

City Use—Approval Form

Agreement Contract Amendment Option to Extend

Contract/Agreement No.: 14-3399C Department: Parks and Recreation

Description/Agenda Description:

Midco window Replacement
 Replace 24 insulating glass units on the south side of the Midco Aquatic Center building

Council Consent Agenda: Yes No Council Meeting Date: _____

Amount: No cost to City

Additional Notes and Comments:

Signature/Approval/Seen by: Date: Signature/Approval/Seen by: Date:

DocuSigned by: Matt Newman 6/17/2020
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DocuSigned by: Sharla Svennes 6/19/2020
43F2497A45604CA...

DocuSigned by: Kelby Mieras 6/17/2020
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DocuSigned by: Don Kearney 6/22/2020
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DocuSigned by: Amber Gibson 6/22/2020
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DocuSigned by: Shawn Pritchett 6/22/2020
83A349BC135D45E...

Agreement and Bid Details

Bid Award Recommendation Number of Bids Received: 1 This is the lowest bidder and meets specification
 Other _____

To: (Vendor/Vendor Address) Journey Group Companies and TSP

\$ Budgeted	GL No., Project String, or CIP No.	\$ Awarded	Notes
0	replace windows	0	

Total: 0 Total: 0
 Fund Transfer Requested Fund Transfer Complete This contract utilizes Federal Funding



Mayor Paul TenHaken

CITY OF SIOUX FALLS

224 West Ninth Street • P.O. Box 7402 • Sioux Falls, SD • 57117-7402 • www.siouxfalls.org
605-367-8800 • 605-367-8490 FAX • 605-367-7039 TTY/Hearing Impaired

June 1, 2020

Confirmation of email sent on June 1, 2020

Mr. Tony Wiseman
Journey Group Companies
d/b/a Sioux Falls Construction Company
800 South Seventh Avenue
Sioux Falls, SD 57104
twiseman@journeyconstruction.com

Mr. Sean Ervin, Project Manager
TSP, Inc.
1112 North West Avenue
Sioux Falls, SD 57104
ervin@teamtsp.com

Subject: Insulated Glass Windows/Quality Glass, Mfg.

Dear Gentleman:

This letters follows the City of Sioux Falls' (City) receipt of Journey Construction's (Journey) Midco Window Replacement proposal dated March 12, 2020. As background, Journey Group Companies d/b/a Sioux Falls Construction Company and the City entered into the Standard Form of Agreement Between Owner and Construction Manager as Constructor, AIA Document A133™-2009, for the construction of the project now known as the Midco Aquatic Center (the "Construction Contract").

City agrees to accept the above-referenced proposal from Journey with the following additional terms and conditions:

1. Journey will contract with City Glass & Glazing, Inc. (City Glass) to complete the Work identified below during the installation period described as follows (the "Installation Period"):

Replace 24 insulating glass units on the south side of Midco® Aquatic Center building	Construction Timeline: <ul style="list-style-type: none"> • City Notice to Proceed, execution of this letter. • (1 week) Issue shop drawings and TSP approval. • (7 weeks) Glass procurement. • (2 weeks) Install glass on site.
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Mr. Tony Wiseman
Mr. Sean Ervin
June 1, 2020
Page 2

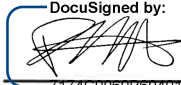
2. City Glass will replace twenty-four (24) of the existing insulating glass units located on the south side of the Midco® Aquatic Center. A copy of the Window Replacement Proposal is attached hereto as **Exhibit A**. This Work will be done during the Installation Period. Product Submittals and Specifications will need to be approved by TSP as per Construction Timeline. The execution of this letter agreement by all parties shall serve as the Notice to Proceed as required in the construction timeline.
3. City acknowledges the current glazing system does not carry a manufacturer or contractor warranty based on the installation conditions outlined in the warranty limitations. City further acknowledges there will not be a warranty on the new replacement glass or the existing glass or existing system.
4. City and Journey agree that completion of the Work by Journey and City Glass will be at no cost to City as set forth above, and will be confirmation City Glass completed all of its Work under its subcontract.
5. City acknowledges Journey Group Companies and City Glass have completed all of their respective Work, except the Work identified in this letter agreement to be completed during the Shutdown Period in accordance with the terms and conditions of the Construction Contract, the Work is conforming to the Contract Documents, the Work is not defective, and City waives any and all other claims and damages City may have, except for the rights it has to warranties provided by Journey Group Companies and City Glass under the Construction Contract.
6. This letter constitutes an offer to compromise doubtful and disputed claims by City to the effect the Midco Aquatic Center's twenty-four (24) insulating glass units located on the south side of the building have deteriorated. This letter contains the entire agreement between the parties with respect to the subject matter and supersedes all prior agreements and understandings, both written and oral, between the parties with respect to the subject matter.
7. The offer to complete certain work and replace materials is not be construed as an admission of liability on the part of Journey Group Companies and its subcontractor, City Glass, installer.

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Mr. Sean Ervin
June 1, 2020
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8. The terms of this letter agreement do not amend, limit, or eliminate the warranties of Journey Group Companies pursuant to the terms of the Construction Contract. Those warranty obligations continue pursuant to the terms of the Construction Contract.

Dated this 22 day of June, 2020.

City of Sioux Falls

DocuSigned by:

By: _____
Paul TenHaken
Its: Mayor

ATTEST:

DocuSigned by:

City Clerk Tamara Jorgensen, Assistant City Clerk

Agreed and accepted this 16th day of June, 2020, as set forth above.

TSP, Inc.

By:  _____
Sean Ervin
Its: Principal

TSP Inc.'s review and approval of documents will be limited to the purposes identified in the B101 agreement with the City of Sioux Falls.

Agreed and accepted this 17 day of June, 2020, as set forth above.

Journey Group Companies
d/b/a Sioux Falls Construction

By:  _____
Tony Wiseman
Its: Senior Project Manager

Exhibit A



Midco - Window Replacement

Project: Midco Aquatic Date: 5/20/2020

Brief Scope of Work: The glass will be replaced with the same materials as originally installed. Please see the replacement plan and glass product data in the attachments.
Does this Change affect the Contract Time? NO / If so, qty. of days: (+/-)

Journey						
LABOR	Description	Quantity	Unit	Rate	Total	
JC Labor Costs	Project Manager	0.00	Hrs	0.00 \$	-	
	Superintendent	0.00	Hrs	0.00 \$	-	
Notes:						
MATERIAL	Description	Quantity	Price			
Material Costs				\$	-	
Sales Tax at 6%				\$	-	
General	Description	Quantity	Rate			
				\$	-	
				\$	-	
				Journey Sub Totals	\$	-

Subcontractors Costs						
Trade	Description	Quantity	Unit	Rate	Total	
				\$	-	
				\$	-	
City Glass	Furnish & Install	1.00	ls	0.00 \$	-	
				Subcontractor Costs Sub Totals	\$	-

Subtotal	\$	-
Excise Tax 2%	\$	-
CM Fee	\$	-
TOTAL Change Proposal Cost	\$	-

The current glazing system does not carry a manufacture or contractor warranty based on the installation conditions outlined in the warranty limitations. This proposal is to replace the glass found as defective. This no cost proposal does not imply a warranty or future warranty. By accepting this proposal the glass will be replace and there is no future warranty on the new glass or the existing glass or existing systems.

City of Sioux Falls Date: _____

City of Sioux Falls Date: _____

Journey Construction Date: _____



14242 C Circle
 Omaha, NE 68144
 Phone (402) 339-3737
 Toll Free (800) 383-4527
 Fax (402) 339-9395

Quality Glass QG-1 Insulating Glass
Specifications Data - Gray over Cardinal 270 LoE² #3

Exterior Lite: 1/4" Gray manufactured by PPG,
 Tempered (TP), Heat Strengthened (HS), 1/2" Warm Edge Air Spacer -
 Interior Lite: 1/4" Cardinal 270 LoE² #3 Surface manufactured by Cardinal (AN), (TP), (HS)

Product Description	Transmittance		Reflectance		U-Factor	Shading Coefficient	Solar Heat Gain Coefficient
	Visual Light	Ultraviolet Light	% Out	% In	Center of glass Air/Argon		
<i>Gray over Cardinal 270</i>	35%	6%	6%	10%	.22/.18	.32	.28

These two (2) lites of glass shall be insulated using Quanex Triple Seal Warm Edge T-Spacer[®] -
 Silicone based with 3A molecular-sieve desiccant pre-fill; 47% minimum by weight. W/ High-performance
 acrylic adhesive for its structural seal and is backed with a proprietary multi-layer moisture vapor seal.
 HB Fuller[®] PIB969 is applied as the primary seal. HB Fuller[®] HL5153B is applied as the secondary seal.
 Performance calculations are intended for general comparative purposes only.
 Actual values may vary slightly due to variations in the production process.

All flat glass and coated glass complies with ASTM C 1036 and ANSI Z97.1 standards.
 All flat laminated glass complies with ASTM C 1172-03 and ANSI Z97.1 standards.
 All tempered and heat strengthened glass complies with ASTM C 1048, C 1279, ANSI Z97.1, and 16 CFR 1201 standards.
 Insulated Glass Unit -Test Method: ASTM E 2188-02 Specification: ASTM E 2190 - 02 / 2190-08/ CBA Level test by Associated Labs, Inc

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14242 C Circle
 Omaha, NE 68144
 Phone (402) 339-3737
 Toll Free (800) 383-4527
 Fax (402) 339-9395

Quality Glass QC-1 Insulating Glass
Specifications Data - Gray over .060 Cardinal LoE² 270 #3 PVB Laminated

Exterior Lite: 1/4" Gray manufactured by Cardinal, AGC, Pilkington
 Tempered (TP), Heat Strengthened (HS), Annealed (AN) 3/8" Air Spacer -
 Interior Lite: 3/8" .060 Cardinal LoE² 270 #3 PVB Laminated (4.7mm/.060PVB/4.7mm) manufactured Cardinal
 Tempered (TP), Heat Strengthened (HS), Annealed (AN)

Product	Transmittance		Reflectance		U-Factor	Shading Coefficient	Solar Heat Gain Coefficient
	Visual Light	Ultraviolet Light	% Out	% In	Center of glass Air / Argon		
<i>Gray over .060 Cardinal 270 Laminated</i>	33%	1%	7%	10%	.34/.27	.31	.27

These two (2) lites of glass shall be insulated using Quanex Triple Seal Warm Edge T-Spacer[®] - Silicone based with 3A molecular-sieve desiccant pre-fill; 47% minimum by weight. W/ High-performance acrylic adhesive for its structural seal and is backed with a proprietary multi-layer moisture vapor seal. HB Fuller[®] PIB969 is applied as the primary seal. HB Fuller[®] HL5153B is applied as the secondary seal. Performance calculations are intended for general comparative purposes only. Actual values may vary slightly due to variations in the production process.

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 All flat laminated glass complies with ASTM C 1172-03 and ANSI Z97.1 standards.
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Omaha, NE 68144
Phone (402) 339-3737
Toll Free (800) 383-4527
Fax (402) 339-9395

Quality Glass QG-1 Insulating Glass
Specifications Data - Gray over .060 Cardinal LoE² 270 #3 White PVB Laminated

Exterior Lite: 1/4" Gray manufactured by Cardinal, AGC, Pilkington
Tempered (TP), Heat Strengthened (HS), Annealed (AN) 3/8" Air Spacer -
Interior Lite: 3/8" .060 Cardinal LoE² 270 #3 White PVB Laminated (4.7mm/.060PVB/4.7mm) manufactured
Cardinal Tempered (TP), Heat Strengthened (HS), Annealed (AN)

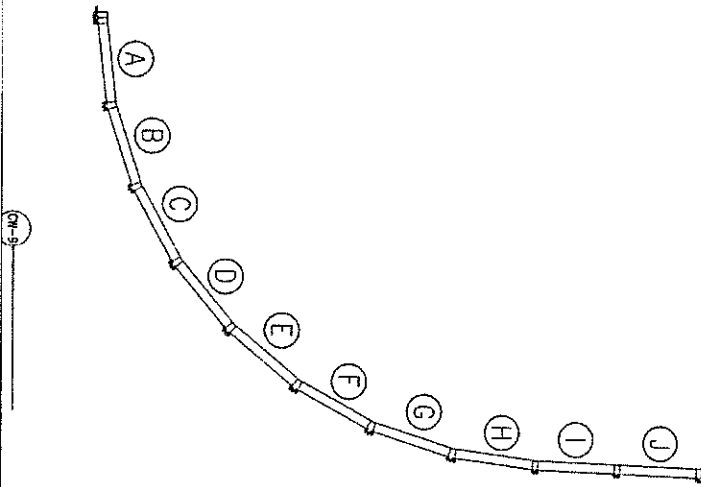
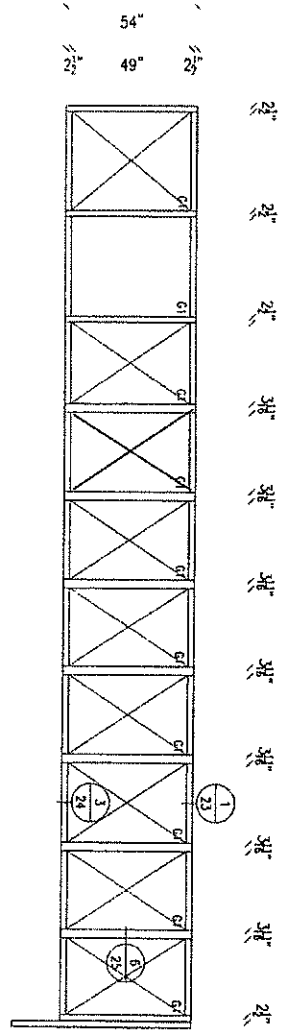
Product Description	Transmittance		Reflectance		U-Factor Center of glass Air / Argon	Shading Coefficient	Solar Heat Gain Coefficient
	Visual Light	Ultraviolet Light	% Out	% In			
<i>Gray over .060 Cardinal 270 Laminated</i>	23%	6%	7%	10%	.34/.27	.31	.27

These two (2) lites of glass shall be insulated using Quanex Triple Seal Warm Edge T-Spacer[®] -
Silicone based with 3A molecular-sieve desiccant pre-fill; 47% minimum by weight. W/ High-performance
acrylic adhesive for its structural seal and is backed with a proprietary multi-layer moisture vapor seal.
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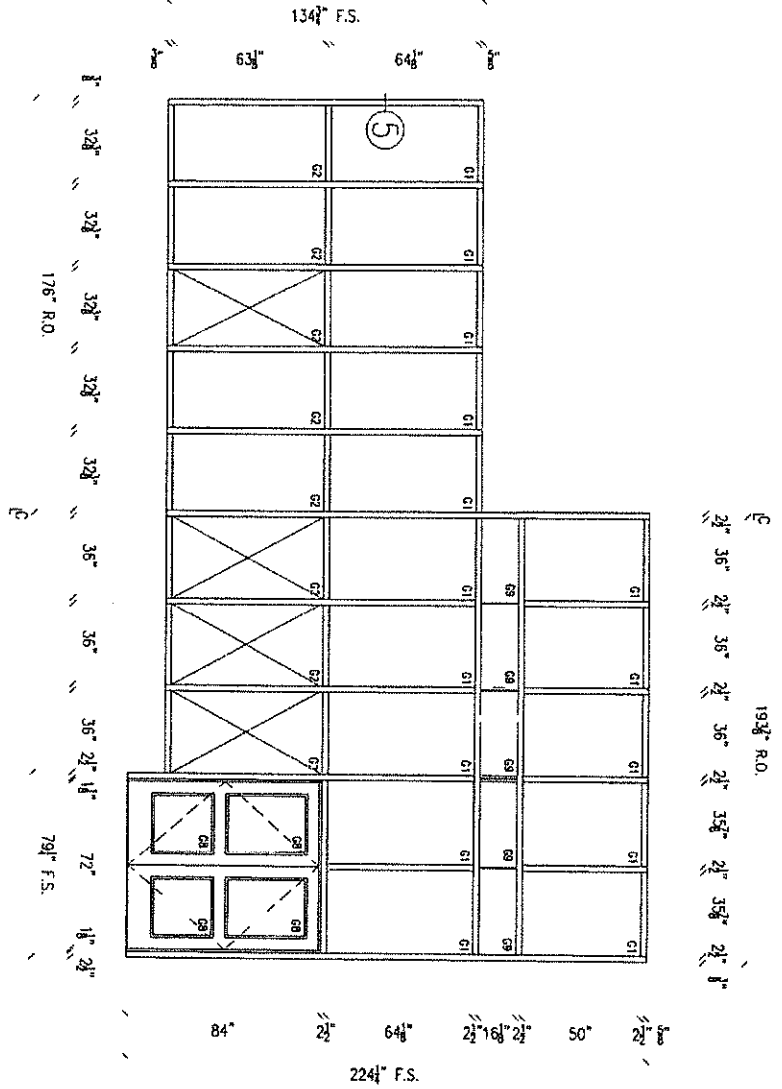
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9010634



<p>PHONE: 4653132-5350 FAX: 4653114-5267</p>	
<p>INDOOR AQUATICS CENTER SPELLERBERG POOL</p>	
<p>JOURNEY GROUP COMPANIES</p>	
PROJECT NO: 15-061	SCALE: 3/16"=1'-0"
DRAWN BY: DAVE	DATE: 10-29-2015
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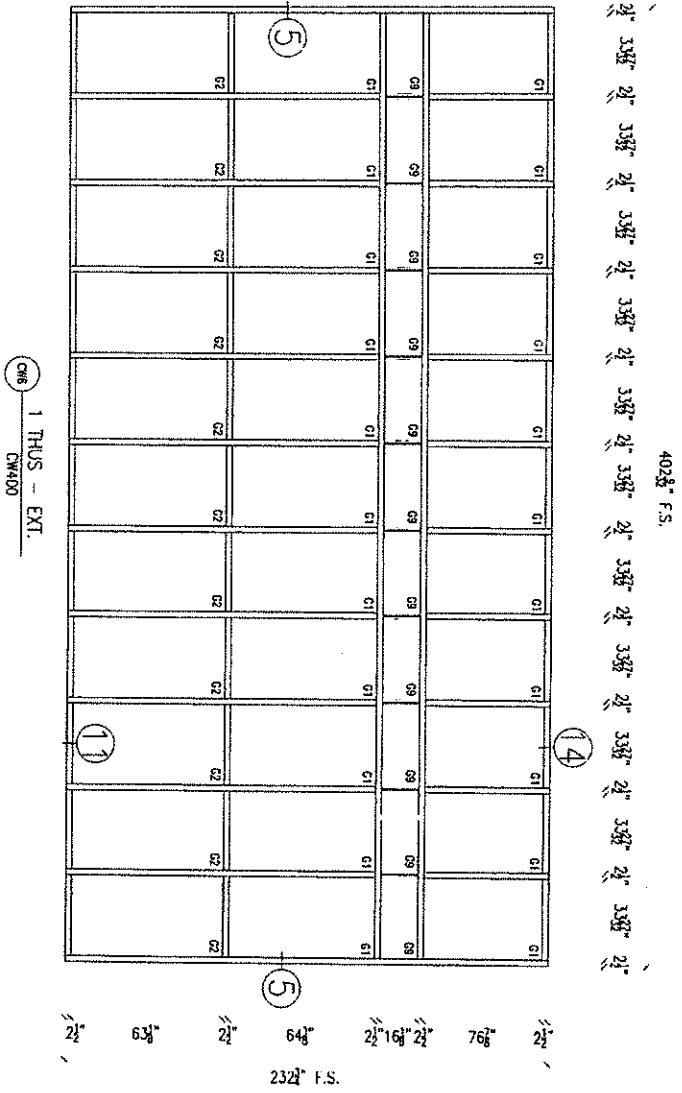
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#148.FG-EXT-H22
 CW400

 PHONE: (609)328-9756 FAX: (609)324-2367	
INDOOR AQUATICS CENTER SPELLERBERG POOL	
JOURNEY GROUP COMPANIES	
PROJECT NO: 15-061 DRAWN BY: DME	SCALE: 3/8"=1'-0" DATE: 10-29-2015
0	

g010634



City Glass & Glazing
 PHONE: 6455322-5950
 FAX: 6455324-8267

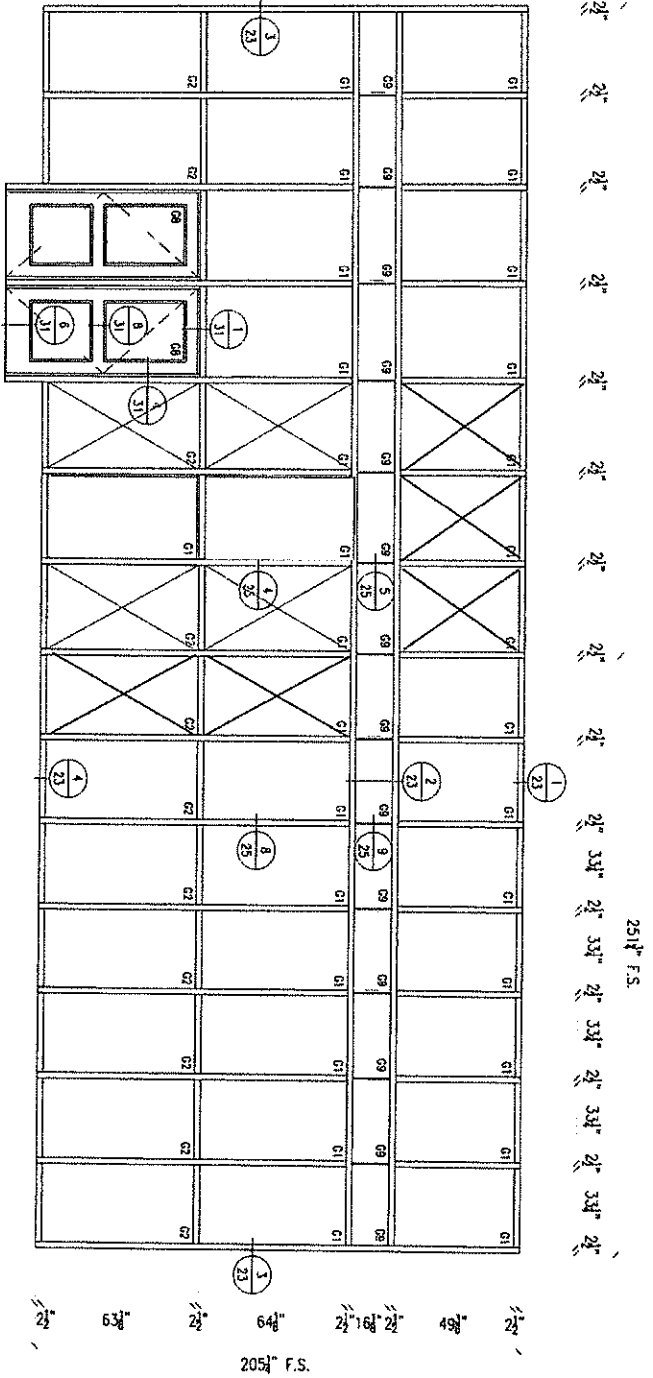
**INDOOR AQUATICS CENTER
 SPELLERBERG POOL**

JOURNEY GROUP COMPANIES

PROJECT NO: 15-061 SCALE: 3/8"=1'-0"
 DRAWN BY: DMC DATE: 10-29-2015

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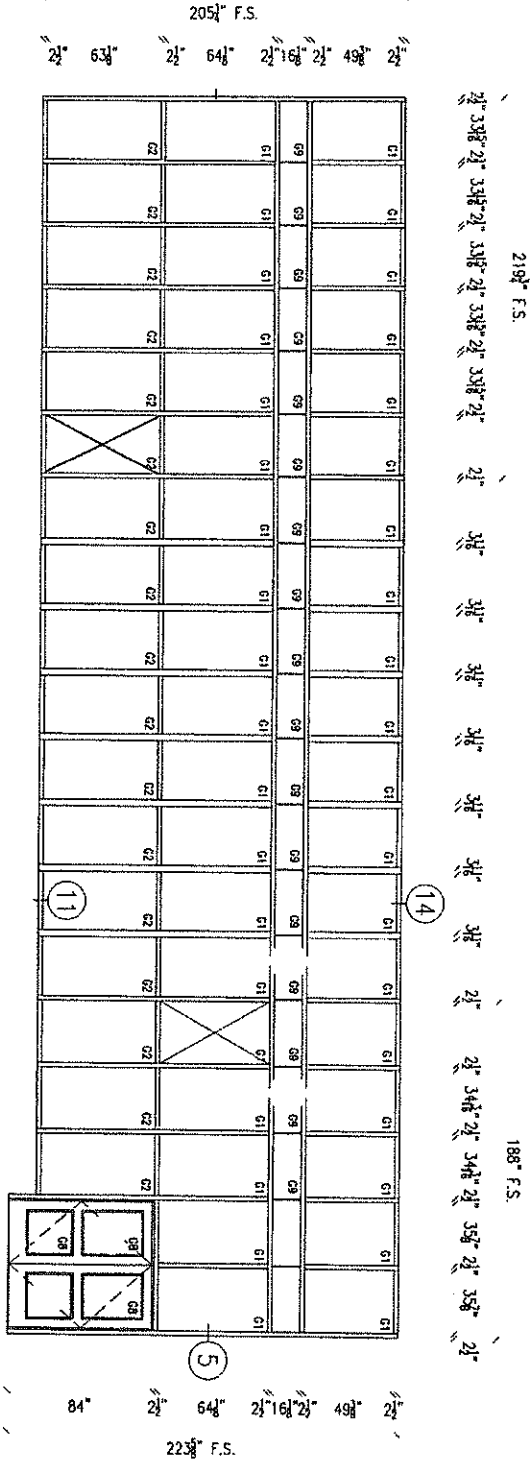
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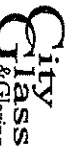
#149FG-EXT-H22
 400 CW-8"

 PHONE: (603)334-5579 FAX: (603)334-2357	
INDOOR AQUATICS CENTER SPELLERBERG POOL	
JOURNEY GROUP COMPANIES	
PROJECT NO: 15-061 DRAWN BY: DAVE	SCALE: 3/16"=1'-0" DATE: 10-29-2015
0	

9010634



#144.FG-EXT-H22
400 DW-6"


 PHONE: (605)333-2420
 FAX: (605)333-2420
 INDOOR AQUATICS CENTER
 SPEILERBERG POOL
 JOURNEY GROUP COMPANIES
 PROJECT NO: 15-061 SCALE: 3/4"=1'-0"
 DRAWN BY: DME DATE: 10-29-2015 0