AMENDMENT NUMBER 1 TO THE TERMINAL DEMOLITION
AND RENOVATION CONTRACT
BETWEEN THE WICHITA AIRPORT AUTHORITY AND CONCO, INC.

This amendment to the Agreement of the Wichita Airport Authority (WAA) and Conco, Inc. (Conco) is dated June 5, 2018, and is the first modification of the AIA Document A133-2009 dated December 19, 2017 (Agreement). The parties recognize it as both a written instrument given for valuable consideration by each party, amending the Agreement as envisioned under §12.1 of that Agreement and a Modification as noted in §1.1 of the Agreement. The parties anticipate additional subsequent amendments to the Agreement to establish a Guaranteed Maximum Price (GMP) for the Project.

1. The parties agree that that insurance coverages evidenced by the ACORD certificate of insurance provide by Conco to the WAA on 01/05/18 meet the requirements of the Project, and shall be substituted for the recitation of required coverages in the General Conditions document, A201-2017. This certificate is attached to this Amendment number 1 as Exhibit A, and is incorporated in to A201-2017 by reference here. Such coverage is exemplary only, and must be maintained as valid and current coverage for the duration of the Project.

2. The parties agree to streamline the selection process for those trade packages within the Project scope upon which Conco wishes to bid as a self-performing contractor. Therefore, §2.3.2.1 addressing subcontractor bidding administration is amended to read: “For those trade packages for which the Construction Manager submits a bid, the Director of Airports or his designee will evaluate the bids and determine the lowest responsible and responsive bidder.”

3. As part of its Preconstruction Phase services under the Agreement, Conco has recommended and WAA has accepted a plan for phased construction under §2.1.4 of the Agreement. As a result, the following enabling projects are identified as discrete portions of the Work that can and should be accomplished before the GMP is set for the Project. The GMP to cover the Work to completion, as identified in the attached Scope of Work has been set for the following enabling projects: Magic Flight Removal and Reinstallation, Asbestos Abatement and Mechanical work to remove or transfer building controls systems.

4. The Contract Sum is guaranteed by the Construction Manager not to exceed $258,147.00 for the Enabling Projects, which Contract Sum includes all General Conditions, Contingency and Construction Manager's Fee, subject only to approved Change Orders as provided in the Contract Documents.

5. Provided by Exhibit B is the Scope of Work organized by divisions of work, and the GMP for the Enabling Projects.

6. Provided by Exhibit C is the Critical Path Method Schedule for accomplishing that Work. The anticipated date for Substantial Completion of the Work for Enabling Projects is August 30, 2018.
7. The Work completed under the above referenced Enabling Project shall be accounted for and reflected in the Guaranteed Maximum Price Amendment anticipated in §2.2.6 of the Agreement. No other aspects of the Contract Documents are modified by this Amendment.

8. The signature of the Mayor of the City of Wichita on the Agreement is ratified and recognized as the authorized act and approving signature of the President of the Wichita Airport Authority.

Unless modified here, the Agreement remains in full force and effect.

The Wichita Airport Authority

Jeff Longwell, President

Conco, Inc.

D. Craig Nelson, President/CEO

Attest:

Karen Sublett, City Clerk

Approved:

Victor D. White, Director of Airports

Approved as to form:

Jennifer Magana, City Attorney