

AMENDMENT #2 TO CONTRACT NO. 2024000098
BETWEEN CHARLOTTE COUNTY
and
JON F. SWIFT CONSTRUCTION, INC.
for
CONSTRUCTION MANAGER AT RISK
WILLIAM R. GAINES JR. VETERANS MEMORIAL PARK

THIS AMENDMENT #2 to Contract No. 2024000098 (the "Amendment") is made and entered into by and between **CHARLOTTE COUNTY**, a political subdivision of the State of Florida, 18500 Murdock Circle, Port Charlotte, Florida 33948-1094 (the "County"), and **JON F. SWIFT CONSTRUCTION, INC.**, d/b/a Jon F. Swift Construction, 2221 8th Street, Sarasota, Florida 34237 (the "Construction Manager" or "CM").

RECITALS

WHEREAS, the County and the Construction Manager entered into Contract No. 2024000098 (the "Agreement") on or about November 14, 2019, to engage the Construction Manager for preconstruction and construction services for the Placida Boat Ramp West (the "Project"); and

WHEREAS the Construction Manager has been providing, and is capable of continuing to provide, the necessary Project services; and

WHEREAS, pursuant to the terms of the Agreement, the Construction Manager has submitted a Guaranteed Maximum Price for certain portions of the Project; and

WHEREAS, the County desires to approve and incorporate the Guaranteed Maximum Price for Priority 1 and Priority 2 construction services into the Agreement;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the County and the Construction Manager agree as set forth below:

ARTICLE I
COMPENSATION / SERVICES

1.1. The following provisions of this Amendment #2, and **Exhibit A, Guaranteed Maximum Price Summary Estimate, Assumptions and Clarifications, Schedule, and Project Staffing**, dated December 18, 2025, attached hereto, are specifically incorporated into and made a part of the Agreement;

1.2. The Scope of Services for the Project is hereby amended to include construction services for Priority 1 and Priority 2 of the Project, as more fully described in **Exhibit A**;

1.3. The Construction Manager shall provide the additional services as described in Exhibit A, and the County shall pay an amount not to exceed **One Million Six Hundred Fifty Thousand One Hundred Thirty-Five Dollars (\$1,650,135.00)** for these services as the Guaranteed Maximum Price for Priority 1 and Priority 2 construction services;

1.4. The services authorized under this Amendment shall be performed in accordance with the schedule and phasing set forth in Exhibit A and the Agreement.

ARTICLE II
MISCELLANEOUS

2.1. The effective date of this Amendment is the date on which it is signed by both parties.

2.2. Any terms used in this Amendment shall have the same meanings and definitions as they have in the Agreement.

2.3. All other provisions of the Agreement not in conflict with this Amendment shall remain in full force and effect.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have entered into this Amendment on the dates indicated below.

WITNESSES:

JON F. SWIFT CONSTRUCTION, INC.

Signed By: _____

Signed by: _____

Print Name: _____

Print Name: _____

Date: _____

Title: _____

Date: _____

Signed By: _____

Print Name: _____

Date: _____

**BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA**

ATTEST:

Roger D. Eaton, Clerk of the Circuit
Court and Ex-Officio Clerk to the
Board of County Commissioners

By: _____
Joseph M. Tiseo, Chairman

By: _____
Deputy Clerk

Date: _____

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: _____
Thomas M. David, County Attorney
LR26-0135 

Exhibit List:

Exhibit A – Exhibit A, Guaranteed Maximum Price Summary Estimate, Assumptions and Clarifications, Schedule, and Project Staffing

EXHIBIT A

**CONTRACT #2024000098 1 CM@RISK
CHARLOTTE COUNTY**

**WILLIAM R. GAINES JR VETERANS MEMORIAL PARK
GUARANTEED MAXIMUM PRICE (GMP)**

December 18, 2025

Contract #2024000098 CM@RISK
WILLIAM R. GAINES JR VETERANS MEMORIAL PARK
GUARANTEED MAXIMUM PRICE (GMP)



December 18, 2025

Vicki Chichura
Project Manager
Charlotte County Board of County Commissioners
18500 Murdock Circle, Bldg. B
Port Charlotte, FL 33948

Re: Contract #2024000098 CM@RISK – William R. Gaines Jr Veterans Memorial Park GMP Revision 6B
– Priority 1 & Priority 2.

Dear Vicki,

Thank you for the opportunity to submit our Guaranteed Maximum Price (GMP) Proposal for Williams R. Gaines Jr Veterans Memorial Park. We are providing our Guaranteed Maximum Price (GMP) for priorities 1 & 2, totaling One Million Six Hundred Fifty Thousand One Hundred Thirty-five dollars (\$1,650,135.00), as per the bid and permit plans and specifications issued by Kimley-Horn on June 30, 2025.

Priority	Total	Comments
Priority 1 (Pavilion & Sitework)	\$1,529,606.00	Must be completed to add priorities 2 and 3
Priority 2 (Pickleball Court)	\$120,529.00	It is an addition to priority 1
Total GMP	\$1,650,135.00	

This Guaranteed Maximum Price (GMP) includes Value Engineering proposal #02 (VE02), which eliminates the water line for the future water park. Additionally, we have adjusted our budget for general conditions to cover staffing and site requirements for a period of 7 months.

We look forward to providing Charlotte County with the same high-quality construction and customer service that you have come to expect from Jon F. Swift Construction. If you have any questions, please do not hesitate to contact our office.

Sincerely,


Ross Russo
Vice President
Jon F Swift, Inc.

Contract #2024000098 CM@RISK
WILLIAM R. GAINES JR VETERANS MEMORIAL PARK
GUARANTEED MAXIMUM PRICE (GMP)



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Contract #2024000098 CM@RISK
WILLIAM R. GAINES JR VETERANS MEMORIAL PARK
GUARANTEED MAXIMUM PRICE (GMP)



I. GMP Estimate



William R. Gaines Veterans Memorial
Charlotte County

GMP R6 Estimate
December 18, 2025

Schedule

7 Months

Division	Scope of Work	William R. Gaines	Comments
PRIORITY 1 (must be completed to add priorities 2 and 3)			
1A	General Requirements	409,809	
1B	Survey	22,415	
14A	Pavilion	375,000	
26A	Electrical	35,000	No Musco Lighting Only pavilion electric included Includes Sewer Service and asphalt restoration with minimum storm, site walks and earthwork for pavilion & revised site egress
31B	Sitework/Utilities	420,529	
32A	Landscaping	32,763	Trees & sod
	SUBTOTAL	\$ 1,295,516	
	2.20% General Liability Insurance	28,501	
	1.20% Builder's Risk Insurance	15,888	
	SUBTOTAL	\$ 1,339,906	
	6% Contractor Fee/Overhead	80,394	
	1.20% Payment/Performance Bond	22,725	
	TOTAL	\$ 1,443,025	
	6.00% Contingency	86,581	
	GRAND TOTAL PRIORITY 1	\$ 1,529,606	
PRIORITY 2 (is an addition to priority 1)			
1A	General Requirements	16,726	
13A	Pickleball Court	68,286	
31B	Sitework and Concrete	12,282	Sitewalk between pavilion and pickleball
32A	Landscaping	4,788	Additional sod restoration
	SUBTOTAL	\$ 102,083	
	2.20% General Liability Insurance	2,246	
	1.20% Builder's Risk Insurance	1,252	
	SUBTOTAL	\$ 105,581	
	6% Contractor Fee/Overhead	6,335	
	1.20% Payment/Performance Bond	1,791	
	TOTAL	\$ 113,706	
	6.00% Contingency	6,822	
	GRAND TOTAL PRIORITY 2	\$ 120,529	
	TOTAL PROJECT	\$ 1,650,135	

Contract #2024000098 CM@RISK
WILLIAM R. GAINES JR VETERANS MEMORIAL PARK
GUARANTEED MAXIMUM PRICE (GMP)



II. Assumptions and Clarifications

EXHIBIT B
Assumptions and Clarifications
Contract #2024000098 CM@RISK
William R Gaines Jr Veterans Memorial Park
November 18, 2025

The Guaranteed Maximum Price for the William R Gaines Jr Veterans Memorial Park GMP is based upon design services and subcontract bids received at the date and time noted in the GMP cost breakdown. Budget pricing shall be held per subcontract price for the duration of the Agreement. Issues related to material and labor cost escalation shall be reviewed on a case-by-case basis.

Schedule and Phasing

- This project is organized into three distinct priorities, where the completion of lower-numbered priorities is a **prerequisite** for the subsequent ones.
- All work shall be completed within 210 calendar days from issuance of notice to proceed and issuance of all building permits.
 - Priority 1 (must be completed to add priority 2).

General Work Requirements

- Normal working hours of construction are from 7:00am – 3:30pm daily (Mon-Fri)

General Conditions

- General conditions are figured as a lump sum cost based on the 7-month project duration and shall be invoiced at a rate of \$60,933.60 month.

Contingency

- Contingency is included in the project budget to cover unforeseen conditions and buyout-related items as approved by the County Administrative Agent. All unused contingencies will be returned to the owner. Contingencies originating from the same funding source may also be grouped together and tracked as an Overall Project Contingency for work related to that specific funding source. All contingency expenses will be tracked and require the approval of the County Administrative Agent.
- All savings created from “buy-out” or unused “scope of work” savings will be considered as savings to the Overall Project and may be utilized anywhere within the Overall Project, as long as they come from the same funding source and receive approval from the County Administrative Agent. All savings will be tracked and reallocated as directed by the County Administrative Agent. Unforeseen conditions may also occur, which would also necessitate changes. The contingency is not intended to cover increases in scope from the original project. Of course, any part of the contingency, or savings of any kind, (including line-item contingency savings) gets returned to Charlotte County Government.
- An example of contingency costs is for defined work scope items which were not specifically priced by the subcontractors during the bidding process. These items will be covered during the project buyout, and the final costs shall be adjusted accordingly.

Specifically Excluded Items

- Architectural/Engineering Services
- All Permit Fees
- All Impact Fees (water/sewer/road/etc.)
- FPL, Comcast, Verizon, TECO, and other company utility fees
- Temporary utilities usage fees for construction purposes (water and electric) shall utilize existing on site as currently available.
- Geotechnical Report
- Historical Resources Mitigation
- Environmental Impact Mitigation
- Gopher Tortoise Relocation
- Fire watch or off hours security
- Easement related surveying
- Permit review comment revisions that have not been identified in documents.
- Underground Unforeseen Conditions (i.e.: rock removal, unsuitable fill remediation, unidentified utilities etc.)
- Allowance costs are tracked in the pay application "Schedule of Values" and the cost savings and/or overages will be applied to the contingency.

Assumptions and Clarifications by Trade or Division

Builders' Risk Insurance is included for the full GMP amendment amount. Any potential deductibles for builder's risk claims are excluded and shall be reimbursed through contingency, if applicable. Owner Direct Purchase Items are not included under the Builders Risk Policy.

Demolition

- No removal of rubber tires, fuel tanks or any material considered hazardous or restricted.
- Removal of underground utilities, including drainage and irrigation, is not included unless specifically identified on the drawings.
- No underground tank removal of any type unless specifically identified.
- Unless specifically identified as "deliver to owner" all salvageable items are the property of JFS once turned over for construction.

Utilities Services

- VE02 – removed water line for future water park.

Contract #2024000098 CM@RISK
WILLIAM R. GAINES JR VETERANS MEMORIAL PARK
GUARANTEED MAXIMUM PRICE (GMP)



III. Schedule

Contract #2024000098 CM@RISK
WILLIAM R. GAINES JR VETERANS MEMORIAL PARK
GUARANTEED MAXIMUM PRICE (GMP)



IV. Project Staffing

Contract #2024000098 CM@RISK
WILLIAM R. GAINES JR VETERANS MEMORIAL PARK
GUARANTEED MAXIMUM PRICE (GMP)



Project Staffing

Name	Title	Email	Phone #
Ross Russo	Vice President – Project Manager	ross@jonswiftinc.com	941-724-7974
Lydell Geffrard	Assistant Project Manager	lydell@jonswiftinc.com	480-960-5285
Kevin Bowen	Superintendent	kevin@jonswiftinc.com	941-806-9353
Stephany DeSue	Project Coordinator	stephany@jonswiftinc.com	941-405-5653