

**EXHIBIT E**

**CHANGE ORDER**

CHANGE ORDER NO. 2

CONTRACT NO. 167-0160-NC

TO: Joshua Bomstein  
Creative Contractors, Inc.  
101 Creative Way  
Clearwater, FL 33759

DATE: August 16, 2024

PROJECT NAME: Courts Consolidation Project

PROJECT NO.: 167-0160-NC (SS)

Under our AGREEMENT dated November 28, 2017

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You hereby are authorized and directed to make the following change(s) in accordance with terms and conditions of the Agreement:

Original Award Phase One (Design)	\$ 4,063,708.00
Amendment No. 1 - Phase 2 (Construction)	\$ 55,210,758.00
Change Order No. 1 (increase)	\$ 877,342.20
Change Order No. 2	<u>\$ 0.00</u>
Revised Total Agreement Amount	\$ 60,151,808.20

**Item #1 Retainage Reduction**

Modify paragraphs 4.6, 6.1. and 20.3 to allow the current retainage of \$2,001,787.67 to be reduced, as further described herein. The Project Manager in conjunction with the Interim Director of Construction Services, will determine the revised retainage based on a fair value for each item remaining to be completed, with the sum of all the remaining values multiplied by a factor of three (3) times. In no event, shall retainage be reduced below \$200,000.00 until all conditions present to Final Payment have been meet.

**Item #2 Time Extension** Total 457 Calendar Days – from 7/2/23 to 10/01/24

Time Extension #1; Total 349 Calendar Days – from 7/2/23 to 6/15/24 granted via deducted from ongoing Contingency Allowance CP 044R6FR2 approved on 06/03/24.

- 89 calendar days for \$55,538.00 in Compensatory Time Extension
- 260 calendar days was Non-Compensatory Time Extension.

Time Extension #2; Time necessary to get a Final Certificate of Completion from Pinellas County Building Department is unknown. Recent discovery of some existing Fire Alarm Deficiencies (scope not in the Fire Alarm Upgrade part 1 or part 2) is being corrected through Facilities. Facilities does not have a date certain for when all their repairs will be confirmed as working, as such it is impossible to know what date the Fire Department Final Inspections will occur. As such, for the purpose of this Change Order we are hopeful all Facilities work, and Final Inspection can be completed within an Additional 108 Non-Compensatory Calendar Days' Time Extension from 06/15/24 to 10/01/24. The Final Closing Change Order will provide an adjustment on the actual Non-Compensatory Calendar Days' Time Extension based on when the Final Fire Department approves the Final Inspection, and the Pinellas County Building Department issues a Final Certificate of Completion for the Fire Alarm Upgrade.

Your acceptance of this Change Order shall constitute a modification to our Agreement and will be performed subject to all the same terms and conditions as contained in our Agreement indicated above, as fully as if the same were repeated in this

acceptance. The adjustment, if any, to the Agreement shall constitute a full and final settlement of any and all claims arising out of or related to the change set forth herein, including claims for impact and delay costs.

Accepted: *Jerry Siminski*

Date: August 19, 2024

Print Name: Jerry Siminski, Chief Construction Officer

Creative Contractors, Inc.

Accepted: *Kathleen Peters*

Print Name: Kathleen Peters

Pinellas County Board of County Commissioners



Date: October 15, 2024.

ATTEST: KEN BURKE, CLERK

By: *Ken Burke*

**APPROVED AS TO FORM**

By: *Miles Belknap*  
Office of the County Attorney