


UNITED STATES BANKRUPTCY COURT Northern District of Texas, Dallas Division		PROOF OF CLAIM
Name of Debtor: Opus West Construction Corporation		Case Number: 09-34360
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): Facility Construction Services, Inc.		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____
Name and address where notices should be sent: John A. Isbell Esq. Thompson, Coe Cousins & Irons, L.L.P. 700 North Pearl, 25th Floor Dallas, TX 75201 Telephone number: (214) 871-8235		
Name and address where payment should be sent (if different from above):		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
Telephone number:		
1. Amount of Claim as of Date Case Filed: <u>\$51,005.71</u> See attached Exhibit "A" If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount. Specify the priority of the claim. <input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. §507 (a)(4). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5). <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507 (a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a)(). Amount entitled to priority: \$ _____ *Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.
2. Basis for Claim: labor and materials provided for improvement for Owners' real property located at: 15725 N. Dallas Parkway, Addison, TX 75001 (See instruction #2 on reverse side.) 3. Last four digits of any number by which creditor identifies debtor: _____ 3a. Debtor may have scheduled account as: _____ (See instruction #3a on reverse side.) 4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: Value of Property: \$ _____ Annual Interest Rate _____ Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: <u>See attached Exhibit "A"</u> Amount of Secured Claim: \$ _____ Amount Unsecured: \$ <u>51,005.71</u>		
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim. 7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain: <u>Paul M. Holden, VICE PRES</u>		
Date: <u>11-4-09</u> Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any. Paul Holden, Vice President-PreConstruction for Facility Construction Services, Inc.		FOR COURT USE ONLY OPUS WEST  00398



Opus West Construction Corporation
SUBCONTRACT CHANGE ORDER

PH... *Phig*

Change Order Date: 10/30/2008
Change Order #: 1
To Subcontract Agreement dated: 10/17/2008

Millwork
CON-10593.00-33
18531 / 14270

TO: Facility Construction Services
8200 Lovett Ave.
Dallas, TX 75227

PROJECT: Two Addison Circle Spec Office
15725 North Dallas Parkway
Addison, TX 75001

CHANGE DETAILS

Item	Description	Amount
1	Office - Deduct wood tenant doors 105D, 105E and 106.	\$(34,567.00)
2	Office - Delete interior window frames above doors 105D and 105E	\$(14,760.00)
		<u>\$(49,327.00)</u>

SCHEDULE

Completion date of original contract will not be adjusted, unless noted herein.

CONTRACT SUMMARY

Cost Code	Previous Amount	This Change Order	Current Contract Amount
10593.01-F10-18531.00-S	\$215,483.00	\$(49,327.00)	\$166,156.00
10593.01-I10-14270.00-S	\$18,242.00	\$0.00	\$18,242.00
	<u>\$233,725.00</u>	<u>\$(49,327.00)</u>	<u>\$184,398.00</u>

Original Contract Amount.....	\$233,725.00
Previously Approved Change Orders.....	\$0.00
Amount this Change Order.....	\$(49,327.00)
Contract Amount to Date.....	\$184,398.00

ACKNOWLEDGEMENT

Please sign and return all original copies

Facility Construction Services

Opus West Construction Corporation

Paul Holden -vp

[Signature]

PAUL HOLDEN
Printed Name

11-20-08
Date

Paul Lembke
Printed Name

11/21/08
Date

Reference this change order number on all Application for Payment documents.





Opus West Construction Corporation
SUBCONTRACT CHANGE ORDER

Change Order Date: 11/10/2008
Change Order #: 2
To Subcontract Agreement dated: 10/17/2008
TO: Facility Construction Services
8200 Lovett Ave.
Dallas, TX 75227

Millwork
CON-10593.00-33
18531 / 14270

PROJECT: Two Addison Circle Spec Office
15725 North Dallas Parkway
Addison, TX 75001

CHANGE DETAILS

Item	Description	Amount
1	The attached CD of Updated Project Drawings dated 11/10/2008 for Two Addison Circle is hereby made a part of your subcontract agreement	\$0.00
		\$0.00

SCHEDULE

Completion date of original contract will not be adjusted, unless noted herein.

CONTRACT SUMMARY

Cost Code	Previous Amount	This Change Order	Current Contract Amount
10593.01-F10-18531.00-S	\$166,156.00	\$0.00	\$166,156.00
10593.01-I10-14270.00-S	\$18,242.00	\$0.00	\$18,242.00
10593.01-M30-01998.00-S	\$0.00	\$0.00	\$0.00
	\$184,398.00	\$0.00	\$184,398.00

Original Contract Amount.....	\$233,725.00
Previously Approved Change Orders.....	\$(49,327.00)
Amount this Change Order.....	\$0.00
Contract Amount to Date.....	\$184,398.00

ACKNOWLEDGEMENT

Please sign and return all original copies

Facility Construction Services

Paul Holden -VP

PAUL HOLDEN 11-20-08
Printed Name Date

Opus West Construction Corporation

Paul Lembke

Paul Lembke 11/24/08
Printed Name Date

Reference this change order number on all Application for Payment documents.

BTU



OPUS West Construction Corporation
SUBCONTRACT CHANGE ORDER

Change Order Date: 11/18/2008
Change Order #: 3
To Subcontract Agreement dated: 10/17/2008
TO: Facility Construction Services
8200 Lovett Ave.
Dallas, TX 75227

Millwork
CON-10593.00-33
18531 / 14270

PROJECT: Two Addison Circle Spec Office
15725 North Dallas Parkway
Addison, TX 75001

CHANGE DETAILS

Item	Description	Amount
1	Delete doors 205A & 205B.	\$(5,715.00)
		<u>\$(5,715.00)</u>

SCHEDULE

Completion date of original contract will not be adjusted, unless noted herein.

CONTRACT SUMMARY

Cost Code	Previous Amount	This Change Order	Current Contract Amount
10593.01-F10-18531.00-S	\$166,156.00	\$(5,715.00)	\$160,441.00
10593.01-I10-14270.00-S	\$18,242.00	\$0.00	\$18,242.00
10593.01-M30-01998.00-S	\$0.00	\$0.00	\$0.00
	<u>\$184,398.00</u>	<u>\$(5,715.00)</u>	<u>\$178,683.00</u>

Original Contract Amount	\$233,725.00
Previously Approved Change Orders	\$(49,327.00)
Amount this Change Order	\$(5,715.00)
Contract Amount to Date	\$178,683.00

ACKNOWLEDGEMENT

Please sign and return all original copies

Facility Construction Services

Paul Holden -vp

PAUL HOLDEN 11-18-08
Printed Name Date

OPUS West Construction Corporation

Brian Dotolo

Brian Dotolo 11/26/08
Printed Name Date

Reference this change order number on all Application for Payment documents.



OPUS West Construction Corporation
SUBCONTRACT CHANGE ORDER

Btc

Change Order Date: 11/25/2008

Change Order #: 4

To Subcontract Agreement dated: 10/17/2008

TO: Facility Construction Services
8200 Lovett Ave.
Dallas, TX 75227

PROJECT: Two Addison Circle Spec Office
15725 North Dallas Parkway
Addison, TX 75001

Millwork
CON-10593.00-33
18531 / 14270

CHANGE DETAILS

Item	Description	Amount
1	Furnish and install figured makore panels on backside of feature wall (4 end conditions)	\$5,711.00
2	Furnish and install figured makore panels on backside of niche at first and second levels at balcony	\$1,511.00
		<u>\$7,222.00</u>

SCHEDULE

Completion date of original contract will not be adjusted, unless noted herein.

CONTRACT SUMMARY

Cost Code	Previous Amount	This Change Order	Current Contract Amount
10593.01-F10-18531.00-S	\$160,441.00	\$7,222.00	\$167,663.00
10593.01-I10-14270.00-S	\$18,242.00	\$0.00	\$18,242.00
10593.01-M30-01998.00-S	\$0.00	\$0.00	\$0.00
	<u>\$178,683.00</u>	<u>\$7,222.00</u>	<u>\$185,905.00</u>

Original Contract Amount.....	\$233,725.00
Previously Approved Change Orders.....	\$(55,042.00)
Amount this Change Order.....	\$7,222.00
Contract Amount to Date.....	\$185,905.00

ACKNOWLEDGEMENT

Please sign and return all original copies

Facility Construction Services

Paul Holden

PAUL HOLDEN
Printed Name

12-4-08
Date

OPUS West Construction Corporation

Brian Dotolo

Brian Dotolo
Printed Name

12/1/08
Date

Reference this change order number on all Application for Payment documents.



OPUS West Construction Corporation
SUBCONTRACT CHANGE ORDER

Change Order Date: 01/14/2009
 Change Order #: 5
 To Subcontract Agreement dated: 10/17/2008
 TO: Facility Construction Services
 8200 Loyett Ave.
 Dallas, TX 75227

PROJECT: Two Addison Circle Spec Office
 15725 North Dallas Parkway
 Addison, TX 75001

Millwork
 CON-10593.00-33
 18531 / 14270

CHANGE DETAILS:

Item	Description	Amount
1	Office - Provide masonry panel for back wall of three elevator cabs	\$7,604.00
		<u>\$7,604.00</u>

SCHEDULE

Completion date of original contract will not be adjusted, unless noted herein.

CONTRACT SUMMARY

Contract	Previous Amount	This Change Order	Current Contract Amount
10593.00-110-18531.00-S	\$167,663.00	\$0.00	\$167,663.00
10593.00-111-14270.00-S	\$18,242.00	\$7,604.00	\$25,846.00
10593.00-112-01898.00-S	\$0.00	\$0.00	\$0.00
	<u>\$185,905.00</u>	<u>\$7,604.00</u>	<u>\$193,509.00</u>

Original Contract Amount	\$233,725.00
Previously Approved Change Orders	\$(47,820.00)
Amount this Change Order	\$7,604.00
Contract Amount to Date	\$193,509.00

ACKNOWLEDGEMENT:

Please sign and return all original copies

Facility Construction Services

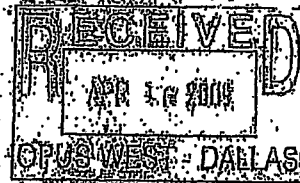
OPUS West Construction Corporation

[Signature]
 Brian Doble
 Brian Doble
 Brian Doble

[Signature]
 Brian Doble
 Brian Doble
 Brian Doble

Refer to this change order number on all Application for Payment documents.

The work covered by this Subcontract Change Order will be performed under the same terms and conditions as those in the Subcontract Agreement. Subcontractor's claims for additional compensation for work heretofore authorized or performed beyond the scope of the Subcontract Agreement as amended this date. No other claims will be accepted by Contractor.





OPUS West Construction Corporation
SUBCONTRACT CHANGE ORDER

EGV

Change Order Date: 03/19/2009
 Change Order #: 6
 To Subcontract Agreement dated: 10/17/2008
 TO: Facility Construction Services
 8200 Loyett Ave.
 Dallas, TX 75227

Millwork
 CON-10593.00-33
 18531 / 14270

PROJECT: Two Addison Circle Spec Office
 15725 North Dallas Parkway
 Addison, TX 75001

CHANGE DETAILS

Item	Description	Amount
1	Modify directory cabinet on security disk to make room for monitor vision panel	\$381.00
2	Modify sink panel skirts in each restroom. Architectural drawings did not comply with ADA requirements.	\$2,640.00
		\$3,021.00

SCHEDULE

Completion date of original contract will not be adjusted, unless noted herein.

CONTRACT SUMMARY

Cost Code	Previous Amount	This Change Order	Current Contract Amount
10593.01-F10-18541.00-S	\$167,663.00	\$3,021.00	\$170,684.00
10593.01-110-14270.00-S	\$25,846.00	\$0.00	\$25,846.00
10593.01-130-01998.00-S	\$0.00	\$0.00	\$0.00
	\$193,509.00	\$3,021.00	\$196,530.00

Original Contract Amount	\$233,725.00
Previously Approved Change Orders	\$(40,216.00)
Amount this Change Order	\$3,021.00
Contract Amount to Date	\$196,530.00

ACKNOWLEDGEMENT

Please sign and return all original copies

Facility Construction Services

OPUS West Construction Corporation

[Signature]

 Blake Hernandez
 Printed Name

[Signature]

 Brian Dotolo
 Printed Name

4/7/09
 Date

Reference this change order number on all Application for Payment documents.

The work covered by this Subcontract Change Order will be performed under the same terms and conditions as those in the Subcontract Agreement. Subcontractor agrees this Subcontract Change Order is inclusive of all Subcontractor's claims for additional compensation for work heretofore authorized or performed beyond the scope of the Subcontract Agreement as amended this date. No other claims will be accepted by Contractor.



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THOMPSON COE

Attorneys and Counselors
Thompson, Coe, Cousins & Irons, L.L.P.

Plaza of the Americas
700 N. Pearl Street, Twenty-Fifth Floor
Dallas, Texas 75201-2832
(214) 871-8200 | Fax: (214) 871-8209

John A. Isbell
Direct Dial: (214) 871-8235
Internet: jisbell@thompsoncoe.com

Austin
Dallas
Houston
Saint Paul

November 5, 2009

Via Federal Express

BMC Group, Inc.
Attn: Opus West Corporation Claims Processing
18750 Lake Drive East
Chanhassen, MN 55317

Re: In re: *Opus West Construction Corporation*; Case No. 09-34360 and
In re: *Opus West LP*; Case No. 09-034334

Dear Sir or Madam:

Enclosed please find the two original Proofs of Claim to be filed in the above referenced cases pending in the U.S. Bankruptcy Court for the Northern District of Texas.

If you have any questions or comments, feel free to contact me.

Sincerely,


John A. Isbell

Enclosures