEEN THE GREATER ORLANDO AVIATION AUTHORITY
AND COST MANAGEMENT INC., dba CMI**

Project: Additional Construction Phase Technology Consulting & Support 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 EIGHTY-EIGHT THOUSAND EIGHT HUNDRED TWENTY-ONE AND 64/100 DOLLARS (\$288,821.64)**, broken down as follows:

Professional Fees:	NTE:	(\$285,851.50)
Professional Fees:	LS:	\$0.00
Reimbursable Expenses:	NTE:	<u>(\$2,970.14)</u>
Total:		(\$288,821.64)

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



By:

box SIGN 4W88Q9ZJ-1JF7XK63

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 1J8BLK5L-1JF7XK63

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

COST MANAGEMENT INC., dba CMI



By:

box SIGN

1S68ZVX9-1JF7XK63

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 Recommendation of Approval of an Amendment to Addendum 21 to the Program and Project Management Services for the South Terminal C, Phase 1 Agreement with Cost Management, Inc. to Provide Additional Construction Phase Technology Consulting & Support Services for W-S111 South Terminal C (Phase 1) - Program & Project Management Services (OAR), 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 021 included construction phase technology consulting and support services. On September 15, 2021, the Aviation Authority Board approved Addendum 21 in the amount of \$1,843,816.00. On May 18, 2022, the Aviation Authority Board approved Amendment 1 to the Addendum in the amount of \$334,580.00. On July 20, 2022, the Aviation Authority Board approved Amendment 2 to Addendum 21 in the amount of \$475,196.00. On June 28, 2022, the Construction Committee approved Amendment 3 to Addendum 21 in the amount of \$0.00. On September 6, 2022, the Construction Committee approved Amendment 4 to Addendum 21 in the amount of \$110,779.36. On November 2, 2022, the Construction Committee approved Amendment 5 to the Addendum in the amount of \$273,600.00.

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	Subconsultants submitting final invoices
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)	
TOTAL NET CREDIT TO GOAA	\$ (258,988.00)	

Addendum 21 has been reconciled based on actual invoices and the remaining balance of \$288,821.64 is to be returned to the program budgets to be re-purposed for other program soft costs. The OAR firms and their subconsultants have agreed to submit a final invoice for each addendum of their W-S111 contracts no later than October 30, 2023. 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 and FDOT. Funding source verified by Melvin Martinez of Construction Finance on 09/28/23 as correct and available.

It is respectfully requested that the Construction Committee ~~recommend to the Aviation Authority Board approval~~ **approve** an Amendment to Addendum No. 21 to the Program and Project Management Services Agreement with Cost Management, Inc. to reduce the Addendum as shown below.

Not to Exceed Fees	(\$285,851.50)
Lump Sum Fees	\$0.00
Not to Exceed Expenses	(\$2,970.14)
TOTAL	(\$288,821.64)
AAC - Compliance Review Date	<u>LAR</u> 9/22/23
AAC - Funding Eligibility Review Date	9/22/23

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>

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hello ross

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

yours truly
ganesh jiawon



158 terra mango loop, suite b, orlando, fl 32835
main: 407.293.4168. mobile: 407.948.8145 fax: 407.293.0944
e-mail address: gj@cminc.biz website: www.cminc.biz
ganesh's credentials include: leed ap, cgc, mrics.

From: Spence, Ross <ross.spence@aecom.com>
Sent: Wednesday, September 20, 2023 9:23 PM
To: Ganesh Jiawon <gj@cminc.biz>
Cc: Priya Basant <prb@cminc.biz>; Stoeckert, Lisa <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

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AECOM

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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: October 03, 2023

Re: Request for Recommendation of Approval of an Amendment to Addendum No. 21 to the Program and Project Management Services for the South Terminal C, Phase 1, Agreement with Cost Management, Inc. to Provide Additional Construction Phase Technology Consulting & Support Services for W-S111, Terminal C (Phase 1) – Program & Project Management Services (OAR) at the Orlando International Airport — FINAL

The subject request has no impact on small business participation.