

EXHIBIT E

Developer's GMP Conditions and Assumptions

Pflugerville Downtown East – RECREATION CENTER

February 28, 2025

Contents

1. General Qualifications & Exclusions
 2. Allowance Summary
 3. Design Clarifications for GMP
 4. Furniture, Fixtures, & Equipment Allowance
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1. General Qualifications

This overall Total Project Costs Guaranteed Maximum Price (GMP) does not represent line item by line item fixed costs. The individual line-item costs shown in PSA Exhibit C Schedule of Values may fluctuate up or down internally without changing the overall Total Project GMP amount. This GMP is based off of 100% Design Development drawings and includes design evolution to final Construction Documents.

1. This Recreation Center GMP shall remain valid until 5 PM Central Time on 13 April 2024 unless it has been previously incorporated into the executed Purchase and Sale Agreement (PSA) for the Recreation Center.
2. GMP is based on a commonly understood, accepted, and approved project design and technical scope (between City and Developer) as defined by the documents listed in Attachment 1 to this exhibit.
3. GMP is based on the insurance provisions included in the Ground Lease Exhibit E dated November 26, 2024. Incorporation of comments from the City thereto may result in modifications to the GMP.
4. This GMP incorporates the Design Clarifications for GMP (Section 3) and Furniture, Fixtures and Equipment Matrix (Section 4) of this exhibit.
5. Costs are based upon regular working hours with the understanding that excessive disruptive work shall be performed off-hours and will be coordinated with the project team.
6. Rainwater Harvesting Tanks and System (Alternate) are not included for consideration.

Schedule Qualifications

7. The GMP includes a schedule for which the GMP is based on. The construction schedule will be finalized within twenty (20) working days of the commencement of construction activities without altering the completion dates identified in item #8 below.
8. The estimate is based on a construction duration (including close out) of 24 months with an anticipated construction start of March 14, 2025.
 - a. Substantial Completion prior to Weather Days: November 18, 2026
 - b. Substantial Completion after Weather Days: December 18, 2026
 - c. Furniture, Office Equipment, and other furnishings for City operation scheduled for 30 days after substantial completion.
 - d. Final Completion: March 19, 2027

9. Costs are based upon regular working hours with the understanding that excessive disruptive work shall be performed off-hours and will be coordinated with the project team.
10. Twenty (20) Weather days (working) are incorporated into the schedule.

General Exclusions

1. Building permit fees.
2. Plan check fees except those provided in Exhibit C Schedule of Values of the Recreation Center PSA
3. Development impact fees.
4. Sales & material incorporation taxes – Capital Exemption
5. M/WBE participation considerations.
6. Site security guards/services.
7. Air quality, noise, & seismic monitoring.
8. Acoustic Testing.
9. Elevator Maintenance Agreement

2. Allowance Summary

The following allowances are currently included within the GMP.

#	Description	Total Price
1	Structural Steel for RTU Screening	\$347,954
2	Cladding for RTU Screening	\$70,382
3	Transformer Screening	\$19,430
4	Rainforest Water Feature	\$301,103
5	Wayfinding and Building Signage	\$121,846
6	Landscaping & Irrigation	\$250,000
7	Furniture, Fixtures, & Equipment (See Section 4)	\$2,550,000

3. Design Clarifications for GMP, i.e. GMP Design Addendum

The GMP is based off of 100% Design Development (DD) Plans and the items listed below, which serve as an addendum to the DD plan set and incorporated by the architect:

#	Description
1	Mechanical Roof Screens with 40 tons of steel to support screening. Screening included as an allowance of \$65K
2	Landscaping Allowance will be set at \$150K. Irrigation for ground level planting is supported by street trees. All other plantings would be hand-watered. This allowance will include plantings, groundcover, bike racks, planters, and benches, etc.
3	Light fixtures shown on the architectural RCP's, electrical lighting plans, and light fixture schedule have been updated. Drawing issuance dated 1/17/25.
4	L2 Turf Flooring (F10) included without plywood, sleepers, insulation, & Metawrx system (A1.72 & A1.74)
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7	Utilize Kalwall skylights with an alternate of additional weather protection
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17	Reduce number of V-columns at (1) west & (1) south façade (A2.01)
18	Alternate manufacturers for HVAC equipment
19	Fabric ductwork at gym & turf (M1.12B & M1.12D)

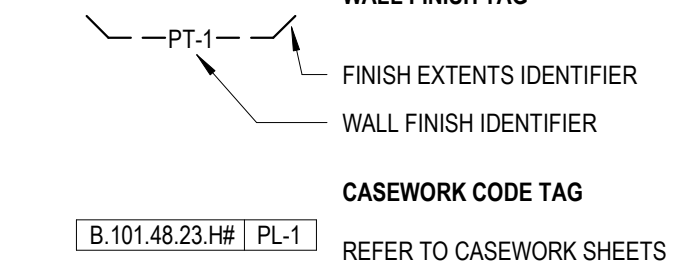
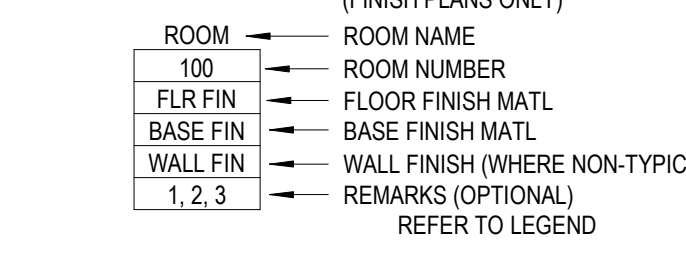
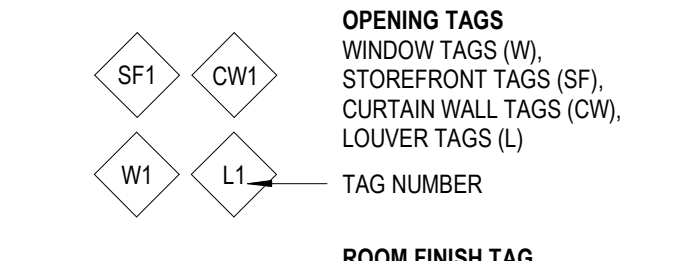
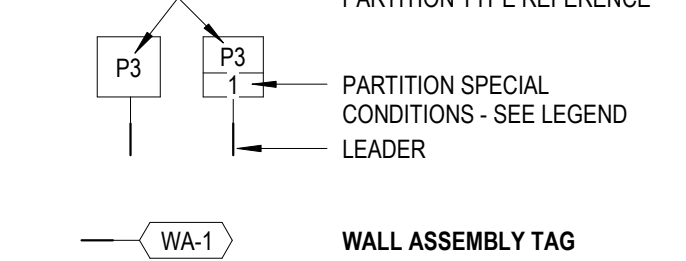
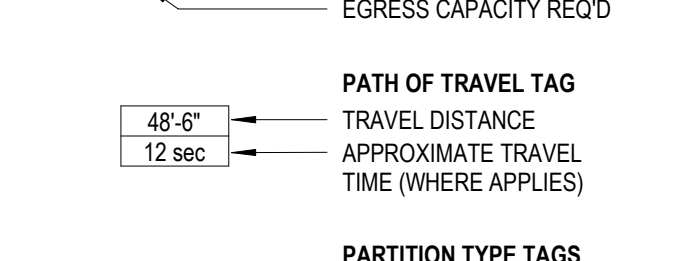
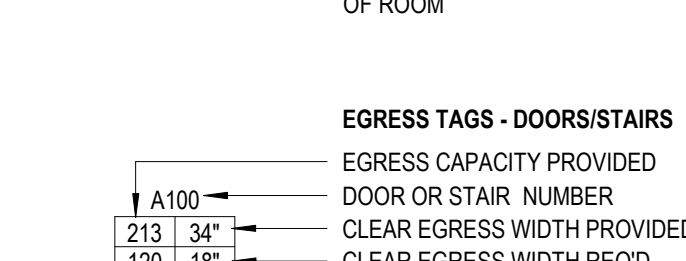
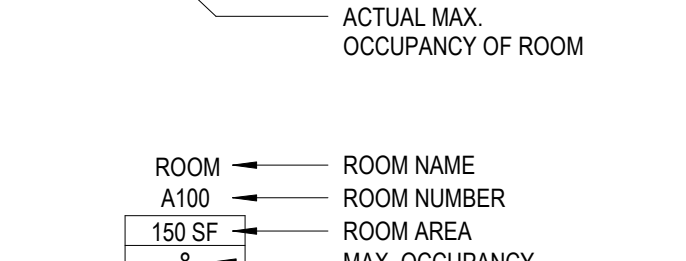
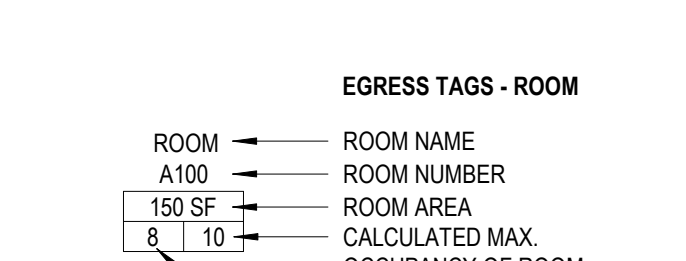
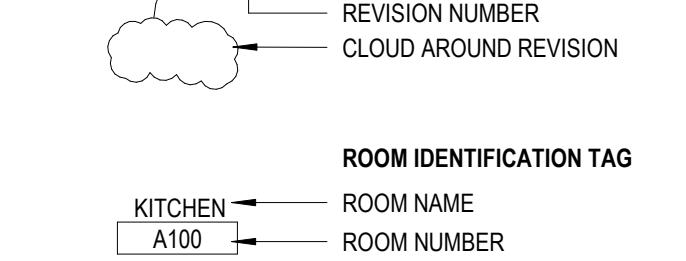
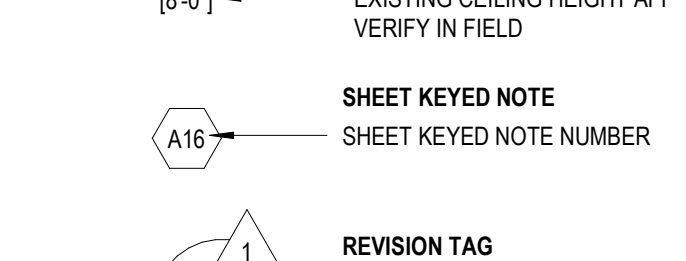
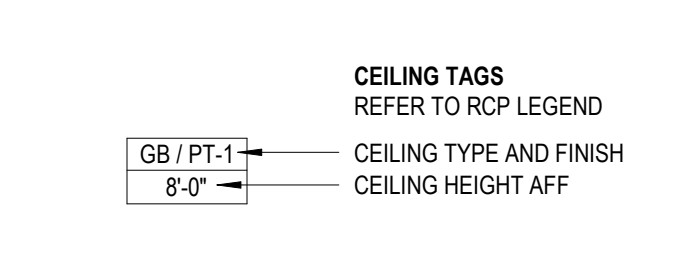
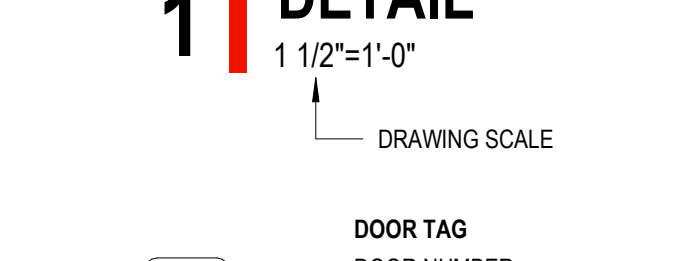
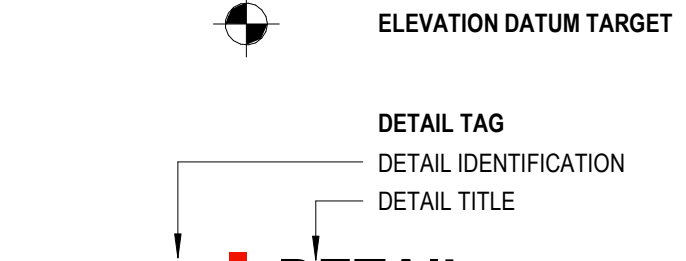
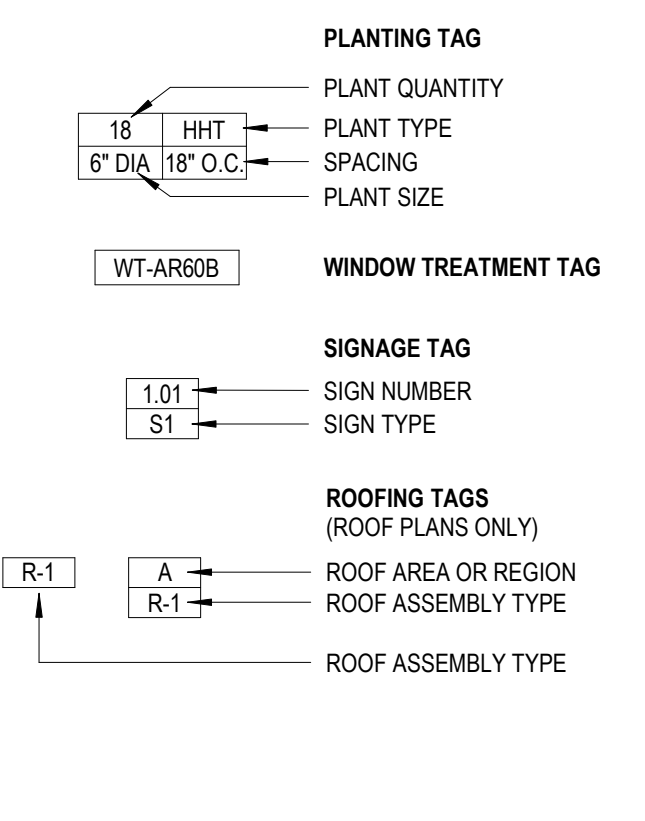
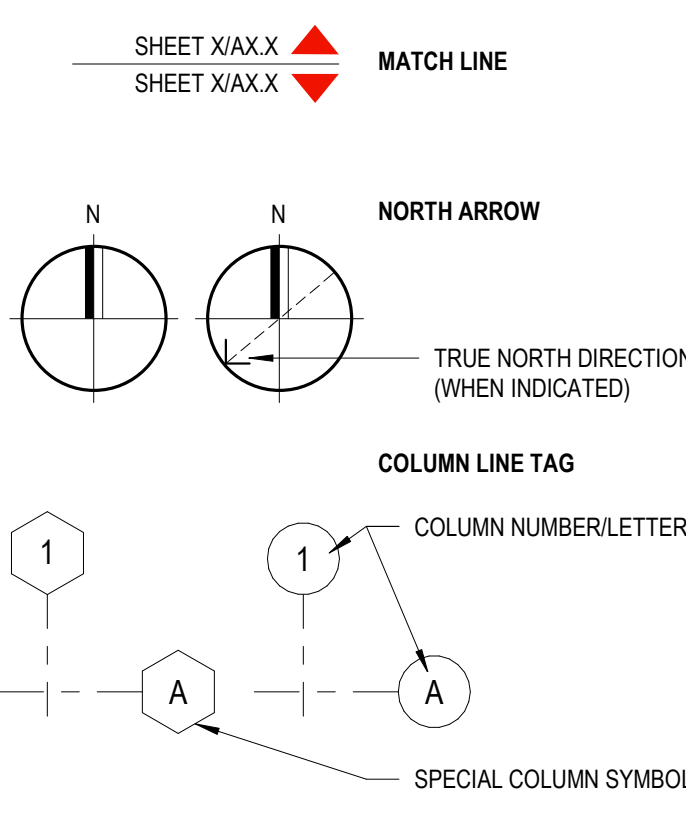
4. Furniture, Fixtures and Equipment Allowance

#	Description	Cost
1	Furniture	\$750,000
2	Technology Equipment (Network Switches, PDUs, WAPs)	\$290,000
3	Kitchen Equipment	<i>Incl in construction cost</i>
4	Tip & Roll Bleachers	\$90,000
5	Natatorium Equipment	\$45,000
6	Play Area (Indoor Play)	\$500,000
7	Fitness Equipment – Strength (Purchased)	\$800,000
8	Fitness Equipment – Cardio Equipment/Powered Items (Leased)	NIC
9	Scissor Lift (for Janitorial/Light Maintenance)	\$10,000
10	Miscellaneous (Artwork, Signage, Plants, etc.)	\$65,000
11	TOTAL FF&E ALLOWANCE	\$2,550,000

NOTES:

- Catering/teaching kitchen equipment for the Recreation Center is included in Swinerton/Byrne's construction budget.
- Basic scissor lift at \$10,000, assumed for routine maintenance for the majority of the facility, but not intended for access to all spaces.
- Excludes office equipment (e.g. copiers), office and trash supplies, hospitality equipment (e.g. catering equipment, table linens, etc.)
- Also excludes trash equipment such as compactor & tow cart - assume all trash equipment (e.g., bins) are supplied by the waste management company.
- For Technology Equipment, City's IT department to scope, specify, and coordinate procurement and installation with City's preferred vendor(s)
- Sports equipment (nets, balls, etc.) provided by City
- Assumed Vending Machines will be provided by City
- AEDs provided by City, installed by Contractor
- First Aid Kits provided by City
- Trash receptacles and janitorial supplies provided by City

GRAPHIC AND MATERIAL SYMBOLS



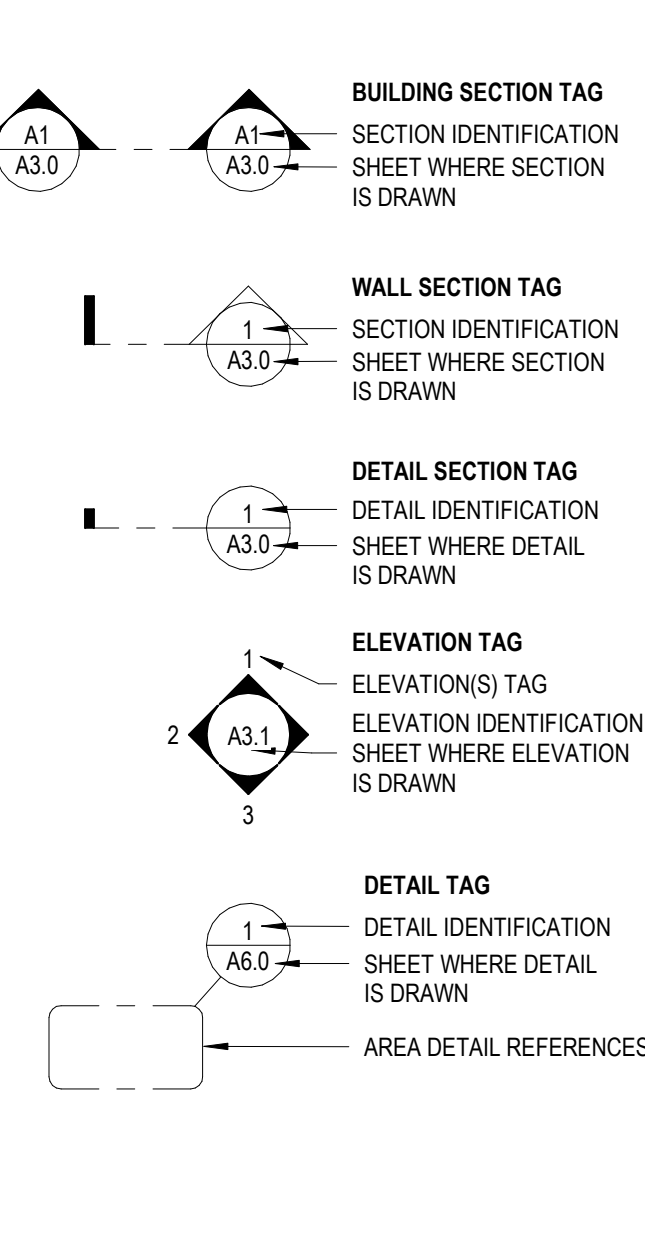
ABBREVIATIONS

Table of abbreviations including AND, ANGLE, AT, CENTER LINE, DIAMETER OR ROUND, POUND OR NUMBER, ACOUSTICAL CEILING, ACCESSIBLE, ADJACENT, ABOVE FINISH FLOOR, ALUMINUM, APPROXIMATELY, ARCHITECTURAL, ACOUSTICAL WALL PANEL, BOTTOM OF BOARD, BITUMINOUS, BLINDS, BUILDING, BLOCKING, BRICK, BRONZE, CABINET, CHALK BOARD, CEMENTITIOUS, CORNER GUARD, CAST IRON, CONTROL JOINT, CLOSET, CEILING, CLEAR, CONCRETE MASONRY UNIT, CONCRETE, CONSTRUCTION, CONTINUOUS, CONTRACTOR, CORRIDOR, CARPET, CERAMIC OR PORCELAIN TILE, CERAMIC TILE BASE, CUPBOARD UNIT HEATER, DEAD LOAD, DOUBLE, DETENTION CEILING PLANKS, DETENTION EPOXY RESINOUS FLOORING, DETAIL, DRINKING FOUNTAIN, DECORATIVE FILM, DIAMETER, DIMENSION, DOWN, DOOR OPENING, DRAPERY OR SHEAR, DECORATIVE PLASTER COATING, DOWNSPOUT, DECORATIVE SURFACE MATERIAL, DETENTION CEILING PANELS, AND, ANGLE, AT, CENTER LINE, DIAMETER OR ROUND, POUND OR NUMBER, ACOUSTICAL CEILING, ACCESSIBLE, ADJACENT, ABOVE FINISH FLOOR, ALUMINUM, APPROXIMATELY, ARCHITECTURAL, ACOUSTICAL WALL PANEL, BOTTOM OF BOARD, BITUMINOUS, BLINDS, BUILDING, BLOCKING, BRICK, BRONZE, CABINET, CHALK BOARD, CEMENTITIOUS, CORNER GUARD, CAST IRON, CONTROL JOINT, CLOSET, CEILING, CLEAR, CONCRETE MASONRY UNIT, CONCRETE, CONSTRUCTION, CONTINUOUS, CONTRACTOR, CORRIDOR, CARPET, CERAMIC OR PORCELAIN TILE, CERAMIC TILE BASE, CUPBOARD UNIT HEATER, DEAD LOAD, DOUBLE, DETENTION CEILING PLANKS, DETENTION EPOXY RESINOUS FLOORING, DETAIL, DRINKING FOUNTAIN, DECORATIVE FILM, DIAMETER, DIMENSION, DOWN, DOOR OPENING, DRAPERY OR SHEAR, DECORATIVE PLASTER COATING, DOWNSPOUT, DECORATIVE SURFACE MATERIAL, DETENTION CEILING PANELS, SCHEDED, SCHEDULE, SCT, STATIC CONDUCTIVE TILE, SDC, DECORATIVE SEALED CONCRETE, SDT, STATIC DISSIPATIVE TILE, SECT, SECTION, SF, SQUARE FEET, SHT, SHEET, SIM, SIMILAR, SPEC, SPECIFICATION, SQ, SQUARE, SS, STAINLESS STEEL, SSC, SEALED + STAINED CONCRETE, SSF, SOLID SURFACE OR SIMULATED STONE MATERIAL, ST, STONE, ST.N, STAIR NOSING, STB, STONE BASE, STD, STANDARD, STL, STEEL, STN, STAIN, SUSP, SUSPENDED, SYM, SYMMETRICAL, T&G, TONGUE AND GROOVE, T.S, TUBE STEEL, T/, TOP OF, TB, TACK BOARD, TC, TRAFFIC COATING, THRES, THRESHOLD, TP, TOILET PARTITIONS, TR, TREAD, TW, TACTILE WARNING, TYP, TYPICAL, TZ, TERRAZZO FLOOR, T2B, TERRAZZO BASE, T2ST, TERRAZZO STAIR TREAD, UNO, UNLESS NOTED OTHERWISE, V.I.F, VERIFY IN FIELD, VCT, VINYL COMPOSITION TILE, VDB, VISUAL DISPLAY BOARD, VERT, VERTICAL, VT, VINYL TILE, WVC, VINYL WALL COVERING, W.C, WATER CLOSET, W.P, WORKING POINT, W/, WITH, WO, WITHOUT, WC, WALL COVERING, WCPT, WALKOFF CARPET, WD, WOOD, WDB, WOOD BASE, WDC, WOOD CEILING PANELS, WDF, WOOD FLOORING, WDSF, SPORTS FLOORING - WOOD, WF, WINDOW FILM, WP, WALL PROTECTION, WSC, WOOD SOLID CORE, WT, WEIGHT, WWP, WOOD WALL PANEL, XTR, EXISTING TO REMAIN, YD, YARD.

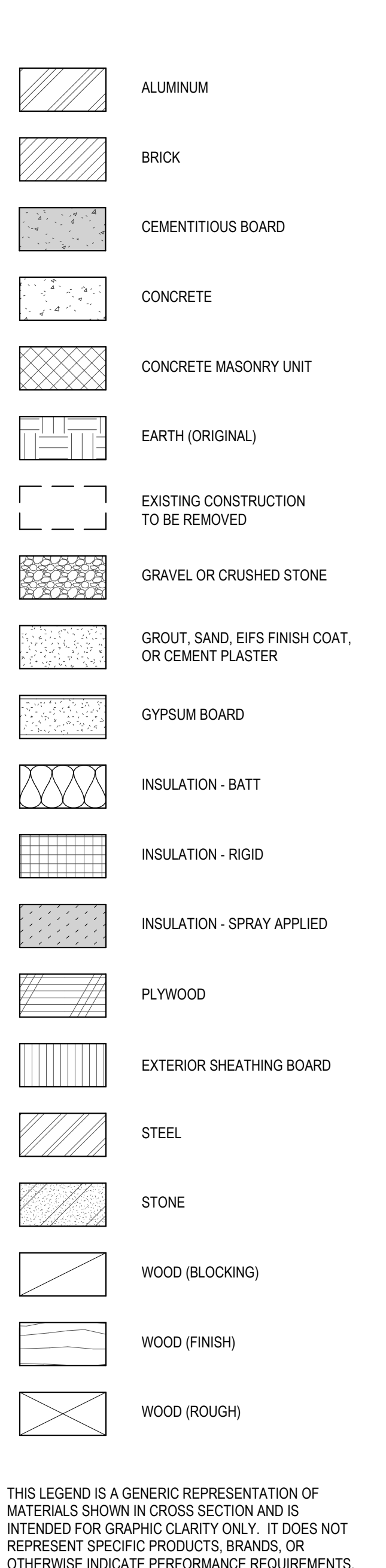
GENERAL NOTES

- A. FIRE RESISTANCE COMPLIANCE
A.01 SEE CODE COMPLIANCE PLANS IN A-SERIES FOR DETAILED CODE COMPLIANCE REQUIREMENTS.
A.02 OPENINGS IN THE FLOOR SLABS, INCLUDING SPACES BETWEEN CONDUITS, PIPING, ETC (EXCEPT WHEN COMPLETELY ENCLOSED WITH FIRE RATED CONSTRUCTION, SHALL BE SEALED OFF WITH APPROVED FIRE RATED PENETRATION SEALANT SYSTEMS TO MAINTAIN FIRE RATING CONTINUITY OF THE FLOOR CONSTRUCTION.
A.03 FIRE-RESISTIVE (LABELED) DOORS SHALL HAVE THE APPROPRIATE UL RATING AGENCY LABEL ACCEPTABLE TO GOVERNMENT AUTHORITIES AFFIXED TO BOTH DOOR AND FRAME.
A.04 FIRE RATING INDICATION ON A WALL SHALL MEAN THE ENTIRE LENGTH AND HEIGHT OF WALL IS TO BE FIRE RATED.
A.05 ALL PIPING DUCTS, ETC THAT PENETRATE FLOOR SLABS SHALL BE INSTALLED IN A MANNER THAT WILL PRESERVE THE FIRE-RESISTIVE AND STRUCTURAL INTEGRITY.
A.06 ALL RATINGS ARE TO COMPLY WITH UNDERWRITERS LABORATORIES (UL) TEST RATINGS.
A.07 ALL RECESSED CABINETS, PANELS, BOXES LOCATED IN FIRE-RATED WALLS SHALL BE INSTALLED AS TO MAINTAIN THE FIRE-RATED CONSTRUCTION. PROVIDE ADDITIONAL FRAMING, DRYWALL OR BLOCK AS REQUIRED TO MAINTAIN RATINGS.
B. ARCHITECTURAL NOTES
B.01 ALL DIMENSIONS SHALL BE VERIFIED IN THE FIELD AND COORDINATED WITH THE WORK OF ALL TRADES PRIOR TO PROCEEDING WITH THE WORK. NOTIFY ARCHITECT OF DISCREPANCIES.
B.02 WHERE DISCREPANCIES EXIST BETWEEN THE DRAWINGS OF THE VARIOUS TRADES. CONSULT THE ARCHITECT BEFORE PROCEEDING WITH WORK.
B.03 ALL DISSIMILAR METALS SHALL BE EFFECTIVELY ISOLATED FROM EACH OTHER TO AVOID GALVANIC REACTION.
B.04 THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE DURING CONSTRUCTION. THE CONTRACTOR WILL REPAIR AND/OR REPLACE ALL DAMAGED MATERIALS TO NEW CONDITION.
B.05 ALL REFUSE AND DEBRIS SHALL BE REMOVED FROM THE SITE AND LEGALLY DISPOSED OF BY THE CONTRACTOR.
B.06 ALL ELEVATOR OPENINGS SHALL BE COORDINATED WITH THE ELEVATOR SUBCONTRACTOR PRIOR TO FORMING.
B.07 PROVIDE ACCESS PANELS AS REQUIRED BY APPLICABLE CODES AND AS REQUIRED FOR ACCESS OR MAINTENANCE OF MECHANICAL AND ELECTRICAL EQUIPMENT INCLUDING JUNCTION BOXES. ALL ACCESS PANELS LOCATIONS SHALL BE REVIEWED WITH THE ARCHITECT PRIOR TO PROCEEDING.
B.08 DO NOT SCALE THE DRAWINGS. THE DRAWINGS ARE NOT NECESSARILY TO SCALE. THE CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE PRIOR TO THE START OF CONSTRUCTION. IF DISCREPANCIES ARE FOUND, THE ARCHITECT SHALL BE NOTIFIED FOR CLARIFICATION BEFORE COMMENCING THE WORK. EXPLICIT DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALE.
B.09 ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE APPLICABLE CODES.
B.10 THE OWNER WILL NOT ACCEPT REQUESTS FOR ADDITIONAL COSTS FOR WORK CONDITIONS WHICH CAN BE REASONABLY ASCERTAINED FROM THE DRAWINGS AND SPECIFICATIONS.
B.11 ASBESTOS-CONTAINING MATERIALS, LEAD-CONTAINING PAINT OR OTHER INDUSTRY RECOGNIZED HAZARDOUS MATERIALS OR TOXIC SUBSTANCES SHALL NOT BE USED ON THIS PROJECT.
B.12 SUBCONTRACTORS FOR EACH TRADE ARE ADVISED THAT INFORMATION PERTINENT TO THEIR WORK MAY OCCUR IN OTHER PORTIONS OF THE CONTRACT DOCUMENTS. REFER TO CIVIL, STRUCTURAL, MECHANICAL, ELECTRICAL, FIRE PROTECTION AND PLUMBING DRAWINGS FOR ADDITIONAL GENERAL NOTES, ABBREVIATIONS AND SYMBOLS. ALL NOTES ARE TO BE REVIEWED AND APPLIED TO RELATED BUILDING COMPONENTS. NOTES APPEAR ON VARIOUS SHEETS FOR DIFFERENT SYSTEMS AND MATERIALS. SHEETS ARE TO BE REVIEWED AND NOTES ON ANY ONE SHEET ARE TO BE APPLIED ON RELATED DRAWINGS AND DETAILS.
B.13 THE STRUCTURAL, MECHANICAL, ELECTRICAL, CIVIL, FIRE PROTECTION AND PLUMBING DRAWINGS ARE OF EQUAL IMPORTANCE WITH THE ARCHITECTURAL DRAWINGS IN DEFINING THE WORK OF THE CONTRACT DOCUMENTS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CHECK WITH THE ARCHITECTURAL DRAWINGS BEFORE THE INSTALLATION OF CIVIL, STRUCTURAL, MECHANICAL, ELECTRICAL, FIRE PROTECTION AND PLUMBING WORK. SHOULD THERE BE A DISCREPANCY BETWEEN THE ARCHITECTURAL DRAWINGS AND THE ENGINEERING DRAWINGS THAT WOULD CAUSE AN ANNIHILATED OR IMPROPER INSTALLATION, IT SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION FOR CLARIFICATION PRIOR TO INSTALLATION OF SAID WORK. ANY WORK INSTALLED IN CONFLICT WITH THE ARCHITECTURAL DRAWINGS SHALL BE CORRECTED BY THE CONTRACTOR.
B.14 THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURATE PLACEMENT OF THE BUILDING ON THE SITE.

TAGS & ANNOTATIONS



VIEW SYMBOLS



THIS LEGEND IS A GENERIC REPRESENTATION OF MATERIALS SHOWN IN CROSS SECTION AND IS INTENDED FOR GRAPHIC CLARITY ONLY. IT DOES NOT REPRESENT SPECIFIC PRODUCTS, BRANDS, OR OTHERWISE INDICATE PERFORMANCE REQUIREMENTS.

TAGS & ANNOTATIONS

MATERIAL SYMBOLS

fgma logo and contact information for FGM Architects Inc. 3711 S Mopac Expressway Bldg 2, Suite 150 Austin, Texas 78746. Phone: 512.474.8085, Fax: 512.474.9820.

DESIGN ARCHITECT BARKER RINKER SEACAT ARCHITECTURE 9925 BRIMSTONE RD #222 DENVER, COLORADO, 80239 303.453.3366 (303.453.7437)

CIVIL GARZA EMC, LLC 7708 RAALTO RD #100 #125 AUSTIN, TEXAS, 78755 512.298.3284 (512.298.259207)

STRUCTURAL JQ ENGINEERING 12020 PARK TWIN PALMS, SUITE 225 HOUSTON, TEXAS, 77064 832.941.2370 (713.666.9715)

ME/P THE BALLARD GROUP 2325 SOUTH WASHINGTON BLVD., SUITE 200 LAWRENCE, COLORADO, 80227 303.988.4314 (5)

ELECTRICAL AE DESIGN 1500 WAZEE STREET #205 DENVER, COLORADO, 80202 303.296.3034 (5)

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ISSUANCE table with columns for NO, DATE, and DESCRIPTION.

PFLUGERVILLE RECREATIONAL CENTER GRIFFIN | SWINERTON Downtown East Project 100% DESIGN DEVELOPMENT SET

ARCHITECTURAL GENERAL NOTES

SHEET NO. G0.1

INDEX OF DRAWINGS

Table with columns SHEET NUMBER and SHEET NAME. Lists drawing titles such as COVER SHEET, ARCHITECTURAL GENERAL NOTES, SPECIAL INSPECTIONS, and various structural, mechanical, and electrical drawings.

INDEX OF DRAWINGS

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INDEX OF DRAWINGS

Table with columns SHEET NUMBER and SHEET NAME. Lists drawing titles such as ELECTRICAL COVER SHEET, ELECTRICAL SITE PLAN, LEVEL 1 ELECTRICAL OVERALL POWER PLAN, and various technology and lighting drawings.

fgma logo and contact information for FGM Architects Inc. including address (3711 S Mopac Expressway) and phone/fax numbers.

DESIGN ARCHITECT BARKER RINKER SEACAT ARCHITECTURE contact information including address and phone number.

CIVIL GARZA EMC, LLC contact information including address and phone number.

STRUCTURAL JQ ENGINEERING contact information including address and phone number.

ME/P THE BALLARD GROUP contact information including address and phone number.

ELECTRICAL AE DESIGN contact information including address and phone number.

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Table with columns NO, DATE, and DESCRIPTION. Lists revision entries for the drawings.

PFLUGERVILLE RECREATIONAL CENTER GRIFFIN | SWINERTON Downtown East Project 100% DESIGN DEVELOPMENT SET

SHEET INDEX G0.2

JOB NO. 22-3525.04 © 2024 FGM Architects Inc.

Design Clarifications for GMP, i.e. GMP Design Addendum

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