

 **AIA<sup>®</sup> Document A305<sup>™</sup> – 1986****Contractor's Qualification Statement**

The Undersigned certifies under oath that the information provided herein is true and sufficiently complete so as not to be misleading.

**SUBMITTED TO:**

Jennifer Cunningham, Assistant City Manager

**ADDRESS:**

301 N 8th St  
Garden City, KS 67846

**SUBMITTED BY:**

American Warrior Construction, Inc.

**NAME:**

Amro Samy

**ADDRESS:**

2125 BUFFALO HEIGHTS DR  
GARDEN CITY, KS 67846

**PRINCIPAL OFFICE:** Same as Above

- Corporation
- Partnership
- Individual
- Joint Venture
- Other: *(Specify)*

**NAME OF PROJECT:** *(If applicable)*

Garden City Aquatics Center

**TYPE OF WORK:** *(File a separate form for each Classification of Work.)*

- General Construction
- HVAC
- Electrical
- Plumbing
- Other: *(Specify)*  
Design/Build & Construction Management

This form is approved and recommended by the American Institute of Architects (AIA) and The Associated General Contractors of America (AGC) for use in evaluating the qualifications of contractors. No endorsement of the submitting party or verification of the information is made by AIA or AGC.

**§ 1 ORGANIZATION**

**§ 1.1** How many years has your organization been in business as a Contractor?

7 Years

**§ 1.2** How many years has your organization been in business under its present business name?

7 Years

**§ 1.2.1** Under what other or former names has your organization operated?

N/A

**§ 1.3** If your organization is a corporation, answer the following:

**§ 1.3.1** Date of incorporation:

**§ 1.3.2** State of incorporation:

**§ 1.3.3** President's name:

**§ 1.3.4** Vice-president's name(s):

**§ 1.3.5** Secretary's name:

**§ 1.3.6** Treasurer's name:

**§ 1.4** If your organization is a partnership, answer the following:

**§ 1.4.1** Date of organization:

**§ 1.4.2** Type of partnership, if applicable:

**§ 1.4.3** Name(s) of general partner(s):

**§ 1.5** If your organization is individually owned, answer the following:

**§ 1.5.1** Date of organization: 04/17/2013

**§ 1.5.2** Name of owner:

Amro Samy

§ 1.6 If the form of your organization is other than those listed above, describe it and name the principals:

N/A

## § 2 LICENSING

§ 2.1 List jurisdictions and trade categories in which your organization is legally qualified to do business, and indicate registration or license numbers, if applicable.

National B License to perform general construction throughout the United States  
Garden City, Finney Co  
Liberal, Seward Co  
Ulysses, Grant County  
Salina, Saline Co  
Lawrence, Douglas Co  
Wichita, Sedgwick Co

§ 2.2 List jurisdictions in which your organization's partnership or trade name is filed.

Garden City, Finney Co  
Liberal, Seward Co  
Ulysses, Grant County  
Salina, Saline Co  
Lawrence, Douglas Co  
Wichita, Sedgwick Co

## § 3 EXPERIENCE

§ 3.1 List the categories of work that your organization normally performs with its own forces.

Construction Management and General Supervision  
Carpentry- Rough and Finish  
Infrastructor and Excavation  
Design/Build

## § 3.2 Claims and Suits

*(If the answer to any of the questions below is yes, please attach details.)*

§ 3.2.1 Has your organization ever failed to complete any work awarded to it?

No

§ 3.2.2 Are there any judgments, claims, arbitration proceedings or suits pending or outstanding against your organization or its officers?

No

§ 3.2.3 Has your organization filed any law suits or requested arbitration with regard to construction contracts within the last five years?

No

**§ 3.3** Within the last five years, has any officer or principal of your organization ever been an officer or principal of another organization when it failed to complete a construction contract?  
(If the answer is yes, please attach details.)

No

**§ 3.4** On a separate sheet, list major construction projects your organization has in progress, giving the name of project, owner, architect, contract amount, percent complete and scheduled completion date.

See Attached Document

**§ 3.4.1** State total worth of work in progress and under contract:

\$37.9 Million

**§ 3.5** On a separate sheet, list the major projects your organization has completed in the past five years, giving the name of project, owner, architect, contract amount, date of completion and percentage of the cost of the work performed with your own forces.

See Attached Document

**§ 3.5.1** State average annual amount of construction work performed during the past five years:

\$17.55 Million

**§ 3.6** On a separate sheet, list the construction experience and present commitments of the key individuals of your organization.

See Attached Document

#### **§ 4 REFERENCES**

##### **§ 4.1** Trade references:

SPT Architecture  
Dave Wells  
121 N Mead Ste 201  
Wichita, KS 67201  
316-267-4002

Klotz Sand  
Victor Klotz  
PO Box 150  
Holcomb, KS 67851  
620-277-2627

DV Douglass Roofing  
Steve Douglas  
1215 W Mary St  
Garden City, KS 67846  
620-276-7474

TED's Plumbing  
Dexter Peters  
1325 1/2 E Oklahoma Ave  
Ulysses, KS 67880  
620-356-5319

##### **§ 4.2** Bank references:

First National Bank  
Brandon Mumgaard  
2414 E Kansas Ave  
Garden City, KS 67846  
620-276-6971

##### **§ 4.3** Surety

###### **§ 4.3.1** Name of bonding company:

Nationwide Mutual Insurance Company

**§ 4.3.2 Name and address of agent:**

Logan Dorpinghaus  
1100 Locust St, Dept. 2006  
Des Moines, IA 50391

**§ 5 FINANCING**

**§ 5.1 Financial Statement**

**§ 5.1.1** Attach a financial statement, preferably audited, including your organization's latest balance sheet and income statement showing the following items:

- .1 Current Assets (e.g., cash, joint venture accounts, accounts receivable, notes receivable, accrued income, deposits, materials inventory and prepaid expenses);
- .2 Net Fixed Assets;
- .3 Other Assets;
- .4 Current Liabilities (e.g., accounts payable, notes payable, accrued expenses, provision for income taxes, advances, accrued salaries and accrued payroll taxes); and
- .5 Other Liabilities (e.g., capital, capital stock, authorized and outstanding shares par values, earned surplus and retained earnings).

**§ 5.1.2** Name and address of firm preparing attached financial statement, and date thereof:

**Financial Statements will be provided upon request.**

**§ 5.1.3** Is the attached financial statement for the identical organization named on page one?

Yes

**§ 5.1.4** If not, explain the relationship and financial responsibility of the organization whose financial statement is provided (e.g., parent-subsidiary).

N/A

**§ 5.2** Will the organization whose financial statement is attached act as guarantor of the contract for construction?

Yes

§ 6 SIGNATURE

§ 6.1 Dated this 13<sup>th</sup> day of April 2020

Name of organization:  
American Warrior Construction, Inc.

By:

Title: President

§ 6.2

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being duly sworn deposes and says that the information provided herein is true and sufficiently complete so as not to be misleading.

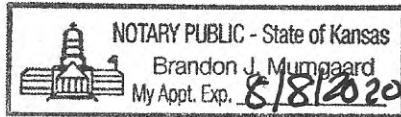
Subscribed and sworn before me this 13 day of April, 2020

Notary Public:

Brandon J. Mumgaard

My commission expires:

August 8, 2020





Key Personnel Construction Experience Listing

Key Employee/Owner	Classification	Total Years in Construction
Amro Samy	President	7
Brent Esslinger	Project Manager	6
Ken Seirer	Project Manager	7
Trent Nevola	Project Superintendent	7
Mike Milligan	Foreman	7
Leo Espino	Foreman	4
Laborers	5+fulltime	



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## Experience

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### 3.6 Key Individual Experience

Ken Seirer

Title:	Project Manager
Years with Firm:	7 Years
Experience:	National Contractor's License 7 years General Contractor, Supervision and Project Management
Present Commitments:	<ul style="list-style-type: none"><li>• Oversees Projects</li><li>• Works with Architects on building Designs</li></ul>





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## Experience

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### 3.6 Key Individual Experience

Brent Esslinger

Title:	Project Manager/Estimator
Years with Firm:	6 Years
Experience:	National Contractor's License 4 years General Contractor, Supervision, Estimating and Project Management 2 years-carpenter
Present Commitments:	<ul style="list-style-type: none"><li>• Oversees Projects</li><li>• Estimating for firm</li><li>• Works with Architects &amp; Engineers on building Designs</li><li>• New Clients &amp; Program Development</li></ul>



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## Experience

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### 3.6 Key Individual Experience

Trent Nevola

Title:	Project Superintendent
Years with Firm:	7 Years
Experience:	National Contractor's License 7 years General Contractor, Supervision and Project Management
Present Commitments:	<ul style="list-style-type: none"><li>• Oversees Projects</li><li>• Manages Excavation Company</li><li>• Works with Civil Engineers</li></ul>



## **Major Construction Projects in progress for American Warrior Construction**

- 1. Sports of the World**
  - a. Owner:** Amro Samy
  - b. Architect:** SPANGENBERG PHILLIPS TICE Architecture
  - c. Contract Amount:** \$25,000,000 Star Bond Project
  - d. Percent Complete:** 12% Completed
  - e. Completion Date:** Late 2021
  
- 2. Columbus Addition Duplex Development North Phase**
  - a. Owner:** Amro Samy
  - b. Architect:** Dan Fankhauser
  - c. Contract Amount:** \$12,908,762
  - d. Percent Complete:** 10% Completed
  - e. Completion Date:** Late 2021



## List of Major Projects Completed in Past 5 Years

- 1. Old Chicago Restaurant, Manhattan, KS**
  - a. Owner:** Samy's OC LLC
  - b. Architect:** GMCN Architects
  - c. Contract Amount:** \$3,200,000
  - d. Date of Completion:** September 2015
  - e. Percentage of Work Performed by Own Forces:** 0%
  
- 2. Heritage Inn & Suites**
  - a. Owner:** Samy's Venture LLC
  - b. Architect:** GMCN Architects
  - c. Contract Amount:** \$12,000,000
  - d. Date of Completion:** December 2017
  - e. Percentage of Work Performed by Own Forces:** 10%
  
- 3. Parrot Cove Indoor Water Park**
  - a. Owner:** S&O LLC
  - b. Architect:** GMCN Architects
  - c. Contract Amount:** \$18,000,000
  - d. Date of Completion:** December 2017
  - e. Percentage of Work Performed by Own Forces:** 5%
  
- 4. Clarion Park Estates**
  - a. Owner:** Samy's Development LLC
  - b. Architect:** Dan Fankhauser
  - c. Contract Amount:** \$14,000,000
  - d. Date of Completion:** May 2017
  - e. Percentage of Work Performed by Own Forces:** 30%



- 5.** Old Chicago Restaurant, Liberal, KS
  - a.** Owner: Samy's OC LLC
  - b.** Architect: GMCN Architects
  - c.** Contract Amount: \$3,000,000
  - d.** Date of Completion: October 2017
  - e.** Percentage of Work Performed by Own Forces: 30%
  
- 6.** Comfort Inn & Suites, Liberal, KS
  - a.** Owner: Pennicle LLC
  - b.** Architect: GMCN Architects
  - c.** Contract Amount: \$12,000,000
  - d.** Date of Completion: July 2018
  - e.** Percentage of Work Performed by Own Forces: 15%
  
- 7.** Old Chicago Restaurant, Lawrence, KS
  - a.** Owner: Samy's OC LLC
  - b.** Architect: GMCN Architects
  - c.** Contract Amount: \$3,500,000
  - d.** Date of Completion: August 2018
  - e.** Percentage of Work Performed by Own Forces: 30%
  
- 8.** Old Chicago Restaurant, Salina, KS
  - a.** Owner: Samy's OC LLC
  - b.** Architect: GMCN Architects
  - c.** Contract Amount: \$3,600,000
  - d.** Date of Completion: January 2019
  - e.** Percentage of Work Performed by Own Forces: 30%



**9. Notting Hill Duplexes**

- a.** Owner: S&O LLC
- b.** Architect: Dan Fankhauser
- c.** Contract Amount: \$4,000,000
- d.** Date of Completion: October 2019
- e.** Percentage of Work Performed by Own Forces: 30%

**10. O'Brate Gymnastics Center (GC Rec Gymnastics)**

- a.** Owner: Garden City Recreation
- b.** Architect: The Architect
- c.** Contract Amount: \$1,353,744
- d.** Date of Completion: February 2020
- e.** Percentage of Work Performed by Own Forces: 40%



1. American Warrior's Construction, Inc. construction management project approach and proposed services, that includes the following:
  - a. Preconstruction Services Include:
    - i. Working with the design team to develop the Guaranteed Maximum Price (GMP)
    - ii. Scheduling
    - iii. Construction Cost Estimates
    - iv. Value engineering
    - v. Constructability review for architectural, structural, mechanical, electrical, and other systems.
  - b. Bidding Period Service Include:
    - i. Bid Preparation
    - ii. Sending out Invitations to bid With a Deadline
    - iii. Bid Award Recommendations
  - c. Construction Service Include:
    - i. Contractor/Subcontractor Coordination
    - ii. Project Meetings
    - iii. Change Orders
    - iv. Quality Control
    - v. Health & Safety Management
  - d. AWC's Post Construction Service Includes:
    - i. Certificate of Occupancy
    - ii. Operations and Maintenance Manuals
    - iii. Equipment Start-Up and Training
    - iv. Complete as Built Plans
    - v. Punch List
    - vi. Site Clean-Up
  
2. Names of key personnel to be assigned to this Project, and their qualifications
  - a. Brent Esslinger Project Manager/Estimator. 6 years in construction, holds a National B License, does all estimating for AWC, works with architects & engineers to design and build projects.
  - b. Trent Nevola Project Superintendent. 7 years in constructions, holds a National B License, manages AWC excavation company, works with civil engineers on excavation and infrastructure.
  - c. Ken Seirer Project Manager. 7 years in construction, holds a National B License, on-site project supervisor. Project Manager for Parrot Cove Indoor Waterpark.



3. AWC has 2 full-time project managers, 3 superintendents, 1 estimator, 1 quality control, 3 safety, 1 legal team, and 2 accounting personnel in our company. The number of each to be assigned to this Project.
  - a. 1 Full Time Project Manager
  - b. 1 Full Time Project Superintendent
  - c. 1 Estimator
  - d. 1 Quality Control
  - e. 1 Safety Committee Member
  - f. 1 Accountant
4. AWC has designed and built our own projects that are like the Construction Management at Risk delivery method. AWC has not used this method before on projects that were not owned by AWC, but we are aware of this delivery method.
5. Recent experience with projects in the Garden City/Western Kansas area.
  - a. Sleep Inn & Suites Garden City, KS
  - b. Pioneer Estates Garden City, KS
  - c. Old Chicago Garden City, KS
  - d. Heritage Inn & Suites Garden City, KS
  - e. Parrot Cove Water Park Garden City, KS
  - f. Clarion Park Estates Garden City, KS
  - g. Comfort Inn & Suites Liberal, KS
  - h. Old Chicago Liberal. KS
  - i. First National Bank Remodel Ulysses, KS
  - j. First National Bank Remodel Johnson, KS
  - k. Central Plains Wind Farm remodel & addition Marienthal, KS
6. AWC has experience in the construction of pool and aquatic facility projects. AWC was involved with the design and construction of Parrot Cove Indoor Water Park in Garden City, KS. Parrot Cove is a 32,533-sf indoor water park with 10,000 sf of water surface. Parrot Cove has water slides, pools, lazy river, water attractions for kids, concessions, arcade room, party rooms.
7. Provide proposed fee in percentages or lump sum for the following:
  - a. Pre-construction Services to develop a GMP lump sum \$55,800
  - b. General conditions including on-site management, temporary structures, insurance costs, office expenses, and other overhead costs is 1.5% of construction cost.
  - c. Construction management lump sum \$72,000.00
  - d. Bond costs is 2.5% of what the construction cost is.
  - e. Worker's compensation experience modifier. See attached experience modifier document





8. American Warrior Construction has only been a construction manager for the projects we have done for our firm and otherwise have been the general contractor for the other projects we have completed for other clients.
9. See attached Contractor's Qualification Statement, AIA, A 305, 1986 edition.
10. See attached statement of our firm's bonding capacity including the identity of the firm's surety company or companies and our firm's single project and aggregate credit limits. AWC has not had any claims against our firm surety aggregate credit limits.
11. American Warrior Construction will work with architects and engineers to be able to come up with a GMP in the early stages of the design phase.
12. American Warrior Construction will work with architects and engineers on the project design and to compare similar project cost from other projects to come up with a GMP that is within the project's budgetary constraints.
13. American Warrior Construction will propose two types of contingencies for the GMP. One will be an owner reserve that will be an amount set aside for additions to the project's scope or owner's risk items. The second one will be a contractor contingency that will account for the risk factors that cannot otherwise be accounted for in a schedule of values. These contingencies will only be utilized throughout the project if the owner makes any changes or if there is an unforeseen issue or materials that might have been missed or changed from the contractor's end.
14. American Warrior Construction uses a program called PASKR. AWC will upload all plans and documents to this program and send out invitations to subcontractors and suppliers to solicit a bid. AWC will place a bid due date on the invitation for when bids are due by. AWC will then go through bids and decide based on their qualifications and their bid price. AWC has several local and non-local subs and suppliers that we have utilized on our projects. AWC attempts to utilize as many local subs as possible depending on their qualifications.
15. American Warrior Construction can self-perform on certain trades of this project and is very interested in being able to do work on this project. AWC will utilize the Request for Proposal method and send invitations out to subs and suppliers that have worked with our firm on other projects.



16. American Warrior Construction will utilize 3<sup>rd</sup> party companies like Terracon to assist with quality control in testing products to make sure they are within the standards of the specifications. AWC also requires submittals on certain trades to turn into the engineers and architects for approval. AWC utilizes a program through our insurance company call 360Safety that assists AWC with being OSHA compliant on the job sites and to help the prevention of accidents at the workplace. AWC will work closely with civil engineers and utility subs to make sure that the utilities for the project do not create any delays or obstacles.



## WORKERS COMPENSATION EXPERIENCE RATING

Risk Name: AMERICAN WARRIOR CONSTRUCTION INC

Risk ID: 150627583

Rating Effective Date: 06/13/2020

Production Date: 04/02/2020

State: KANSAS

State	Wt	Exp Excess Losses	Expected Losses	Exp Prim Losses	Act Exc Losses	Ballast	Act Inc Losses	Act Prim Losses
KS	.07	12,912	18,712	5,800	0	22,500	0	0
(A) Wt	(B)	(C) Exp Excess Losses (D - E)	(D) Expected Losses	(E) Exp Prim Losses	(F) Act Exc Losses (H - I)	(G) Ballast	(H) Act Inc Losses	(I) Act Prim Losses
.07		12,912	18,712	5,800	0	22,500	0	0
		Primary Losses	Stabilizing Value		Ratable Excess		Totals	
Actual	(I)	0	C * (1 - A) + G 34,508		(A) * (F) 0		(J) 34,508	
Expected	(E)	5,800	C * (1 - A) + G 34,508		(A) * (C) 904		(K) 41,212	
		ARAP	FLARAP	SARAP	MAARAP	Exp Mod		
Factors		1.00				(J) / (K) .84		

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# WORKERS COMPENSATION EXPERIENCE RATING

Risk Name: AMERICAN WARRIOR CONSTRUCTION INC

Risk ID: 150627583

Rating Effective Date: 06/13/2020

Production Date: 04/02/2020

State: KANSAS

15-KANSAS

Firm ID: Firm Name: AMERICAN WARRIOR CONSTRUCTION INC

Carrier: 27995 Policy No. KSARP305343 Eff Date: 11/19/2015 Exp Date: 06/13/2016

Code	ELR	D-Ratio	Payroll	Expected Losses	Exp Prim Losses	Claim Data	IJ	OF	Act Inc Losses	Act Prim Losses
5606	.33	.31	123,321	407	126					
5645	4.49	.31	79,247	3,558	1,103					
9807	EMPLOYERS LIABILIT			0	0					
<b>Policy Total:</b>				<b>202,568</b>	<b>Subject Premium: 13,027</b>	<b>Total Act Inc Losses:</b>			<b>0</b>	

15-KANSAS

Firm ID: Firm Name: AMERICAN WARRIOR CONSTRUCTION INC

Carrier: 27995 Policy No. KSARP305343 Eff Date: 06/13/2016 Exp Date: 05/24/2017

Code	ELR	D-Ratio	Payroll	Expected Losses	Exp Prim Losses	Claim Data	IJ	OF	Act Inc Losses	Act Prim Losses
5645	4.49	.31	87,294	3,920	1,215					
5645	4.49	.31	121,483	5,455	1,691					
5645	4.49	.31	119,644	5,372	1,665					
9807	EMPLOYERS LIABILIT			0	0					
9807	EMPLOYERS LIABILIT			0	0					
9812	EMPLOYERS LIABILIT			0	0					
<b>Policy Total:</b>				<b>328,421</b>	<b>Subject Premium: 42,520</b>	<b>Total Act Inc Losses:</b>			<b>0</b>	

15-KANSAS

Firm ID: Firm Name: AMERICAN WARRIOR CONSTRUCTION INC

Carrier: 27995 Policy No. KSARP305343 Eff Date: 06/13/2017 Exp Date: 06/13/2018

Code	ELR	D-Ratio	Payroll	Expected Losses	Exp Prim Losses	Claim Data	IJ	OF	Act Inc Losses	Act Prim Losses
1111	NO EXPOSURE DEVELO			0	0					
9848	MINIMUM PREMIUM FO			0	0					
<b>Policy Total:</b>				<b>0</b>	<b>Subject Premium: 120</b>	<b>Total Act Inc Losses:</b>			<b>0</b>	

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\* Total by Policy Year of all cases \$2000 or less.

D Disease Loss

X Ex-Medical Coverage

U USL&HW

C Catastrophic Loss

E Employers Liability Loss

# Limited Loss

Nationwide Surety & Fidelity  
1100 Locust St. Dept. 2006  
Des Moines, IA 50391  
Phone (866) 387-0457



**Nationwide®**  
is on your side

April 1, 2020

**To Whom it May Concern:**

**Re: American Warrior Construction, Inc.**

It has been the privilege of Nationwide Mutual Insurance Company (Nationwide) to provide surety bonds on behalf of American Warrior Construction, Inc. for 1 year. In our opinion, American Warrior Construction remains properly financed, well equipped, and capably managed.

At the present time, Nationwide provides a \$1,500,000 single project limit / \$3,000,000 aggregate surety program to American Warrior Construction. As always, Nationwide reserves the right to perform normal underwriting at the time of any bond request, including, without limitation, prior review and approval of relevant contract documents, bond forms, and project financing. We assume no liability to the recipient of this letter if for any reason we do not execute such bonds.

Nationwide Mutual Insurance Company is listed on the Department of the Treasury's Listing of Certified Companies with an underwriting limitation of \$1,142,701,000 (July 2018 Circular 570), and is rated A+ XV by A.M. Best Company.

Very Truly Yours,

By: \_\_\_\_\_  
Logan Dorpinghaus  
Sr. Contract Surety Underwriter  
Nationwide Mutual Insurance Company