Amendment No. 1 to
Contract Number CA096873

THIS AMENDMENT (hereinafter "Amendment") is made and entered into this _____day of _____, 2008, by and between Shelby County Government (hereinafter "County") and Wagner General Contractors, Inc. (hereinafter "Contractor").

WHEREAS, the parties previously entered into a Contract (hereinafter "Contract") dated July 9, 2008 for construction of the Shelby Farms Plough Park Public Restrooms (hereinafter "Project"); and

WHEREAS, Shelby Farms Park Conservancy has agreed to donate ONE HUNDRED TWENTY-FOUR THOUSAND THREE HUNDRED SEVEN AND 29/100 dollars ($124,307.29) to enhance the Project with architectural features and upgraded fixtures; and

WHEREAS, the parties now desire to enter into this Amendment to expand the construction services provided by the Contractor to enhance the Project with architectural features and upgraded fixtures pursuant to Exhibit A attached hereto and incorporated herein by reference; to increase the amount of the Contract and extend the time frame of the Contract by thirty (30) days to allow for said changes.

NOW, THEREFORE, for and in consideration of the mutual promises of the parties to this Contract and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto do hereby agree as follows:

1. The original Agreement is hereby amended to expand the construction services as more specifically outlined in Exhibit A attached hereto and incorporated herein by reference.
2. The Contract between the parties is hereby increased by ONE HUNDRED TWENTY-FOUR THOUSAND THREE HUNDRED SEVEN AND 29/100 dollars ($124,307.29); and the new Contract Sum for the Project is THREE HUNDRED EIGHTY-NINE THOUSAND THREE HUNDRED TWO AND 29/100 dollars ($389,302.29) payable in accordance with the terms of the original Contract.
3. The Contract completion period is hereby increased from one hundred twenty (120) days to one hundred fifty (150) days.
4. This Amendment shall be subject to and contingent upon adoption of the Fiscal Year Operating Budget of Shelby County Government by the Board of Commissioners for each Fiscal Year the underlying Contract is in effect and approval of the cost of this Amendment within said Operating Budget.

5. The terms and conditions of the original Contract, except as amended herein, shall remain in full force and effect.

6. Funding for this Amendment in the amount of $124,307.29 is provided by a donation from the Shelby Farms Park Conservancy. This Amendment is subject to and contingent upon the receipt of said funds.

IN WITNESS WHEREOF, the parties have executed this Amendment on the _____day of _____2008.

APPROVED AS TO FORM AND LEGALITY:

_____
Contract Administrator
Assistant County Attorney

SHELBY COUNTY GOVERNMENT

_____
A C WHARTON, JR., MAYOR

WAGNER GENERAL CONTRACTORS, INC.

By: Shelton Allen Wagner, Jr.

Title: President

CORPORATE ACKNOWLEDGMENT

STATE OF TENNESSEE
COUNTY OF Shelby County Government

Before me, the undersigned Notary Public, in and for the State and County aforesaid, personally appeared Shelton Allen Wagner, Jr., with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who, upon oath, acknowledged himself/herself to be president or other officer authorized by appropriate Corporate action and/or Resolution to execute the preceding instrument of the Wagner General Contractors the within named bargainor, a corporation, and that he as such Officer, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself/herself as President.

WITNESS my hand and official seal at office this 16 day of October, 2008.

Sandra Wright
Notary Public

SANDRA WRIGHT
STATE OF TENNESSEE NOTARY PUBLIC
SHELBY COUNTY

My Commission Expires: 2/23/11

F:\ENGR\Shelby Farms\CIP Projects\Plough Park Restrooms\SIRE Documents\Amendment No. 1-Plough Park Restrooms-Wagner.doc

Self Tucker Architects, Inc.
505 Tennessee Street
Memphis, TN 38103
Phone: (901) 261-1505
Fax: (901) 261-1515

Change Order 01

Shelby Farms Plough Park Restrooms

Project # 0637C

Date Initiated: 10/13/2008

TO: Wagner General
3590 Forrest Ave.
Memphis, TN 38122

CONTRACT FOR: #CA074493
CONTRACT DATE: 10/24/2026

Description of changes to Contract by this Change Order:

ITEM :	COST:	DESCRIPTION:	DAYS:	DATE of CONTRACTOR PROPOSAL:
PR-09	$124,307.29	Summary of Changes	0	
TOTAL:	$124,307.29		0	

The original Contract Sum was:.....	$264,995.00
The net change by previously authorized Change Orders.....	
The Contract Sum prior to this Change Order was:.....	
The Contract Sum will be modified by this Change Order in the amount of.....	$124,307.29
The new Contract Sum including this Change Order will be:.....	$389,302.29
The Contract Time will be modified by	30 ~~40~~) Days HZ S.A.W.
The date of Substantial Completion as of the date of this Change Order therefore is	~~10-Dec-10~~ 19 March 09 HZ S.A.W

Self Tucker Architects, Inc.	Wagner General	Shelby County Engineering
505 Tennessee Street, Suite 101	3590 Forrest Ave.	160 N. Main Street Suite 350
Memphis,, TN 38103	Memphis, TN 38122	Memphis, TN 38103
By:	By: Sandra Wright	By:
Date: 10/13/2008	Date: 10-13-08	Date: 10.29.08

Self Tucker Architects, Inc.
505 Tennessee Street
Memphis, TN 38103
Phone: (901) 261-1505
Fax: (901) 261-1515

Proposal Request PR-09

Attachment 'A'

Shelby Farms Plough Park Restrooms

Project # 0637C

Date Initiated: 03-Sep-08

Include the following items in the above noted Proposal Request.

DESCRIPTION:

Provide and install the following as indicated on previous Proposal Requests and correspondence.

1. Provide rough-sawn plywood ceiling.
2. Provide translucent roof panels.
3. Provide wood louvers.
4. Provide sloped real stone veneer.
5. Provide metal roofing for enlarged roof.
6. Provide stucco.
7. Provide paralam beams.
8. Provide ceramic tile.
9. Provide low flow urinals and waterclosets
10. Provide beams and framing for enlarged roof.

Attachments: Revised Drawings

EXHIBIT A 3/3

PHONE # (901) 386-0060
FAX # (901) 383-2736

WAGNER
GENERAL CONTRACTORS, INC.

3590 FORREST AVE.
MEMPHIS, TN 38122

Date: 10/10/08

Self Tucker Architects, Inc.
505 Tennessee St. Suite 101
Memphis, TN. 38103

Attn: Andrew Smith

Re.: Plough Park Restroom Facility

Mr. Smith,

This is the cost breakdown on the additional items requested for the above project:

1.	Rough-sawn (Pine) Plywood Ceiling	$6,316.69
2.	Translucent Roof Panels	$3.395.81
3.	Wood Louvers	$6,884.00
4.	Real Stone Veneer	$40,972.55
5.	Metal Roofing for Roof Extension	$12,564.45
6.	Stucco	$5,319.48
7.	Paralam Beams	$27,896.52
8.	Ceramic Tile	$16,489.00
9.	Low Flow Urinals/Waterclosets	$699.77
10.	Beam/Roof Framing for Roof Extension	$3,769.02
	Total:	$124,307.29

30 days shall be added to the Contract time. AB S.A.W.

If have any questions or need any more information concerning the pricing of these items, please contact me at anytime.

Sincerely,

Allen Wagner - Pres

Allen Wagner
President