ITEM: ON-CALL GENERAL CONSTRUCTION SERVICES

DEPARTMENT: Kansas State University – Division of Facilities Manhattan/Salina
and Housing and Dining

CONTRACT DATE: February 12, 2016 through November 30, 2020

CONDITIONS OF AMENDMENT:

1. KBS Constructors, Inc. now has an office in Manhattan, KS

   KBS Constructors, Inc.
   555 Poyntz, Suite, 250
   Manhattan, KS  66503

Contact Information:

   Tim Foster - Project Manager
   Cell: 785-268-1172
   Office: 785-266-4222

   David Alexander - Director/Senior Estimator
   Cell: 785-410-3275
   Office: 785-266-4222

Payments should be mailed to:

   KBS Constructors, Inc.
   1701 SW 41ST Street
   Topeka, KS  66609

All other terms and conditions shall remain in effect.
KANSAS STATE UNIVERSITY
PURCHASING OFFICE
21 ANDERSON HALL
919 MID-CAMPUS DRIVE
MANHATTAN, KS 66506
PHONE 785-532-6214  FAX 785-532-5577

CONTRACT SIGNATURE SHEET

Date: 2/12/2016
Procurement Officer: Cathy Oehm
CONTRACT NO.: 40482
Phone: 785-532-6214
Replaces Contract No.: 40214
E-mail: cathyo@k-state.edu

Item: ON-CALL GENERAL CONSTRUCTION SERVICES
Primary Using Department: Kansas State University – Division of Facilities Manhattan /Salina and Housing & Dining Services
Period of Contract: February 12, 2016 through November 30, 2020
Contractor Information: KBS Constructors, Inc.
1701 SW 41st Street
Topeka, KS 66609
CONTACT: Joel Kriss
P: 785-266-4222; F: 785-266-3313; E: joelkriss@kbsci.com
Prices: See Attached Pricing
Payment Terms: Net 30

The parties agree as follows:

1. Subject to the terms and conditions of this contract and companion Contract Award document, K-State Purchasing hereby accepts the offer of Contractor as expressed by Contractor’s bid submitted to K-State Purchasing in response to above referenced contract/quote number.

2. It is understood and agreed by the parties that pursuant to the bid, Contractor agrees to furnish products or services for the period noted above on orders from the Department(s) at the price or prices contained in the bid. Department(s) agrees to pay on delivery of the item(s) the amount(s) billed by Contractor in accordance with the bid as shown on delivery invoice(s) of the Contractor to the Department(s). Payment will be made as soon after receipt of the invoice(s) as possible in accordance with state law.

3. Failure of Contractor to furnish the item(s) in accordance with the bid specifications incorporated into this contract by reference, or failure of Contractor to deliver the item(s) in accordance with any time schedules prescribed in this contract or any documents incorporated by reference into this contract shall result in forfeiture of any performance bond of Contractor and/or in termination of this contract at the option of K-State Purchasing.

4. It is understood and agreed that the provisions set out in the K-State Purchasing Office bid document for this contract are incorporated and made a part of this contract by reference as though fully set forth herein. Contractor agrees and understands that these documents are controlling over Contractor’s bid, invoice, department order forms or any other documents of the Contractor.

5. The provisions found in Contractual Provisions Attachment, is incorporated and made a part of this contract by reference.

6. In the event of any disputes regarding the terms and conditions of this Contract or payments alleged to be due and owing, Contractor’s sole remedy shall be with the Department that placed the order.

KBS Constructors, Inc.
By: Daniel A. Foltz, Pres.
Printed Name: Daniel A. Foltz
Title: President

KANSAS STATE UNIVERSITY
By: Carla K. Bishop
CARLA BISHOP
DIRECTOR OF PURCHASING
CEO
KBS Constructors, Inc.

List all Labor Rates applicable to your operations:

<table>
<thead>
<tr>
<th>Position</th>
<th>Normal Hourly Rate (M-F 7:00 am – 5:00 pm)</th>
<th>After Hour Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>On Site Supervisor (Foreman)</td>
<td>71.50</td>
<td>107.25</td>
</tr>
<tr>
<td>Manager (Project Engineer)</td>
<td>82.50</td>
<td>123.75</td>
</tr>
<tr>
<td>Laborer</td>
<td>33.00</td>
<td>49.50</td>
</tr>
<tr>
<td>Laborer Foreman</td>
<td>38.50</td>
<td>57.75</td>
</tr>
<tr>
<td>Clerical</td>
<td>30.80</td>
<td>46.20</td>
</tr>
<tr>
<td>Operations</td>
<td>47.30</td>
<td>70.95</td>
</tr>
<tr>
<td>Superintendent</td>
<td>71.60</td>
<td>107.25</td>
</tr>
<tr>
<td>Project Manager</td>
<td>62.50</td>
<td>123.75</td>
</tr>
<tr>
<td>Carpenter</td>
<td>47.30</td>
<td>70.95</td>
</tr>
<tr>
<td>HVAC Technician (sub)</td>
<td>79.20</td>
<td>118.80</td>
</tr>
<tr>
<td>Electricians Journeyman (sub)</td>
<td>74.80</td>
<td>112.20</td>
</tr>
<tr>
<td>Painter</td>
<td>47.30</td>
<td>70.95</td>
</tr>
<tr>
<td>Cement Finisher</td>
<td>47.30</td>
<td>70.95</td>
</tr>
<tr>
<td>Mason Journeyman (list all wage rates pertaining to this type of work)(sub)</td>
<td>82.50</td>
<td>123.75</td>
</tr>
<tr>
<td>Dry Wall Finisher (list all operation pertaining to this type of work)</td>
<td>47.30</td>
<td>70.95</td>
</tr>
<tr>
<td>Equipment Operator</td>
<td>55.00</td>
<td>62.50</td>
</tr>
<tr>
<td>Wood Floor Refinishing (Sanding-Staining &amp; Coating)</td>
<td>47.30</td>
<td>70.95</td>
</tr>
</tbody>
</table>

Mark Up on Materials Purchased: 10% Mark Up

*Percentage added to actual wholesale (no retail pricing will be accepted) cost of materials.*

Mark Up on Subcontractors hired: 10% Mark Up

Change Order Pricing shall be the same as listed contract pricing.

Services provided:

Pre-Construction
- Preconstruction Estimating Budgeting
- Needs Analysis
- Feasibility Studies
- Scheduling & Phasing
- Value Engineering
- MEP Review
- Constructability Review
- Risk Management
- Cost control
- Permitting & Utilities
- Quality Control

Construction
- Progress Monitoring
- Change Order Management
- Quality Control and Testing
- Labor Relations

Post Construction
- Lien Release
- O&M Manuals
- Final Closeout (Punch List)
- Commissioning
- One Year Walkthrough
KBS Constructors, Inc.

Services provided for the following locations:

<table>
<thead>
<tr>
<th>Location</th>
<th>Yes/No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manhattan, Kan.</td>
<td>Yes</td>
</tr>
<tr>
<td>Garden City, Kan.</td>
<td>Yes</td>
</tr>
<tr>
<td>Hays, Kan.</td>
<td>Yes</td>
</tr>
<tr>
<td>Colby, Kan.</td>
<td>Yes</td>
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<tr>
<td>Tribune, Kan.</td>
<td>Yes</td>
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<tr>
<td>Selina, Kan.</td>
<td>Yes</td>
</tr>
<tr>
<td>Parsons, Kan.</td>
<td>Yes</td>
</tr>
<tr>
<td>Olathe, Kan.</td>
<td>Yes</td>
</tr>
</tbody>
</table>

- Mobilization Charge (for Manhattan, Kan.) $100.00
- Mobilization Charge (for locations other than Manhattan, Kan.) $150.00 plus

*All prices to include mileage to and from location.*