

RESOLUTION NO. 2018-21
A RESOLUTION AUTHORIZING THE CITY TO AMEND THE OWNER'S
REPRESENTATIVE AGREEMENT AMONG THE CITY, NORTH AUGUSTA PUBLIC
FACILITIES CORPORATION AND GREENSTONE DEVELOPMENT SERVICES, LLC.
SUCH DEDUCTIVE AMENDMENT RELATED TO THE OWNER'S
REPRESENTATIVE PROVIDING A CREDIT TO THE CITY

WHEREAS, the City, pursuant to a Master Development Agreement approved by the City by ordinance adopted on January 30, 2017, constructed a minor league baseball stadium within the area generally referred to as Project Jackson; and

WHEREAS, related to the Master Development Agreement, the City has responsibilities related to improvements within the project and specifically involving the land, the stadium, the site improvements and the tenant improvements; and

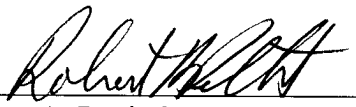
WHEREAS, the City determined that it was in the City's best interest, to include matters of expediency and cost, to employ an Owner's Representative to assist in overseeing the various aspects of construction of the stadium; and

WHEREAS, the Mayor and City Council approved the Owner's Representative Agreement on February 6, 2017, (Resolution 2017-02), and find that a deductive amendment in the amount of \$96,896 to such Agreement is reasonable and in the best interest of the City.

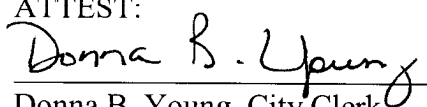
NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Augusta, in meeting duly assembled and by the authority thereof, that:

1. The Mayor and City Council approve amending the Owner's Representative Agreement, as attached hereto, marked "Amendment to the Owners Representative Agreement" and incorporated by reference and authorizes the City to enter into such Amendment.
2. The City Administrator is hereby authorized to execute such document on behalf of the City.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS THE 17TH DAY OF SEPTEMBER, 2018.



Robert A. Pettit, Mayor

ATTEST:


Donna B. Young, City Clerk

Amendment to the Owner's Representative Agreement

Project:

North Augusta Ballpark Dev.
City of North Augusta

Owner's Rep Agreement:

Date: 02/20/17

Amendment Info:

Amendment #: 001

Owner:

City of North Augusta
100 Georgia Avenue
North Augusta, SC 29841

Developer:

Greenstone Development Services, LLC
3301 Windy Ridge Parkway, Suite 320
Atlanta, Georgia 30339

The Owner and the Developer amend the Agreement as follows:

The Owner and the Developer have agreed to the attached list of costs (Attachment A dated 08/19/18). These costs will be the responsibility of the Developer and result in a deductive Amendment to the contract.

Both the Owner and the Developer agree that this settles outstanding claims related to the Potential Change Orders from B&G related to the Ballpark Stadium.

This settlement is contingent on the execution of this agreement and the follow on execution of the final change order # 012 with B&G.

It's also contingent upon the executed amendment #002 for the Stadium License Agreement (SLA) with the GreenJackets for change orders they approved and B&G performed. These are being reimbursed to the City and the City will then pay the CO #012 to B&G.

The Developer also agrees that this settles any and all claims Greenstone Development Services, LLC has against Odell Associates, Inc., Brasfield & Gorrie, LLC and the GreenJackets Baseball, LLC in regard to this Ballpark Stadium.

The only other known issue is the City's final settlement with GreenJackets Baseball, LLC on requests for FF&E or other project costs incurred by the GreenJackets that may or may not be contractually reimbursable and that may exceed the project budget.

The Developer's compensation shall be adjusted as follows:

Original Contracted and Budgeted Fee:	\$ 650,000
Amendment #001:	<\$ 96,896>
Amended Contract Fee:	\$ 553,104

Signatures:

City of North Augusta, SC

Owner

Signature

B. Todd Glover,
City Administrator
Printed Name and Title

09/18/18

Date

Greenstone Development Services, LLC

Developer

Signature

Christian B. Schoen
Manager
Printed Name and Title

09/18/18

Date

Riverside Village
 City of North Augusta
 Greenstone Master List
 08/19/18

Attachment A

Item #	Respon. for Costs	Status of Costs	B&G COR #	CO Item	Stadium
1	Greenstone	City Pending Payment B&G	034a	Claim request on Netting	\$ 35,640
2	Greenstone	City Pending Payment B&G	034b	Claim request on Padding	\$ 35,761
3	Greenstone	City Pending Payment B&G	034c	Another recent B&G Add for Netting and Padding	\$ 9,319
4	Greenstone	City Pending Payment B&G	080	Padding - Additional Padding on Top of Frame	\$ 5,103
5	Greenstone	City Pending Payment B&G	146	Added 4 brackets to stand off netting for scoreboard protection, This was an error on coordination with James Dean and Promats.	\$ 11,073

Sub-Total \$ 96,896