

# ELEVATOR MODERNIZATION AGREEMENT

This Elevator Modernization Agreement between, **CAVINDER ELEVATOR COMPANY INC.** located at **316 S. COUNTY HWY 83 POMPANO BLDG B SANTA ROSA BEACH, FL 32459** 3, hereinafter called the Elevator Contractor **SUMMIT OWNERS ASSOCIATION** located at **8743 THOMAS DRIVE, PANAMA CITY BEACH FL 32408**, hereinafter called the Owner, Purchaser, shall pertain to the modernization project of **Four (4) Passenger Elevators (#1-4)**. The scope of work is based on the Owner derived specific specifications provided by Owner employed Commercial Elevator Consultants, LLC (CEC) = **Exhibit A, C, and Part 6**. Noted herein the Exhibits and Parts are made part of this agreement in its entirety. In the event of conflict with other articles, exhibits, schedules, terms & conditions, the specific Exhibits shall be final.

This Agreement is supported by adequate consideration and the parties to this Agreement recite, acknowledge, and agree as follows:

## **PROJECT SCOPE OF WORK**

EXHIBIT A – 14 2100 Traction MOD SPEC NON Turnkey SUMMIT PC  
06062021 FINAL

EXHIBIT C - MOD MAIN RFP FORM - THE SUMMIT 05302021 FINAL

## **ADD ALTERNATES NOT INCLUDED IN TOTAL PRICE**

EXHIBIT C - MOD MAIN RFP FORM - THE SUMMIT 05302021 FINAL

## **INSURANCE**

EXHIBIT A – 14 2100 Traction MOD SPEC NON Turnkey SUMMIT PC  
06062021 FINAL

## **TERMS AND CONDITIONS**

EXHIBIT A – 14 2100 Traction MOD SPEC NON Turnkey SUMMIT PC  
06062021 FINAL

## **WORK BY OTHERS**

EXHIBIT A – 14 2100 Traction MOD SPEC NON Turnkey SUMMIT PC  
06062021 FINAL  
PART 6 RELATED WORK NON TURNKEY SECTION THE SUMMIT 05302021  
FINAL



**PROJECT PRICE/PROJECT SCHEDULE AND SCHEDULE OF VALUES (SOV)**

**TOTAL COST..... \$1,320,000.00\***

**\*SALES TAX IS INCLUDED**

**EXHIBIT A – 14 2100 Traction MOD SPEC NON Turnkey SUMMIT PC  
06062021 FINAL**

**EXHIBIT C - MOD MAIN RFP FORM - THE SUMMIT 05302021 FINAL**

**\*START DATE: WILL BE DETERMINED BASED ON AWARD/DOWN  
PAYMENT DATE - EXHIBIT C START DATE & PROJECT SCHEDULE WILL  
BE MODIFIED ACCORDINGLY\***

**EXECUTION**

This Agreement constitutes the entire agreement between the Parties relating to the subject matter hereof and cancels all other prior agreements (including, but not limited to, existing elevator modernization agreements, any proposals, or oral agreements), representations and understanding of the Parties in connection with such subject matter.

If this Agreement is modified at the request of the Purchaser, Owner, affiliates or Contractor, such modifications must be confirmed in writing and signed by both parties (Addendum). Any Addendum shall be subject to the terms & conditions of this Agreement. No oral addendum or modification shall be binding on either party.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date set forth under its signature below and this Agreement is binding upon the parties, their heirs, successors and assigns.

Owner/Purchaser Respectfully Accepted By:  
**THE SUMMIT OWNERS' ASSOCIATION, INC.**

By: Teri Towe

Printed Name: Teri Towe

Title: President Summit  
Owner Assn.

Date: 8/13/21

Elevator Contractor Respectfully Accepted By:  
**CAVINDER ELEVATOR COMPANY**

By: [Signature]

Printed Name: Matt Cavinder

Title: Vice Pres

Date: 8/13/2021



# EXHIBIT C - ELEVATOR RFP FORM

## THE SUMMIT - PANAMA CITY, FL



The information on this form will be provided to the local building department for review.

FILL IN ALL YELLOW INPUTS BELOW ONLY

RFP DATE RELEASE	6/21/2021	
SITE VISIT	CONTACT BUILDING CONTRACT TO SET UP SURVEY	THE SUMMIT 8743 THOMAS DRIVE PANAMA CITY FL 32408
RFI	CEC, LLC	SEND TO VIA EMAIL: 1. JIM VAN DEUSEN - (404) 900-8189 jimvan@cedim.com 2. MATT DUNCAN 850 832 7552 summitgm@summit-resorts.com
RFP DUE DATE	7/19/2021 @ 2 P.M. EST	SEND TO VIA EMAIL ONLY TO: 1. MATT DUNCAN 850 832 7552 summitgm@summit-resorts.com

### MODERNIZATION - CAPITAL EXPENDITURE/PROJECT SCHEDULE & SCHEDULE OF VALUES

ELEVATOR TRADE WORK	\$1,320,000.00	BASED ON EXHIBIT A ELEVATOR MODERNIZATION & ALL RFP DOCUMENTS	**Price will auto populate green cells below**
WORK BY OTHER TRADES	OWNER RESPONSIBILITY	BASED ON EXHIBIT A ELEVATOR MODERNIZATION & ALL RFP DOCUMENTS	**Price will auto populate green cells below**

### TOTAL PROJECT COSTS FOR ELEVATOR TRADE WORK

EXHIBIT A PRICE TOTAL	\$1,320,000.00	BASED ON EXHIBIT A ELEVATOR MODERNIZATION & ALL RFP DOCUMENTS	GREEN CELL **Price will auto populate white cells below**
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Application	Due Date	Description	% of Contract Price	\$ Value	Payment Value w/5% Retainage	Cumulative
1	8/13/2021	Award/Down Payment	40%	\$528,000.00	\$501,600.00	\$501,600.00
2	9/24/2021	Pre-Planning & Engineering (PPE) Start Equipment MFG	20%	\$264,000.00	\$250,800.00	\$752,400.00
3	10/25/2021	Equipment Delivery **START Car 1**	5%	\$66,000.00	\$62,700.00	\$815,100.00
4	3/1/2021	Installation Complete State Inspection/Turnover Car 1	5%	\$66,000.00	\$62,700.00	\$877,800.00
5	3/30/2021	5% Retainage Due	-5%	\$46,200.00	\$46,200.00	\$924,000.00
6	10/3/2022	Start Installation Car 2	10%	\$132,000.00	\$125,400.00	\$1,049,400.00

7	12/26/2022	Installation Complete State Inspection Car 2 Start Installation Car 3	5%	\$66,000.00	\$62,700.00	\$1,112,100.00
8	3/20/2023	Installation Complete State Inspection/Turnover Cars 2-3	5%	\$66,000.00	\$62,700.00	\$1,174,800.00
9	4/18/2023	5% Retainage Due	-5%	\$13,200.00	\$13,200.00	\$1,188,000.00
10	11/1/2023	Start Installation Car 4	5%	\$66,000.00	\$62,700.00	\$1,250,700.00
11	1/24/2024	Installation Complete State Inspection/Turnover Car 4	5%	\$66,000.00	\$62,700.00	\$1,313,400.00
12	2/22/2024	5% Retainage Due	-5%	\$6,600.00	\$6,600.00	\$1,320,000.00

### MODERNIZATION - CAPITAL EXPENDITURE ADD ALTERNATES

ADD Alternate #	Exhibit	ADDITIONAL Weeks	Description	Net Amount ADDER
1	A	3 HOURS PER SILL 1 HOURS PER SILL SUPPORT	1. PRICE PER NEW NICKEL SILVER ONE- PIECE HOISTWAY DOOR SILL TO MEET DOOR APPLICATION IN LIEU OF REFURBISHMENT 2. PRICE PER NEW HOISTWAY DOOR SILL SUPPORT TO MEET DOOR APPLICATION PERFORMANCE IN LIEU OF REFURBISHMENT ** ENSURE TO SUBTRACT SCOPE OF WORK INCLUDED IN BASE RFP SUBMITTAL *** INTENT IS TO HAVE ESTABLISHED PRICING.	\$3,000.00 PER NEW NICKEL SILVER ONE-PIECE HOISTWAY DOOR SILL TO MEET DOOR APPLICATION \$600.00 PER NEW HOISTWAY DOOR SILL SUPPORT TO MEET DOOR APPLICATION PERFORMANCE
2	A			
3	A			\$0.00
4	A			\$0.00
5	A			\$0.00

### MODERNIZATION - CAPITAL EXPENDITURE DEDUCT ALTERNATES

DEDUCT Alternate #	Exhibit	Weeks DEDUCTED	Description	Net Amount DEDUCT
1	A			\$0.00
2	A			\$0.00
3	A			\$0.00
4	A			\$0.00
5	A			\$0.00



# **MAINTENANCE - OPERATING COSTS (SEPARATE PRICING FROM MODERNIZATION)**

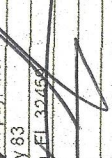
<p><b>BLENDED RATE PER MONTH</b></p>	<p><b>BASED ON EXHIBIT B ELEVATOR MAINTENANCE AGREEMENT - INTERIM/WARRANTY MAINTENANCE/6-Year BLENDED RATE</b></p>	<p><b>BLENDED RATE to ensure discounts &amp; to eliminate changing the price throughout these maintenance stages</b></p>
<p>\$2,000.00</p>		

## **HOURLY BILLING RATES - OUTSIDE SCOPE OF WORK** \*\*\*Rate will auto populate white cells below\*\*\*

Hourly Rate	Maintenance Description	Modernization Description	Hourly Rate
\$300.00	1.0 Maintenance Mechanic Straight-Time	1.0 Modernization Mechanic Straight-Time	\$300.00
\$540.00	1.0 Maintenance Team Straight-Time	1.0 Modernization Team Straight-Time	\$540.00
\$510.00	1.7 Maintenance Mechanic Over-Time	2.0 Modernization Mechanic Double-Time	\$600.00
\$210.00	1.7 Maintenance Mechanic Over-Time Premium	2.0 Modernization Team Double-Time	\$1,080.00
\$600.00	2.0 Maintenance Mechanic Double-Time		
\$1,080.00	2.0 Maintenance Team Double-Time		
\$300.00	2.0 Maintenance Mechanic Over-Time Premium		
\$540.00	2.0 Maintenance Team Over-Time Premium		

The Undersigned Hereby Declares to Comply with ALL Contract Documents (Exhibit A, B, C, Part 6, OWNER'S CONSTRUCTION AGREEMENT, All RFP Documents, & Any Addendum(s)):

\*\*This writable format is for convenience, and modification of it other than directed, will result in RFP dismissal\*\*  
 \*\*\*Offer valid for 90 days from RFP due date\*\*\*

Name of Submitting Company (CO):	Cavinder Elevator Company, Inc.
Submitting CO Address:	316 S. County Hwy 83 Santa Rosa Beach, FL 32459
Submitter Authorized Signature:	
Print Name of Submitter:	Matt Cavinder
Print Title of Submitter:	Vice President
Submitting CO State License #:	ELC805
Submitting CO Federal ID Number:	47-3325808
Submitter Telephone Number:	850-812-4299
Submitter e-mail Address:	mat@cavinderelevators.com
Submission Date:	7/27/2021
Addendum(s) Received by Submitter:	none