**INSTRUCTIONS FOR COMPLETING THIS FORM ARE HIGHLIGHTED IN YELLOW.**

**RED TEXT: ENTER MISSING DATA, CONFIRM TEXT BY CHANGING TO BLACK TEXT OR DELETE**

**WHEN COMPLETE: DELETE ALL YELLOW HIGHLIGHTED TEXT, RED TEXT & BRACKETS.]**

**CHANGE ORDER to**

**Minnesota State Colleges and Universities AIA Document A133-2009**

**Standard Form of Agreement Between Owner and Construction Manager as Constructor, as currently amended by Owner (hereinafter AIA Document A133-2009)**

**and A133-2009 Project Attachment**

**CHANGE ORDER No. [XXX]**

**for Establishment of Guaranteed Maximum Price**

[eManual CO.70 (this Change Order form) is solely for establishing of the Guaranteed Maximum Price and Contract Time for the Work. All changes during construction shall utilize eManual CO.41 Construction Change Order form]

This Change Order is between the State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of **[Insert name of College/University],** hereinafter referred to as the “Owner”, and the Construction Manager **[Insert Construction Manager’s Name and full legal address],** hereinafter referred to as the “Construction Manager”**.**

**Recitals**

WHEREAS, Owner has an agreement with the Contractor Manager as listed in the AIA Document A133-2009 and A133-2009 Project Attachment executed on **[Insert Date]** (hereinafter referred to as “Original Agreement”) for the Construction Manager to provide Preconstruction services, and to establish a Guaranteed Maximum Price and Contract Time for the Work for the following Project:

 [Insert same info as identified in A133 Project Attachment]

**[Insert Project Name]**

 **[Insert Name of College/University]**

**[Insert Campus Name, if applicable]**

 **[Insert City, MN, Zip Code]**

hereinafter referred to as the “Project”.

WHEREAS, The Construction Manager submitted a Guaranteed Maximum Price proposal dated [insert date], attached to this change order, that the Owner has agreed to accept; and

WHEREAS, the scope of the Work, Contract Sum and Contract Time have changed due to the establishment of the Guaranteed Maximum Price for the Project;

NOW THEREFORE, the Owner and the Construction Manager agree to amend the Original Agreement to in reference to the AIA Document A133-2009 and A133-2009 Project Attachment, as set forth below.

**REVISION #1:**

Section 2.1.3.1 The Owner’s milestone dates shall be revised as follows as identified in the the Construction Manager’s Guaranteed Maximum Price proposal:

[insert milestones and dates from A133-1009 Project Attachment, then note “No change” or “revised to date”]

.1 Schematic Design completion: [00/00/0000] No Change

.1.1 Formal presentation [delete if not applicable] [00/00/0000] No Change

.2 Design Development completion: [00/00/0000] No Change

.3 Construction Document completion: [00/00/0000] No Change

.4 Guaranteed Maximum Price submittal: [00/00/0000] revised to [00/00/0000]

.5 Issue Bid Documents: [00/00/0000] revised to [00/00/0000]

.6 Construction commencement: [00/00/0000] revised to [00/00/0000]

.7 Substantial Completion date(s): [00/00/0000] revised to [00/00/0000]

.8 Final Completion date: [00/00/0000] revised to [00/00/0000]

.9 [Insert other milestone dates if applicable] [00/00/0000] revised to [00/00/0000]

**REVISION #2:**

Section 2.2.1 The Guaranteed Maximum Price shall be [insert amount], as identified in the Construction Manager’s Guaranteed Maximum proposal:

.1 Construction Manager’s Cost of the work $ [insert amount]

.2 Construction Manager’s contingencies $ [insert amount]

.3 Construction Manager’s Fee $ [insert amount]

**NO OTHER TERMS OF THE AGREEMENT WILL CHANGE AS A RESULT OF THIS CHANGE ORDER.**

|  |
| --- |
| **CONTRACT SUMMARY:**1. The original Agreement Sum was $[insert amount]
2. Previously authorized Change Order additions to date

Change Order Numbers: [insert numbers or NA] $[insert amount]1. Previously authorized Change Order deductions to date

Change Order Numbers: [insert numbers or NA] $[insert amount]1. The Agreement Sum prior to this Change Order was $[insert amount]
2. The Agreement Sum will increase by this Change Order

in the amount of $[insert amount]1. The new Agreement Sum including this Change Order shall be $[insert amount]
 |

**Signatures:** (Sign and date at the appropriate signature line below*)*

In witness whereof, the Owner has caused this Agreement to be duly executed on its behalf and the Contractor has caused the same to be duly executed on its behalf.

**1. CONSTRUCTION MANAGER: [INSERT NAME OF FIRM]**

Construction Manager certifies that the appropriate person(s) have executed the contract on behalf of the Construction Manager as required by applicable articles, by-laws, resolutions, or ordinances.

|  |
| --- |
| By (authorized signature and printed name) |
| Title |
| Date |

**2. VERIFIED AS TO ENCUMBRANCE: [INSERT NAME OF COLLEGE/UNIVERSITY]**

When the agreement is processed in e-Builder, the encumbrance is incorporated into the workflow.

**3. MINNESOTA STATE: [INSERT NAME OF COLLEGE/UNIVERSITY]**

|  |
| --- |
| By (authorized signature and printed name) |
| Title |
| Date |

[Recommended that #3 & #4 are different individuals]

**4. AS TO FORM AND EXECUTION: [INSERT NAME OF COLLEGE/UNIVERSITY]**

|  |
| --- |
| By (authorized signature and printed name) |
| Title |
| Date |