

**Second Amendment to Construction Manager at Risk Contract
(Police Department Expansion and Remodel Project (P24-519))**

This Second Amendment to Construction Manager at Risk Contract (the "Second Amendment") is made and entered into this ____ day of _____, 2025 (the "Effective Date"), by and between the Town of Erie, a Colorado municipal corporation with an address of 645 Holbrook Street, P.O. Box 750, Erie, CO 80516 (the "Town"), and Fransen Pittman Construction, an independent contractor with a principal place of business at 522 Main Street Windsor, CO ("Contractor") (each a "Party" and collectively the "Parties").

Whereas, on August 26, 2025, the Parties entered into a Construction Manager at Risk Contract (the "Contract");

Whereas, on October 28, 2025, the Parties entered into the First Amendment to the Contract (the "First Amendment");

Whereas, the Parties wish to amend the Contract as set forth herein.

Now Therefore, for the consideration hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Section 4.02 of the Contract is hereby amended by the addition of new subsections C.1. and C.2 to read as follows:

4.02 For Phase 2 - Construction Services:

C. In full consideration of early procurement items including, but not limited to, retaining wall, landscaping, and irrigation materials, subcontractor and vendor contracts, delegated design, and associated General Conditions costs during the Construction Phase of the Contract, Owner will pay to Contractor \$1,128,588 ("Early Procurement 2 Cost"). The Early Procurement 2 Cost is based on Bid Package 02 (BP02) proposal from Fransen Pittman Construction dated November 4, 2025, and is further described in the Exhibits identified in paragraph 2 below. Early Procurement 2 Cost shall be paid in accordance with the provisions of the Contract, including but not limited to withholding of applicable retainage.

1. Early Procurement 2 Cost is based on 100% Civil documents and 50% construction documents dated October 17, 2025, from D2C Architects. The Early Procurement 2 cost is in addition to the previously authorized Phase 2 Construction Services not-to-exceed fee of \$10,364,616, as set forth in the First Amendment.

The Contract may be amended at a later date, following Contractor submission of BP-03 proposal, and development of a mutually agreed upon GMP.

2. The Contract is hereby amended to increase the maximum amount of compensation to \$11,553,204 allocated as follows, subject to the continued development of a mutually agreed upon GMP, as defined in the Contract:

Original Contract Amount:	\$ 60,000
1 st Amendment:	\$ 10,364,616
2 nd Amendment:	\$ 1,128,588
Total New Contract Amount:	\$ 11,553,204

2. Section 8.01.A.10. of the Contract is hereby amended by the addition of new subsections a.2, c.2, d.2, e.2, h.2, and i.2 read as follows:

10. Contractor Bid Package 02 Exhibits, attached hereto and incorporated herein:

- a.2 Exhibit A.2 – 50% Construction Document Estimate
- c.2 Exhibit C.2 – Bid Package Buyout Summary
- d.2 Exhibit D.2 – 50% Construction Drawings & Specifications
- e.2 Exhibit E.2 – Clarifications
- h.2 Exhibit H.2 – Recommended Subcontractors
- i.2 Exhibit I.2 – Schedule (Preconstruction)

3. Remainder of Contract and Amendments. Except as expressly modified herein, the Contract shall remain in full force and effect. No provision of this Second Amendment is intended to nor shall be construed to change or amend any provisions of the First Amendment.

In Witness Whereof, the Parties have executed this Second Amendment as of the Effective Date.

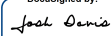
Town of Erie, Colorado

Andrew J. Moore, Mayor

Attest:

Debbie Stamp, Town Clerk

Contractor

DocuSigned by:


08D29C6DA3E4492

State of Colorado)
) ss.
County of _____)

The foregoing instrument was subscribed, sworn to and acknowledged before me
this ____ day of _____, 2025, by _____ as
_____ of Fransen-Pittman Construction Co., Inc.

My commission expires:

(Seal)

Notary Public

Certificate Of Completion

Envelope Id: AE3F07F6-C1F9-4B7B-85F6-16877FB2FDD6
 Subject: Complete with Docusign: Second Amendment to CMAr.pdf
 Source Envelope:
 Document Pages: 3
 Certificate Pages: 5
 AutoNav: Enabled
 Envelopeld Stamping: Enabled
 Time Zone: (UTC-07:00) Mountain Time (US & Canada)

Status: Completed
 Envelope Originator:
 Julie Alaniz
 645 Holbrook Street
 P.O. Box 750
 Erie, CO 80516
 jalaniz@erieco.gov
 IP Address: 50.206.104.130

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Status: Original
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 Holder: Julie Alaniz
 jalaniz@erieco.gov
 Location: DocuSign

Signer Events

Josh Davis
 jdavis@fransenpittman.com
 Security Level: Email, Account Authentication
 (None)

Signature

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Signature Adoption: Pre-selected Style
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Timestamp

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 Signed: 11/13/2025 10:52:22 AM

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Agent Delivery Events

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Intermediary Delivery Events

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Chad Alexander
 calexander@erieco.gov
 Security Level: Email, Account Authentication
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Electronic Record and Signature Disclosure:
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Lyndsy Willette
 lwillette@erieco.gov

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Town of Erie
 Security Level: Email, Account Authentication
 (None)

Electronic Record and Signature Disclosure:
 Not Offered via Docusign

Witness Events

Signature

Timestamp

Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Envelope Sent	Hashed/Encrypted	11/12/2025 11:18:18 AM
Certified Delivered	Security Checked	11/13/2025 10:52:09 AM
Signing Complete	Security Checked	11/13/2025 10:52:22 AM
Completed	Security Checked	11/13/2025 10:52:24 AM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
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If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Town of Erie:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: docusign@erieco.gov

To advise Town of Erie of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at docusign@erieco.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from Town of Erie

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to townclerk@erieco.gov and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Town of Erie

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to docusign@erieco.gov and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Town of Erie as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Town of Erie during the course of your relationship with Town of Erie.