

RESOLUTION 19-26

A RESOLUTION OF THE CITY OF DUNEDIN, FLORIDA, APPROVING CHANGE ORDER FOR PRE-GMP TIME SENSITIVE PROCUREMENT NEEDS ASSOCIATED WITH THE CONSTRUCTION MANAGER AT RISK AGREEMENT BETWEEN THE CITY AND GILBANE BUILDING COMPANY FOR THE RENOVATION AND CONSTRUCTION OF STADIUM AND TRAINING FACILITIES; MAKING RELATED FINDINGS; PROVIDING FOR CONFLICTING RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Dunedin (the “**City**”) and Gilbane Building Company (“**Gilbane**”) executed, as of November 8, 2018, an agreement (the “**CMAR Agreement**”), consisting of the Agreement Between Owner and Construction Manager as Constructor, all exhibits attached thereto and incorporated therein, and General Conditions, under which Gilbane agreed to provide preconstruction services and to perform the construction work (such services and work, to be referred to collectively as the “**Work**”) in connection with the construction and renovation of the Dunedin Spring Training Facilities (the “**Project**”) to be used by the Major League Baseball Club known as the Toronto Blue Jays, owned and operated by the Rogers Blue Jays Baseball Partnership (the “**Club**”); and

WHEREAS, the City and Populous, Inc. (“**Populous**”) executed, as of July 5, 2018, an owner-architect agreement for the design of the Project (the “**Owner-Architect Agreement**”), including without limitation a detailed description of the Owner’s program for the Project (the “**Initial Program**”), which, as it has been and in the future may be further amended by the parties, shall be the basis for the Populous design documents detailing Gilbane’s Work; and

WHEREAS, under the terms of the CMAR Agreement, at a time to be mutually agreed upon by the City and Gilbane and in consultation with Populous, Gilbane shall prepare a Guaranteed Maximum Price proposal (the “**GMP Proposal**”), for the City’s and the Club’s approval and the City’s acceptance, setting forth the proposed Guaranteed Maximum Price for performance of the Work; and

WHEREAS, as part of preconstruction services, Gilbane is currently developing for the approval of the City a Project Schedule; and

WHEREAS, the parties have determined that if certain components of the Work can now be priced separately, and commenced immediately by Gilbane,

the likelihood that the Project will achieve completion by the date established in the Project Schedule will be greatly enhanced.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY ASSEMBLED THAT:

Section 1. Gilbane has submitted Change Order #9, attached to this Change Order Resolution as **Attachment A**, under which that portion of the Work described in Populous Bid Packages (BP) O2b incorporating #01A, #03, #05C, #09A, #10D as referenced in Exhibits A, B and C to Change Order #9, is priced and proposed for immediate execution.

Section 2. Change Order #9 and the City's payment to Gilbane for the cost for Gilbane to perform that portion of the Stadium Scope of Work, which is stated in Change Order #9 as Two Million Three Hundred Forty One Thousand One Hundred and Fifty Nine dollars (\$2,341,159), are hereby approved.

Section 3. The cost for Gilbane to perform the Stadium – Scope of Work, as stated in Change Order #9, shall be included in the GMP Proposal to be submitted to the City by Gilbane, but the costs of Change Order #9 shall not be accounted for twice in the development of the GMP.

Section 4. All future proposed change orders prior to the establishment of the GMP, if any, under which certain Work is identified for separate pricing, scheduling and performance, shall include the following documentation, and the City's approval of payment for such Work shall be conditioned upon Gilbane's submission and the City's approval of the following:

- a. A list of the drawings and specifications describing the proposed separate Work;
- b. A list of the clarifications, qualifications, and assumptions made by Gilbane in preparation of the proposed change order;
- c. A statement of the proposed price, or guaranteed maximum price as the case may be, including a statement of the estimated cost of the Work describing in detail all trade categories or systems, allowances, alternates, contingency, and Gilbane's Fee as defined in the CMAR Agreement;
- d. A proposed schedule for the Work, reflecting revisions to any previously approved Project Schedule, showing the anticipated date of Substantial Completion;
- e. Written confirmation that the proposed change order has been reviewed and approved by the City's Project Manager, by an authorized representative of Populous, and by an authorized representative of the Club, and written acknowledgment from Gilbane

that the proposed change order, once approved by the City, shall be binding upon Gilbane.

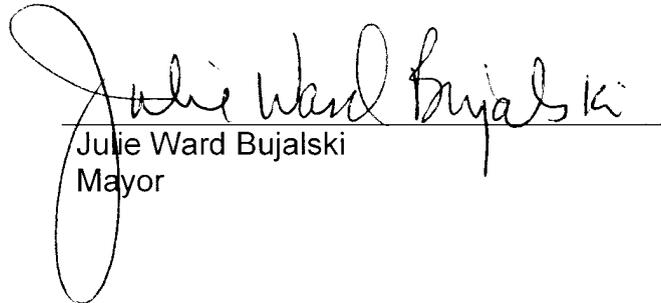
1. Each change order agreed upon prior to the establishment of the GMP shall be rolled into the GMP proposal submitted to the City in accordance with the terms of the CMAR Agreement.
2. Performance of all Work under the terms of this and all future change orders, if any, shall be subject to the terms and conditions of the CMAR Agreement in all respects.

BE IT FURTHER RESOLVED that any existing Resolution or portion thereof of the City Commission which contains terms or provisions which are in direct conflict with and cannot be harmonized with the provisions of this Resolution shall, as to such terms or provisions, be deemed as superseded by this Resolution.

BE IT FURTHER RESOLVED that the provisions of this Resolution are severable such that the invalidity of any one provision shall not operate to invalidate any other provision.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 4th day of June, 2019.


Julie Ward Bujalski
Mayor

ATTEST:


Denise M. Kirkpatrick
City Clerk

Change Order Form—to be used prior to the City's acceptance of the GMP Proposal

Project: Construction and renovation of the Dunedin Spring Training Facilities
Contractor: Gilbane Building Company
Change Order No.: 009
Change Order Date: May 31, 2019
Contract Date: November 8, 2018

The following change is hereby made a part of the Contract Documents enumerated in the Agreement Between Owner and Construction Manager (the "CMAR Agreement") on the date referenced above and shall be performed under the same terms and conditions as required by the original Contract Documents. Except as modified herein, the original Contract Documents and all prior amendments shall remain in full force and effect and all of the terms of the Contract Documents are hereby incorporated in this Change Order.

The Contract is changed as follows: (See attached supporting documents)

Provide stadium BP02 site services, dugout tunnels structural modifications, miscellaneous metal in accordance with Gilbane's BP05C, framing, drywall, ACT, and paneling in accordance with Gilbane's BP09A, metal canopies and awnings in accordance with Gilbane's BP10D. The following exhibits provide additional information related to this Change Order and are hereby incorporated as part of this Change Order.

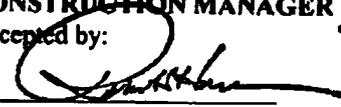
- Exhibit A, Stadium Improvements BP 02b Change Order Cost Summary dated 05/31/2019
- Exhibit B, Stadium Improvements BP 02b Qualification & Assumptions dated 05/31/2019
- Exhibit C, Stadium Improvements BP 02b Drawings and Specification log dated 05/31/2019

The Guaranteed Maximum Price components authorized in the CMAR Agreement total:
The total Guaranteed Maximum Price will be determined by the accepted GMP Proposal.
Prior to acceptance of the GMP:

| | |
|--|------------------------|
| The Cost of Work authorized by previous Change Orders: | \$8,432,624.00 |
| The Cost of Work authorized by this Change Order is: | \$68,335,247.00 |
| The Cost of Work authorized to date including this Change Order is: | \$2,341,160.00 |
| The Substantial Completion Date prior to this Change Order was: | \$70,676,407.00 |
| The Contract Time is (increased) (decreased) (unchanged) by: <u>TBD</u> calendar days | TBD |
| The date of Substantial Completion as of this Change Order (insert date): | TBD |
| | TBD |

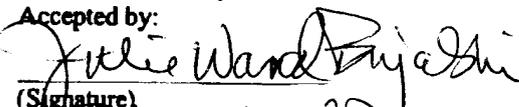
This Change Order is in full compromise and settlement of all adjustments to Contract Time and Contract Price, and compensation for any and all delay, extended or additional field and home office overhead, disruption, acceleration, inefficiencies, lost labor or equipment productivity, differing site conditions, construction interferences and other extraordinary or consequential damages (hereinafter called "Impacts"), including any ripple or cumulative effect of said Impacts on the overall Work under the Contract arising directly or indirectly from the performance of Work described in this Change Order. By execution of this Change Order, Contractor agrees that this Change Order constitutes a complete accord and satisfaction with respect to all claims for schedule extension, Impacts, or any costs of whatsoever nature, character or kind arising out of or incidental to this Change Order, provided, that this accord and satisfaction extends only to claims of which the Construction Manager is aware, or reasonably should be aware in compliance with section 2.1.8 of the CMAR Agreement, as of the date hereof.

CONSTRUCTION MANAGER Gilbane Building Company
 Accepted by:


 (Signature)
Robert S. Hayes
 (Print or Type Name)

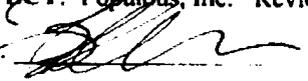
Date: 6/5/19

OWNER The City of Dunedin, Florida
 Accepted by:


 (Signature)
Julie Ward Bujalski
 (Print or Type Name)

Date: 6/4/19

ARCHITECT: Populous, Inc. Reviewed by:

Signature:  Print or Type Name: BRYAN CADE Date: 6/5/2019

ROGERS BLUE JAYS BASEBALL PARTNERSHIP: Reviewed and approved by:

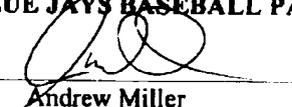
Signature:  Andrew Miller Date: 6/5/2019

EXHIBIT A



TBJ - Stadium BP02b: Stadium BP02 Site Services, Dugout Tunnels Structural Modifications, #05C Miscellaneous Metals, #09A Framing, Drywall, ACT and Paneling , #10D Metal Canopies and Awnings.

Breakdown of Costs

Date Submitted: 05/31/19

| | | |
|--|--------------------|---------------------------|
| | | |
| Stadium BP02 Site Services | \$152,710 | |
| Dugout Tunnels Structural Modifications | \$100,000 | Allowance |
| 05C - Miscellaneous Metals | \$350,000 | Allowance |
| 09A - Framing, Drywall, ACT, and Paneling | \$1,200,000 | Allowance |
| 10D - Metal Canopies and Awnings | \$191,990 | Awning Works |
| | | |
| | | |
| Construction Contingency | \$59,841 | 3.00% |
| Permits | \$156,206 | 1 LS |
| CCIP | \$61,807 | 2.64% |
| Difference in Conditions | \$3,512 | 0.15% |
| Builder's Risk Insurance (By Owner) | \$0 | By Owner |
| Subcontractor Default Insurance | \$25,682 | 1.25% |
| P & P Bond | \$14,047 | 0.60% |
| CM Fee | \$25,365 | 3.75% on \$676,406 |
| | | |

EXHIBIT A.1



STADIUM BID PACKAGE (BP) #02
 DUNEDIN STADIUM IMPROVEMENTS - DUNEDIN, FLORIDA

| SITE SERVICES | | | | |
|--|----------|-------|----------|------------------|
| Description | Quantity | Unit | Rate | TOTAL |
| TEMPORARY CONSTRUCTION / SAFETY | | | | |
| Finish Protection Material (Wood Barricades @ Dugouts) | 160 | Lf | 50.00 | 8,000 |
| Temp Dry-in (Overhead Doors, Storefront, Windows, ect) | 620 | Sf | 15.00 | 9,300 |
| Temp Access Roads | 250 | Sf | 135.00 | 33,750 |
| Temporary scaffold stairs - installation | 2 | Lvl | 1,500.00 | 3,000 |
| Temporary scaffold stairs - maintenance | 5 | Mo | 900.00 | 4,500 |
| PROJECT CLEAN-UP | | | | |
| Initial Cleaning | 62,000 | Bsf | 0.30 | 18,600 |
| Final Cleaning | 62,000 | Bsf | 0.50 | 31,000 |
| Cleaning Material | 9 | Mo. | 1,000.00 | 9,000 |
| Cleaning Labor (2each - 50 hrs per week for 20 weeks) (TBD) | TBD | MH | TBD | Future CO |
| Cleaning Labor OT (2each - 10 hrs per week for 20 weeks) (TBD) | TBD | MH | TBD | Future CO |
| Pressure Spraying / Water Test | 140,000 | Gsf | 0.10 | 14,000 |
| Finish Dumpster Pulls (30 yd 8x per mo for 7 months) | 56 | Pulls | 385 | 21,560 |
| BP02 TOTAL SITE SERVICES | | | | \$152,710 |

EXHIBIT B

May 31, 2019

Re: Toronto Blue Jays Spring Training Facilities Improvements
Dunedin Stadium Improvements
Gilbane Job # J08231

Subject: Qualifications & Assumptions for STADIUM Change Order #09 Partial-Early Release for the Architect's Stadium BP02 Documents (excluding Handrails and Drink Rails, Dampproofing and Waterproofing, Roofing, Metal Panels, Chain Link Fencing/Gates, Millwork, Resilient Flooring and Tiling, Painting, Floor Sealer and Resinous Flooring, Signage and Graphics, Toilet Partitions, Miscellaneous Specialties, Hardscape, Landscape and Irrigation) in accordance with Stadium BP02A Site Services, and Gilbane's RTA BP10D Metal Canopies and Awnings. The following scope of works are included as an allowance: Dugout Tunnels Structural Modifications, 05C Miscellaneous Metals, and 09A Framing, Drywall, ACT and Paneling.

DIVISION 0

- 1 It is mutually understood that the price set forth in this Change Order is only for the Partial Release of the Architect's BP02 Stadium Documents (excluding Handrails and Drink Rails, Dampproofing and Waterproofing, Roofing, Metal Panels, Chain Link Fencing/Gates, Millwork, Resilient Flooring and Tiling, Painting, Floor Sealer and Resinous Flooring, Signage and Graphics, Toilet Partitions, Miscellaneous Specialties, Hardscape, Landscape and Irrigation) in accordance with Stadium BP02A Site Services, and Gilbane's RTA BP10D Metal Canopies and Awnings. The following scope of works are included as an allowance: Dugout Tunnels Structural Modifications, 05C Miscellaneous Metals, and 09A Framing, Drywall, ACT and Paneling, and not for the 100% project design. It is agreed by both parties that these services will increase as the Project's Design Documents continues to be developed. Future Change Orders will be required to cover this Future Work. Upon completion of the Design Documents, it is Gilbane's intent to deliver the GMP as set forth in the Contract Agreement.
- 2 These Assumptions & Clarifications govern and control over any conflicting provisions of the Contract Documents.
- 3 Gilbane submits herein this Change Order #09 for the associated Scope of Work as defined in line item #1 above with the Architect's BP02 documents dated 03/29/2019, and corresponding addendums issued after this date as enumerated in the Drawings and Specification log referenced in Exhibit C.
- 4 For the certain Scopes of Work that require further definition as part of this Change Order, those values, as set forth herein as Allowances, are included as Allowances in this Change order and further defined / identified in the Allowance Log referenced in Exhibit B.1 herein.
- 5 This Change Order is based on all Preconstruction Services incurred on the Stadium through March 8, 2019 being fully reimbursed based on actual incurred costs, and General Conditions costs being paid in equal installments as a Lump Sum. Any adjustments required to the previously approved General Conditions due to Addendums issued after 100% Construction Documents, incorporation of additional scope, or other unknown circumstances will be submitted in a future Change Order.

DIVISION 1

- 6 This Change Order is based on receiving approval on or before June 6, 2019. The commencement is contingent upon the receipt of this executed Change Order, and City of Dunedin Building Permit. The current time line for the Stadium is based on the information provided in the Architect's BP02 Documents, if any unforeseen conditions are encountered in the Construction, the Schedule and General Conditions will be adjusted accordingly.
- 7 Gilbane reserves the right to evaluate the schedule once the design is complete and the final Contract Documents have been issued.
- 8 No cost has been included for power, domestic water, reclaimed water and natural gas consumption charges during construction, including the construction trailer. All utility consumption costs are assumed to be by the Owner.
- 9 Gilbane will self perform site services' portion of the work. If Gilbane wants to self perform on items other than site services, Gilbane must get written approval from the owner and must bid competitively other specification sections.
- 10 The previously approved Stadium schedule included in Change Order #5 is premised on the owner, performing its duties and obligations, as well as causing its designers and consultants to perform their respective duties and obligations, so as not to delay the progress of the work.

- 11 This Change Order excludes any costs for an Independent Testing Laboratory/Technical Agency/Special Inspections as they are being provided by others. The Price is based upon the assumption that the testing and inspection services (provided by others) shall support the construction scope and sequence indicated on the previously approved schedule. Gilbane shall assist in the coordination of scheduling the testing services.
- 12 This Change Order excludes any work associated with the removal or remediation of contaminated soils, rock, de-mucking, under cutting, unsuitable soil, unidentified underground obstructions, trash, miscellaneous debris, or any other unsuitable materials including the haul in of replacement material.
- 13 This Change Order is based on free use of CAD file backgrounds for purposes of distributing to the subcontractors as required. Gilbane and the subcontractors receiving these CAD files will sign the Architects waiver for use of these CAD files with the understanding that there is no additional fee for Gilbane to distribute to our subcontractors.
- 14 This Change Order excludes the cost of any and all impact, cap and tap fees for water, fire, gas, storm and sanitary lines.
- 15 A complete set of 100% Construction Documents were not issued by April 1, 2019 per the previously approved Contract Schedule. Gilbane reserves the right to adjust the Price & Schedule by an appropriate adjustment after receipt of all outstanding CCDs. All documents are considered 100% Construction Documents (CDs) at the time of issuance.
- 16 The Price excludes any cost for comments from or requirements of the (i) Building Department, (ii) Health Department, (iii) Fire Department, (iv) Police Department, (v) Traffic Control, (vi) Code Officials or any other outside Authority Having Jurisdiction (AHJ), beyond the requirements of the plans and specifications.
- 17 The Final Property Survey (boundary survey) is not included in the Price and if required will be provided by the Owner.
- 18 This Change Order does not include the cost for LEED or Green Globes. Any sustainability requirements other than installing the products specified on the Contract Documents is not included in this proposal.
- 19 This Change Order is based on the documents referenced in Exhibit C. This Change Order does not include any additional work or changes as a result of the City permit review comments. Changes as a result of these permit reviews will require a change to the contract document and a change order to the contract value.
- 20 This Change Order is based on being given full unobstructed access to all areas necessary to complete the work included in the Contract Documents.
- 21 This Change Order does not account for this being a line item guarantee. Any savings on a particular line item may be transferred to cover overruns of another cost of work line.
- 22 This Change Order does not include any 2nd or 3rd shift work.
- 23 Deleted.
- 24 This Change Order excludes autocad as-builts associated with this work.
- 25 Background checking including Jessica Lunsford Act (JLA) badging is excluded for all personnel.
- 26 Where Gilbane specifically agrees in writing to perform certain portions of the work through a subcontractor on a design/build basis, or where the contract documents require design information to be provided by the Construction Manager, this information (including calculations and certifications) will be provided by trade contractors. The Price does not include any costs to conduct an independent review of such design information and does not include costs resulting from any deficiencies or inaccuracies in these calculations or certifications.
- 27 Deleted.
- 28 Deleted.
- 29 The Price includes twelve (12) month Labor & Material (L&M) warranties from the date of Substantial Completion. Any warranties extending beyond this point shall be issued directly to the Owner from the manufacturer or subcontractor.
- 30 The Price is based on open, non-proprietary specifications naming three or more manufacturers whose products are acceptable under the base bid for each product, section or work category. Reasonable substitutions may be made to specified materials, with no charges to Gilbane or our subcontractors for reviewing the same.
- 31 The Price presumes that all work included in the scope can and will be performed in a continuous manner without limitation on hours of operation or noise restrictions beyond the local governing ordinances. The Price excludes costs incurred as a result of Gilbane performing the work in segments, or in a non-continuous manner, due to stoppages and/or disruptions caused by the Owner.
- 32 The Price assumes that all referenced / listed products and designs carry a "UL" listing. All cost associated with 3rd Party inspections and/or certifications will be funded by the Owner or an add to the Price.
- 33 Allowances shall cover the net cost of materials, equipment, labor, taxes, overhead and profit. The Architect/Engineer will complete the design and issue confirming documents in a timely manner for pricing and reconciling all Allowances. If the cost, when finalized, is more than the Allowance, the Price shall be adjusted accordingly by Change Order which will include all additional costs and fees.
- 34 It is assumed that the Contract Documents have been designed per the City of Dunedin and any Florida State standards. The Price does not include additional costs for references to Design Standards that are not shown on the Design Documents.
- 35 The Price excludes any seismic studies or surveys.
- 36 The Price excludes any cost for Material Tag ID's that are referenced in the specifications or on a material schedule, the location of which are not shown on the drawings.
- 37 The Price excludes any cost for Material Tag ID's that are shown in plan or elevation that are not defined in the specifications or on a material schedule.

- 38 The Price does not include any City of Dunedin inspection overtime premiums needed to maintain the construction schedule.
- 39 This Change Order includes responses to Preconstruction Request for Information (RFI)s included as Exhibit D.1 herein. This Change Order does not include costs associated with any design changes resulting from unanswered RFIs.
- 40 The Price includes rough-in of work to the locations shown on the drawings. Where notes on drawings or specifications indicate that the final location is to be coordinated with the design team or Owner then Gilbane assumes only one location for the item is required.
- 41 Deleted.
- 42 Deleted.
- 43 Deleted.
- 44 Deleted.
- 45 Deleted.
- 46 Deleted.
- 47 Deleted.
- 48 Permit expediting cost is excluded.
- 49 GBCo is carrying the submitted low bid for the current change order 09 for the Stadium, and based on the material variance from the second and other bidders, in the event the submitted low bidder does not agree to the contract and does not execute a satisfactory trade contract agreement with GBCo, then GBCo will move to the second or best qualified bidder and shall be entitled to a change order for the difference between the low bidder's bid amount and the second or best qualified bidder's actual contract amount. The amount in this current change order 09 for the Stadium is therefore conditioned on such additional costs in such event for a future change order leading up to the finalized GMP.
- 50 An allowance of \$100,000 is included for the structural modifications required for the dugout tunnel modifications to be issued in a forthcoming CCD. The allowance is included in this Change Order to mitigate a schedule impact. The incorporation of this revised scope within the current project schedule is subject to review of the CCD when received. Upon receipt of the CCD, the structural modifications allowance will be reconciled, and costs for non-structural work required will be submitted in a future Change Order.
- 51 Change Order #03 included Stadium Site Services for BP01. Additional Site Services for BP02 scope is included in this Change Order. Any additional Site Services costs required for the completion of the full project scope will be included in the final GMP.
- 52 Change Order #03 included an Allowance of \$400,000 for Building Permit costs for the Stadium project based on the estimated direct construction costs. Based on actual permit costs calculated on total construction costs, this Allowance is being increased to \$556,206, or a net increase of \$156,206 in this Change Order. Final permit costs will be reconciled at the completion of the project.

DIVISION 02 - EXISTING CONDITIONS

- 53 Division 2 — Existing Conditions are excluded from this Change Order. This work has been included in Change Order #05.

DIVISION 3 - CONCRETE

- 54 Division 3 — Concrete is excluded from this Change Order. This work has been included in Change Order #05.

DIVISION 4 - MASONRY

- 55 Division 4 — Masonry is excluded from this Change Order. This work has been included in Change Order #07.

DIVISION 5 - METALS

- 56 Division 5 — Structural Steel is excluded from this Change Order. This work has been included in Change Order #05.
- 57 Miscellaneous metals are included as an allowance in this Change Order. The allowance amount will be reconciled in the final GMP after bid leveling is complete and an RTA is approved.
- 58 Metal Railings & Handrails are excluded from this Change Order. This work will be included in a future Change Order.

DIVISION 6 - WOOD, PLASTICS, COMPOSITES

- 59 Division 6 — Wood, Plastics, Composites are excluded from this Change Order. This work will be included in a future Change Order.

DIVISION 7 - MOISTURE PROTECTION

- 60 Division 7 — Moisture Protection are excluded from this Change Order. This work will be included in a future Change Order.

DIVISION 8 - OPENINGS

- 61 Division 8 — Openings are excluded from this Change Order. This work will be included in a future Change Order.

DIVISION 9 - FINISHES

- 62 Division 9 — Finishes other than Drywall, Framing, Insulation, and Stucco are excluded from this Change Order. This work will be included in a future Change Order.

DIVISION 10 - SPECIALTIES

- 63 Division 10 — Specialties other than awnings and decorative canopies are excluded from this Change Order. This work will be included in a future Change Order.
- 64 The pre-engineered shade structure (15'x15') shown on A2-1G near the maintenance building is excluded from this Change Order and understood to be deleted from this phase of the program.
- 65 Demolition and repairs to existing metal panels above the new suites for the installation of sunshade louvers are not included in this Change Order.
- 66 Additional misc. metals required to support the metal canopies, decorative trellis features, and sunshade louvers not indicated on the documents are excluded from this Change Order.
- 67 The 3B hangout bar and adjacent open-air patio is assumed to be structural steel framing with a membrane roof and is excluded from this Change Order. All renderings indicating fabric canopies are excluded. No fabric canopies are included in this Change Order.
- 68 The sunshade louvers installed above the storefront system at Jay's Shop as currently designed will alter the warranty for the storefront system. GBCo has established an allowance to work with Populous and the selected contractors to develop an alternate attachment detail.
- 69 The American Building Products shade structure over the BBQ grill is not a welded system.

DIVISION 11 - EQUIPMENT

- 70 Division 11 — Equipment is excluded from this Change Order. This work has been included in Change Order #07.

DIVISION 12 - FURNISHINGS

- 71 Division 12 — Furnishings is excluded from this Change Order. This work has been included in Change Order #07.

DIVISION 13 - SPECIAL CONSTRUCTION

- 72 Division 13 — Special Construction is excluded from this Change Order. This work has been included in Change Order #07.

DIVISION 14 - CONVEYING SYSTEMS

- 73 Division 14 — Conveying Systems is excluded from this Change Order. This work has been included in Change Order #05.

DIVISION 21 - FIRE SUPPRESSION

- 74 Division 21 — Fire Suppression is excluded from this Change Order. This work will be included in a future Change Order.

DIVISION 22 - PLUMBING

- 75 Division 22 — Plumbing is excluded from this Change Order. This work will be included in a future Change Order.

DIVISION 23 - HEATING, VENTILATING, & AIR CONDITIONING

- 76 Division 23 — Heating, Ventilating, & Air Conditioning are excluded from this Change Order. This work will be included in a future Change Order.

DIVISION 26 - ELECTRICAL

- 77 Division 26 — Electrical is excluded from this Change Order. This work will be included in a future Change Order.

DIVISION 27 - COMMUNICATIONS

- 78 Division 27 — Communications are excluded from this Change Order. This work will be included in a future Change Order.

DIVISION 28 - ELECTRONIC SAFETY AND SECURITY

- 79 Division 28 — Electronic Safety and Security are excluded from this Change Order. This work will be included in a future Change Order.

DIVISION 31 - EARTHWORK

- 80 Division 31 — Earthwork is excluded from this Change Order. This work has been included in Change Order #05.

DIVISION 32 - EXTERIOR IMPROVEMENTS

- 81 Division 32 — Exterior Improvements are excluded from this Change Order. This work has been included in Change Order #07.

DIVISION 33 - UTILITIES

- 82 Division 33 — Utilities are excluded from this Change Order. This work has been included in Change Order #05.

EXHIBIT B.1

May 31, 2019

Re: Toronto Blue Jays Spring Training Facilities Improvements
 Dunedin Stadium Improvements
 Gilbane Job # J08231

Subject: Qualifications & Assumptions for STADIUM Change Order #09 Partial-Early Release for the Architect's Stadium BP02 Documents (excluding Handrails and Drink Rails, Dampproofing and Waterproofing, Roofing, Metal Panels, Chain Link Fencing/Gates, Millwork, Resilient Flooring and Tiling, Painting, Floor Sealer and Resinous Flooring, Signage and Graphics, Toilet Partitions, Miscellaneous Specialties, Hardscape, Landscape and Irrigation) in accordance with Stadium BP02A Site Services, and Gilbane's RTA BP10D Metal Canopies and Awnings. The following scope of works are included as an allowance: Dugout Tunnels Structural Modifications, 05C Miscellaneous Metals, and 09A Framing, Drywall, ACT and Paneling.

Any savings as a result of the final reconciliation from these allowances will roll back into the project budget for use as directed by the Owner. Any overages as a result of the final reconciliation from these allowances will be requested in a Change Order to the Owner.

BP 05C - Miscellaneous Metals

| | |
|---|-----------|
| Miscellaneous Metals (Total Contract Value) | \$350,000 |
|---|-----------|

BP 09A - Framing, Drywall, ACT, and Paneling

| | |
|---|-------------|
| Framing, Drywall, ACT and Paneling (Total Contract Value) | \$1,200,000 |
|---|-------------|

BP 10D - Metal Canopies and Awnings

| | |
|---|----------|
| Additional supports required for attaching sun control system to storefront structure | \$10,000 |
|---|----------|

Dugout Tunnel Structural Modifications

\$100,000

Based on the preliminary design information provided by Populous dated May 16, 2019, Gilbane has established a Rough Order of Magnitude (ROM) of \$180,000 for the work associated with adding rear-access tunnels to the existing dugouts. Due to this work impacting the critical path of the project, Gilbane is requesting approval to establish a portion of this allowance (\$100,000) in this Change Order to facilitate an expedited commencement of the structural changes required by this work. Once final design documents are received, Gilbane will submit pricing with back-up from trade contractors for approval to proceed with the structural modifications, funded from this established allowance. Pricing for other non-structural modifications required by the final design documents will be submitted in a future Change Order.

ROM Summary:

Structural modifications (demolition & concrete work): \$100,000

Non-structural modifications (all other trades): \$80,000 (future Change Order)

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| 10 44 16 | FIRE EXTINGUISHERS | 3/29/2019 |
| 10 51 13 | METAL LOCKERS | 3/29/2019 |
| 10 56 13 | METAL STORAGE SHELVING | 3/29/2019 |
| 10 75 16 | GROUND-SET FLAGPOLES | 3/29/2019 |
| DIVISION 11 | EQUIPMENT | |
| 11 21 73 | COMMERCIAL LAUNDRY EQUIPMENT | not issued |
| 11 24 29 | FACILITY FALL PROTECTION | 3/29/2019 |
| 11 40 00 | FOOD SERVICE EQUIPMENT | 4/18/2019 |
| 11 68 35 | BASEBALL EQUIPMENT | 2/1/2019 |
| 11 68 36 | SPORTS SAFETY NETTING SYSTEM | 3/29/2019 |
| 11 66 43 | EXTERIOR SCOREBOARDS | 3/6/2019 |
| 11 68 53 | FIELD WALL PADS | 2/1/2019 |
| DIVISION 12 | FURNISHINGS | |
| 12 36 16 | METAL COUNTERTOPS | 3/29/2019 |
| 12 36 23.13 | PLASTIC-LAMINATE-CLAD COUNTERTOPS | 4/15/2019 |
| 12 36 61.16 | SOLID SURFACING COUNTERTOPS | 4/15/2019 |
| 12 36 61.19 | QUARTZ AGGLOMERATE COUNTERTOPS | 4/15/2019 |
| 12 63 23 | STADIUM SEATS | 2/1/2019 |
| DIVISION 13 | SPECIAL CONSTRUCTION | |
| 13 34 16 | PERMANENT GRANDSTANDS | 4/18/2019 |
| 13 34 19 | PRE-ENGINEERED METAL BUILDING | 2/1/2019 |
| 13 34 30 | FABRICATED SHADE STRUCTURES | 3/29/2019 |
| DIVISION 14 | CONVEYING SYSTEMS | |
| 14 21 00 | ELECTRIC TRACTION ELEVATORS | 2/22/2019 |
| 14 42 00 | WHEELCHAIR LIFTS | 3/29/2019 |
| DIVISION 21 | FIRE SUPPRESSION | |
| 21 05 00 | COMMON WORK RESULTS FOR FIRE SUPPRESSION | 2/1/2019 |
| 21 05 17 | SLEEVES AND SLEEVE SEALS FOR FIRE-SUPPRESSION PIPING | 2/1/2019 |

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| 21 05 18 | ESCUTCHEONS FOR FIRE-SUPPRESSION PIPING | 2/1/2019 |
| 21 05 53 | IDENTIFICATION FOR FIRE-SUPPRESSION PIPING AND EQUIPMENT | 2/1/2019 |
| 21 13 13 | WET PIPE SPRINKLER SYSTEM | 2/1/2019 |
| DIVISION 22 | PLUMBING CERTIFICATION | |
| 22 05 00 | COMMON WORK RESULTS FOR PLUMBING | 3/29/2019 |
| 22 05 23 | GENERAL DUTY VALVES FOR PLUMBING PIPING | 3/29/2019 |
| 22 05 29 | HANGERS AND SUPPORTS FOR PLUMBING PIPING AND EQUIPMENT | 3/29/2019 |
| 22 05 53 | IDENTIFICATION FOR PLUMBING PIPING AND EQUIPMENT | 2/1/2019 |
| 22 07 00 | PLUMBING INSULATION | 2/1/2019 |
| 22 08 00 | COMMISSIONING OF PLUMBING | 2/1/2019 |
| 22 11 13 | FACILITY WATER DISTRIBUTION PIPING | 2/1/2019 |
| 22 11 13.13 | WATER DISTRIBUTION SYSTEMS | 2/1/2019 |
| 22 11 16 | DOMESTIC WATER PIPING | 2/1/2019 |
| 22 11 19 | DOMESTIC WATER PIPING SPECIALTIES | 2/1/2019 |
| 22 11 20 | FACILITY NATURAL GAS PIPING | 2/1/2019 |
| 22 13 16 | SANITARY WASTE AND VENT PIPING | 2/1/2019 |
| 22 13 23 | SANITARY WASTE INTERCEPTORS | 2/1/2019 |
| 22 14 13 | FACILITY STORM DRAINAGE PIPING | 2/1/2019 |
| 22 14 23 | STORM DRAINAGE PIPING SPECIALTIES | 2/1/2019 |
| 22 14 29 | SUMP PUMPS | 2/1/2019 |
| 22 33 00 | ELECTRIC DOMESTIC WATER HEATERS | 2/1/2019 |
| 22 40 00 | PLUMBING FIXTURES | 2/1/2019 |
| DIVISION 23 | HEATING VENTILATING AND AIR CONDITIONING | |
| 23 00 00 | COMMON REQUIREMENTS FOR HVAC | 12/7/2019 |
| 23 00 10 | BASIC HVAC REQUIREMENTS | 3/29/2019 |
| 23 01 10 | VARIABLE FREQUENCY DRIVE | 12/7/2019 |
| 23 05 13 | COMMON MOTOR REQUIREMENTS FOR HVAC EQUIPMENT | 3/29/2019 |
| 23 05 16 | EXPANSION FITTINGS AND LOOPS FOR HVAC PIPING | 3/29/2019 |
| 23 05 17 | SLEEVES AND SLEEVE SEALS FOR HVAC PIPING | 3/29/2019 |
| 23 05 19 | METERS AND GAGES FOR HVAC PIPING | 3/29/2019 |
| 23 05 23 | GENERAL-DUTY VALVES FOR HVAC PIPING | 12/7/2019 |
| 23 05 29 | HANGERS AND SUPPORTS FOR HVAC PIPING AND EQUIPMENT | 3/29/2019 |
| 23 05 48.13 | VIBRATION CONTROLS FOR HVAC | 3/29/2019 |
| 23 05 53 | IDENTIFICATION FOR HVAC PIPING AND EQUIPMENT | 3/29/2019 |
| 23 05 93 | TESTING ADJUSTING AND BALANCING FOR HVAC | 3/29/2019 |
| 23 07 13 | DUCT INSULATION | 3/29/2019 |
| 23 07 19 | HVAC PIPING INSULATION | 3/29/2019 |
| 23 08 00 | COMMISSIONING OF HVAC | 3/29/2019 |
| 23 09 00 | INSTRUMENTATION AND CONTROL FOR HVAC | 3/29/2019 |
| 23 21 13 | HYDRONIC PIPING | 3/29/2019 |
| 23 21 13.13 | UNDERGROUND HYDRONIC PIPING | 12/7/2019 |
| 23 21 16 | HYDRONIC PIPING SPECIAL TIES | 12/7/2019 |
| 23 21 23 | HYDRONIC PUMPS | 12/7/2019 |
| 23 23 00 | REFRIGERANT PIPING | 12/7/2019 |
| 23 25 13 | WATER TREATMENT FOR CLOSED-LOOP HYDRONIC SYSTEMS | 12/7/2019 |
| 23 31 13 | METAL DUCTS | 3/29/2019 |

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| 23 33 00 | AIR DUCT ACCESSORIES | 3/29/2019 |
| 23 34 23 | HVAC POWER VENTILATORS | 3/29/2019 |
| 23 36 00 | AIR TERMINAL UNITS | 12/7/2019 |
| 23 37 13 | DIFFUSERS, REGISTERS, AND GRILLES | 3/29/2019 |
| 23 38 13 | COMMERCIAL KITCHEN HOODS | 3/29/2019 |
| 23 64 23 | SCROLL WATER CHILLERS | 12/7/2019 |
| 23 64 26 | ROTARY-SCREW WATER CHILLERS | 12/7/2019 |
| 23 72 00 | AIR-TO-AIR ENERGY RECOVERY EQUIPMENT | 3/29/2019 |
| 23 73 13 | MODULAR INDOOR CENTRAL-STATION AIR-HANDLING UNITS | 12/7/2019 |
| 23 74 13 | PACKAGED, OUTDOOR, CENTRAL-STATION AIR-HANDLING UNITS | 3/29/2019 |
| 23 81 15 | SPLIT SYSTEM AIR CONDITIONERS VRF NON-SIMULTANEOUS HEATING AND | 12/7/2019 |
| 23 81 23 | COMPUTER-ROOM AIR-CONDITIONERS | 12/7/2019 |
| 23 81 26 | SPLIT-SYSTEM AIR-CONDITIONERS | 3/29/2019 |
| 23 82 16.14 | ELECTRIC RESISTANCE AIR COILS | 12/7/2019 |
| 23 82 19 | FAN COIL UNITS | 12/7/2019 |
| DIVISION 26 | ELECTRICAL | |
| 26 00 10 | BASIC ELECTRICAL REQUIREMENTS | 3/29/2019 |
| 26 00 20 | ACCEPTANCE TESTS AND PERFORMANCE VERIFICATION | 3/29/2019 |
| 26 05 19 | LOW-VOLTAGE ELECTRICAL POWER CONDUCTORS AND CABLES | 3/29/2019 |
| 26 05 26 | GROUNDING AND BONDING FOR ELECTRICAL SYSTEMS | 3/29/2019 |
| 26 05 29 | HANGERS AND SUPPORTS FOR ELECTRICAL SYSTEMS | 3/29/2019 |
| 26 05 33 | RACEWAYS AND BOXES FOR ELECTRICAL SYSTEMS | 3/29/2019 |
| 26 05 43 | UNDERGROUND DUCTS AND RACEWAYS FOR ELECTRICAL SYSTEMS | 3/29/2019 |
| 26 05 44 | SLEEVES AND SLEEVE SEALS FOR ELECTRICAL RACEWAYS AND CABLING | 3/29/2019 |
| 26 05 53 | IDENTIFICATION FOR ELECTRICAL SYSTEMS | 3/29/2019 |
| 26 08 00 | COMMISSIONING OF ELECTRICAL | 3/29/2019 |
| 26 09 13 | ELECTRICAL POWER MONITORING AND CONTROL | 3/29/2019 |
| 26 09 23 | LIGHTING CONTROL DEVICES | 3/29/2019 |
| 26 09 43 | RELAY-BASED LIGHTING CONTROLS | 3/29/2019 |
| 26 22 00 | LOW VOLTAGE TRANSFORMERS | 3/29/2019 |
| 26 24 13 | SWITCHBOARDS | 3/29/2019 |
| 26 24 16 | PANELBOARDS | 3/29/2019 |
| 26 24 20 | SAFETY SWITCHES | 3/29/2019 |
| 26 27 26 | WIRING DEVICES | 3/29/2019 |
| 26 28 13 | FUSES | 3/29/2019 |
| 26 28 16 | ENCLOSED SWITCHES AND CIRCUIT BREAKERS | 3/29/2019 |
| 26 32 13 | DIESEL EMERGENCY ENGINE GENERATORS | 3/29/2019 |
| 26 36 00 | TRANSFER SWITCHES | 3/29/2019 |
| 26 41 13 | LIGHTNING PROTECTION FOR STRUCTURES | 3/29/2019 |
| 26 43 13 | SURGE PROTECTION DEVICES | 3/29/2019 |
| 26 51 00 | INTERIOR LIGHTING | 3/29/2019 |
| 26 56 00 | EXTERIOR LIGHTING | 3/29/2019 |
| DIVISION 27 | COMMUNICATIONS | |
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| 27 05 26 | GROUNDING AND BONDING FOR TELECOMMUNICATIONS SYSTEMS | 3/29/2019 |
| 27 05 28 | REACEWAYS FOR TECHNOLOGY | 3/29/2019 |

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| 27 10 00 | STRUCTURED CABLING SYSTEM | 3/29/2019 |
| 27 51 13 | PUBLIC ADDRESS BACKGROUND MUSIC SYSTEM | 3/29/2019 |
| DIVISION 28 | ELECTRONIC SAFETY AND SECURITY | |
| 28 10 00 | ELECTRONIC SECURITY SYSTEMS | 3/29/2019 |
| 28 10 10 | INTRUSION DETECTION SYSTEMS | 4/18/2019 |
| 28 20 00 | CLOSED CIRCUIT TELEVISION-VIDEO SURVEILLANCE SYSTEM | 12/7/2019 |
| 28 31 11 | ADDRESSABLE FIRE-ALARM SYSTEM | 3/29/2019 |
| DIVISION 31 | EARTHWORK | |
| 31 10 00 | SITE CLEARING | 3/29/2019 |
| 31 20 00 | EARTHWORK | 2/1/2019 |
| 31 23 00 | SITE PREPARATION, EXCAVATION AND EARTHWORK FOR FOUNDATIONS | 2/1/2019 |
| 31 23 19 | DEWATERING AND BEDDING | 2/1/2019 |
| 31 23 23 | BACKFILLING | 2/1/2019 |
| 31 23 33 | TRENCHING | 2/1/2019 |
| 31 25 00 | EROSION AND SEDIMENTATION CONTROLS | 2/1/2019 |
| 31 31 16 | TERMITE CONTROL | 2/22/2019 |
| DIVISION 32 | EXTERIOR IMPROVEMENTS | |
| 32 11 00 | BASE COURSES | 2/1/2019 |
| 32 12 16 | ASPHALTIC CONCRETE PAVING | 2/1/2019 |
| 32 13 13 | CONCRETE PAVING | 2/1/2019 |
| 32 16 16 | CONCRETE CURBS AND GUTTERS | 2/1/2019 |
| 32 17 23 | PAVEMENT MARKING | 2/1/2019 |
| 32 14 00 | UNIT PAVING | 4/18/2019 |
| 32 18 23 | NATURAL GRASS PLAYING FIELD SUMMARY | 2/1/2019 |
| 32 18 23.13 | NATURAL GRASS PLAYING FIELD EARTHWORK | 2/1/2019 |
| 32 18 23.23 | NATURAL GRASS PLAYING FIELD IRRIGATION SYSTEM | 2/1/2019 |
| 32 18 23.24 | NATURAL GRASS PLAYING FIELD MATERIAL AND MIXES | 2/1/2019 |
| 32 18 23.26 | NATURAL GRASS PLAYING FIELD SOD | 2/1/2019 |
| 32 18 24 | SYNTHETIC TURF PLAYING FIELD SURFACING | 2/1/2019 |
| 32 31 13 | CHAIN LINK FENCES AND GATES | 12/5/2018 |
| 32 31 19 | DECORATIVE METAL FENCES AND GATES | 3/29/2019 |
| 32 84 00 | IRRIGATION | 3/29/2019 |
| 32 93 00 | PLANTS | 3/29/2019 |
| DIVISION 33 | UTILITIES | |
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| DSK-1 | SITE DEMOLITION SCOPE DEFINITION DOCUMENT | 2/12/2019 |
| ESK-1 | TEMPORARY POWER AND IRRIGATION REQUIREMENTS | 2/12/2019 |
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