

CONSTRUCTION CONTRACT FOR CONSTRUCTION MANAGER AT RISK SERVICES

AMENDMENT NO. 16

WHEREAS, the Town of Uxbridge ("Owner") and Shawmut Design and Construction, (the "Construction Manager at Risk") (Collectively, the "Parties") entered into a contract for Construction Management for the Uxbridge High School Project on October 12, 2010 (the "Contract"); and

WHEREAS, the parties agreed to Amendment No. 1 (Mini-GMP) to the Contract in the amount of \$10,085,382 effective as of February 3rd, 2011; and

WHEREAS, the parties agreed to Amendment No. 2 (Main GMP) to the Contract in the amount of \$25,180,437 effective as of March 30th, 2011; and

WHEREAS, the parties agreed to Amendment No. 3 to the Contract in the amount of \$45,243 effective as of May 18th, 2011; and

WHEREAS, the parties agreed to Amendment No. 4 to the Contract in the amount of \$6,047 effective as of August 17th, 2011; and

WHEREAS, the parties agreed to Amendment No. 5 to the Contract in the amount of \$55,972 effective as of October 26th, 2011; and

WHEREAS, the parties agreed to Amendment No. 6 to the Contract in the amount of \$14,213 effective as of December 14th, 2011; and

WHEREAS, the parties agreed to Amendment No. 7 to the Contract in the amount of \$102,122 effective as of February 22nd, 2012; and

WHEREAS, the parties agreed to Amendment No. 8 to the Contract in the amount of \$413,258 effective as of April 11th, 2012; and

WHEREAS, the parties agreed to Amendment No. 9 to the Contract in the amount of \$2,000,000 effective as of May 9th, 2012; and

WHEREAS, the parties agreed to Amendment No. 10 to the Contract in the amount of \$27,354 effective as of June 13th, 2012; and

WHEREAS, the parties agreed to Amendment No. 11 to the Contract in the amount of \$42,792 effective as of July 18th, 2012; and

WHEREAS, the parties agreed to Amendment No. 12 to the Contract in the amount of \$251,900 effective as of August 22nd, 2012; and

WHEREAS, the parties agreed to Amendment No. 13 to the Contract in the amount of \$45,008 effective as of September 19th, 2012; and

WHEREAS, the parties agreed to Amendment No. 14 to the Contract in the amount of \$65,055 effective as of November 14th, 2012; and

WHEREAS, the parties agreed to Amendment No. 15 to the Contract in the amount of \$6,905 effective as of December 12th, 2012; and

WHEREAS, effective as of March 13th, 2013 the Parties wish to amend the Contract:

NOW, THEREFORE, in consideration of the promises and the mutual covenants contained in this Amendment, and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the Parties, intending to be legally bound, hereby agree as follows:

1. The Owner hereby authorizes this Amendment No. 16 with a total value of \$61,900. This amendment is based upon the acceptance of the Construction Manager's Change Order #14 as detailed in the attachments to cover the cost of 7 change order requests which are necessary to field conditions and owner scope adjustments.

Fee for Basic Services	Original Contract	Previous Amendments	Amount of This Amendment	After This Amendment
GMP		\$38,324,392	\$61,900	\$38,386,292
Pre-Construction Services	\$69,184	\$17,296	\$0	\$86,480
Total Fee	\$69,184	\$38,341,688	\$61,900	\$38,472,772

2. The Construction Budget shall be as follows:

Original Budget: \$34,469,807
Amended Budget: \$38,472,772

3. The Project Schedule shall be as follows:

Original Schedule: Substantial Completion 07/10/12
Amended Schedule for School: Substantial Completion 07/27/12
Schedule for Fields: Substantial Completion 11/16/12

4. This Amendment contains all of the terms and conditions agreed upon by the Parties as amendments to the original Contract. No other understandings or representations, oral or otherwise, regarding amendments to the original Contract shall be deemed to exist or bind the Parties, and all other terms and conditions of the Contract remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this Amendment to be executed by their respective authorized officers.

OWNER

JAY M CAHILL

(print name)

BOB CHAMMAN

(print title)

By:

(signature)

Date:

3/13/13

CONSTRUCTION MANAGER AT RISK

Joseph Herbert

(print name)

Project Manager

(print title)

By:

(signature)

Date:

3/13/13



Prime Contract Change Order

Project : Uxbridge High School

300 Quaker Highway
Uxbridge, MA 01569

Date: 3/8/2013

SDC Project # : 100764

Tel: (617) 622-7184

Fax: (617) 622-8184

No: 014

To Owner:
Town of Uxbridge

Contract Date: 2/18/2011

Contract Number: 100764

21 S Main St
Uxbridge, MA 01569

The Contract is hereby revised by the following items:

Amendment #16 including COR's 181, 176, 177, 178, 179, 180, & 278

COR #	Description	Amount
181	Changes per PR# 050 (Added roof ladders - Supervision)	\$ 416
176	Irrigation water service changes (Hose bib at North field)	\$ 1,346
177	Seeding for temporary javelin area	\$ 3,221
178	Rip rap at south side of track	\$ 11,861
179	Fabrication lab crash bar changes per PR-088	\$ 233
180	Additional restroom signage per PR-089	\$ 171
278	Bleachers	\$ 44,652
Total \$		61,900

Change To Contract Sum

The original Contract Value was.....	\$35,352,299
Sum of changes by prior Prime Contract Change Orders.....	\$3,058,573
The Contract Value prior to this Prime Contract Change Order was.....	\$38,410,872
The Contract Value will be changed by this Prime Contract Change Order in the amount of..... \$	61,900
The new Contract Value including this Prime Contract Change Order will be..... \$	38,472,772

Change To Contract Time

The Contract duration will be changed by.....	0 Days
The revised Substantial Completion date as of this Prime Contract Change Order is.....	11/16/2012

Shawmut Design and Construction


CONTRACTOR

560 Harrison Ave.
Boston, MA 02118
Address

By Josiah Herbert

SIGNATURE

DATE


3/13/13

Town of Uxbridge

OWNER

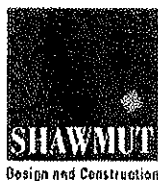
21 S Main St
Uxbridge, MA 01569
Address

By

SIGNATURE

DATE


3/13/13



Change Order Request # 181

To: Peter A. Petrillo
Town of Uxbridge
21 S Main St
Uxbridge, MA 01569

Date: 1/25/2013
Project #: 100764
Project: Uxbridge High School

Fax:

Description: Labor & Supervision for added roof ladders

Item	Amount
SDC - Labor & Supervision for added roof ladders	\$387
.85% Payment & Performance Bond	\$3
1.2% General Liability Insurance	\$5
.2% Builder's Risk	\$1
5% Fee	\$20
Total	\$416

Type: Lump sum proposal
Schedule Impact: This change will add 0 days to the contract completion date.
Overtime Impact: This change will not require project overtime

Please review, sign and return to the undersigned.

Sincerely,

Josiah Herbert
Shawmut Design and Construction



Owner

Peter A. Pettilio - Board of Selectmen, Town of Uxbridge

Date:

3/13/13

Owner 2

Dave Krawitz - Joslin Lesser & Assoc.

Date:

3/13/13

Architect

Gene Raymond - Principal, RDA Architecture

Date:

2/12/13

PM

Josiah Herbert - Project Manager, Shawmut Design and Construction

Date:

3/12/13

CC:

REF. PCO: 198a



Change Order Request # 176

To: Peter A. Petrillo
Town of Uxbridge
21 S Main St
Uxbridge, MA 01569

Date: 1/25/2013
Project #: 100764
Project: Uxbridge High School

Fax:

Description: Hose bibb at North Field

Item

Amount

Moran - Furnish and install 3/4" hose bibb mounted to light pole base at North Field	\$1,253
.85% Payment & Performance Bond	\$11
1.2% General Liability Insurance	\$15
.2% Bullder's Risk	\$3
5% Fee	\$64
Total	\$1,346

Type: Lump sum proposal
Schedule Impact: This change will add 0 days to the contract completion date.
Overtime Impact: This change will not require project overtime

Please review, sign and return to the undersigned.

Sincerely,

Josiah Herbert
Shawmut Design and Construction



Owner

Peter A. Petrillo - Board of Selectmen, Town of Uxbridge

Date:

3/13/13

Owner 2

Dave Krawitz - Joslin Lesser & Assoc.

Date:

3/13/13

Architect

Gene Raymond - Principal, RDA Architecture

Date:

3/12/13

PM

Josiah Herbert - Project Manager, Shawmut Design and Construction

Date:

3/12/13

CC:

REF. PCO: 271a



Change Order Request # 177

To: Peter A. Petrillo
Town of Uxbridge
21 S Main St
Uxbridge, MA 01569

Date: 1/25/2013
Project #: 100764
Project: Uxbridge High School

Fax:

Description: Temporary seeding at javelin area

Item	Amount
Greenscapes - Provide hydroseeding for temporary javelin area	\$3,000
.85% Payment & Performance Bond	\$26
1.2% General Liability Insurance	\$36
.2% Builder's Risk	\$6
5% Fee	\$153
Total	\$3,221

Type: Lump sum proposal
Schedule Impact: This change will add 0 days to the contract completion date.
Overtime Impact: This change will not require project overtime

Please review, sign and return to the undersigned.

Sincerely,

Josiah Herbert
Shawmut Design and Construction



Change Order Request 177

Owner

Peter A. Petrillo - Board of Selectmen, Town of Uxbridge

Date:

3/13/13

Owner 2

Dave Krawitz - Joslin Lesser & Assoc.

Date:

3/13/13

Architect

Gene Raymond - Principal, RDA Architecture

Date:

3/12/13

PM

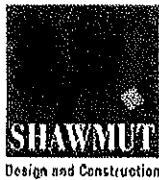
Josiah Herbert - Project Manager, Shawmut Design and Construction

Date:

3/12/13

CC:

REF. PCO: 275



Change Order Request # 178

To: Peter A. Petrillo
Town of Uxbridge
21 S Main St
Uxbridge, MA 01569

Date: 1/25/2013
Project #: 100764
Project: Uxbridge High School

Fax:

Description: Rip rap at South side of track

Item	Amount
Welch - Provide rip rap at south side of track	\$11,045
.85% Payment & Performance Bond	\$94
1.2% General Liability Insurance	\$134
.2% Builder's Risk	\$23
5% Fee	\$565
Total	\$11,861

Type: Lump sum proposal
Schedule Impact: This change will add 0 days to the contract completion date.
Overtime Impact: This change will not require project overtime

Please review, sign and return to the undersigned.

Sincerely,

Josiah Herbert
Shawmut Design and Construction



Owner

Peter A. Petrillo - Board of Selectmen, Town of Uxbridge

Date:

3/13/13

Owner 2

Dave Krawitz - Joslin Lesser & Assoc.

Date:

3/13/13

Architect

Gene Raymond - Principal, RDA Architecture

Date:

3/12/13

PM

Josiah Herbert - Project Manager, Shawmut Design and Construction

Date:

3/12/13

CC:

REF. PCO: 276



Change Order Request # 179

To: Peter A. Petrillo
Town of Uxbridge
21 S Main St
Uxbridge, MA 01569

Date: 1/25/2013
Project #: 100764
Project: Uxbridge High School

Fax:

Description: Fabrication lab crash bar changes per PR-088

Item

Amount

Horner - Delete hardware at fabrication lab (owner to provide hardware) per PR-088	\$(655)
Town of Uxbridge - Furnish and install hardware at fabrication lab	\$872
.85% Payment & Performance Bond	\$2
1.2% General Liability Insurance	\$3
5% Fee	\$11
Total	\$233

Type: Lump sum proposal
Schedule Impact: This change will add 0 days to the contract completion date.
Overtime Impact: This change will not require project overtime

Cost from Town's locksmith are estimated.

Please review, sign and return to the undersigned.

Sincerely,

Josiah Herbert
Shawmut Design and Construction



Owner

Peter A. Petrillo - Board of Selectmen - Town of Uxbridge

Date:

8/13/13

Owner 2

Dave Krawitz - , Joslin Lesser & Assoc.

Date:

3/13/13

Architect

Gene Raymond - Principal, RDA Architecture

Date:

3/12/13

PM

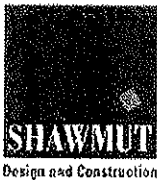
Josiah Herbert - Project Manager, Shawmut Design and Construction

Date:

3/12/13

CC:

REF. PCO: 277



Change Order Request # 180

To: Peter A. Petrillo
Town of Uxbridge
21 S Main St
Uxbridge, MA 01569

Date: 1/25/2013
Project #: 100764
Project: Uxbridge High School

Fax:

Description: Additional restroom signage per PR-089

Item

Back Bay - Provide additional signage at restrooms per PR-089
.85% Payment & Performance Bond
1.2% General Liability Insurance
5% Fee

Amount

\$160
\$1
\$2
\$8

Total \$171

Type: Lump sum proposal
Schedule Impact: This change will add 0 days to the contract completion date.
Overtime Impact: This change will not require project overtime

Please review, sign and return to the undersigned.

Sincerely,

Josiah Herbert
Shawmut Design and Construction

Owner _____
Peter A. Petrillo - Board of Selectmen, Town of Uxbridge
Owner 2 _____
Dave Krawitz - , Joslin Lesser & Assoc.
Architect _____
Gene Raymond - Principal, RDA Architecture
PM _____
Josiah Herbert - Project Manager, Shawmut Design and Construction

Date: 3/12/13

Date: 3/13/13

Date: 3/12/13

Date: 3/12/13



Change Request 278

To: Town of Uxbridge
21 S Main St
Uxbridge, MA 01569

Date: 3/11/2013
Project #: 100764
Project: Uxbridge High School

Fax:

Description: Bleachers work

Item

	Amount
Welch - Provide slope modifications for bleachers	\$33,765
SDC - Additional GC's	\$7,869
.85% Payment & Performance Bond	\$354
1.2% General Liability Insurance	\$500
.2% Builder's Risk	\$83
5% Fee	\$2,082
Total	\$44,652

All spoils are assumed to remain on-site and stockpiled near the existing loam pile. This includes minor landscape restoration and a hold to modify the existing electrical stub-up conduit, if necessary.

This excludes any and all work associated with the pressbox which is currently anticipated to be by the owner at a future date. See attached qualifications for additional inclusions and exclusions. See contingency log for additional scope.

Type: Lump sum proposal
Schedule Impact:
Overtime Impact: This change will not require project overtime

Please review, sign and return to the undersigned.

Sincerely,

Josiah Herbert
Shawmut Design and Construction

Owner

Town of Uxbridge

Date:

3/13/13

Owner 3

David Krawltz, Joslin Lesser & Assoc.

Date:

3/13/13

Architect

Gene Raymond - Principal, RDA Architecture

Date:

3/12/13



Uxbridge HS Bleachers & Pressbox Qualifications
Quaker Highway
Uxbridge, MA

Exclusions

Pressbox (assumes by owner at future date)
Testing or monitoring
Unforeseen conditions
Soil & clay mitigation, unsuitable soils, and hazardous material
Rock removal
Disposal of spoils off-site (assumes on-site disposal)
Importing gravel sub-base. Assumes existing soil can be utilized as a suitable sub-base for concrete pads.
Any scope with future concession stand.
Final utility connections to Pressbox by Owner - including electrical feed
Electrical feed for Pressbox by Owner
Updated SWPPP, ConComm or DEP restrictions
Dust control
Any work at light pole location adjacent to bleachers
Relocating future light pole. Assumes adequate clearance between future light pole and bleachers
Winter Conditions
Police Details

Inclusions

Change order is based on a Spring 2013 release

Uxbridge High School Bleacher/Pressbox GC Study

February 26, 2013

Option 1 - Full Scope Bleachers and Pressbox 100% Managed By Shawmut
Duration = 3 wks

Description	Quantity	UOM	Daly Rate	Total
PA	1	Days	291	\$290.56
Sr Pm	5	Days	\$703.98	\$3,519.90
PM	3	Days	\$408.32	\$1,224.96
Asst Super	17	Days	\$387.46	\$6,586.82
			Total	<u>\$11,622.24</u>

Option 2 - Bleachers Only 100% Managed By Shawmut
Duration = 2 wks

Description	Quantity	UOM	Daly Rate	Total
PA	1	Days	291	\$290.56
Sr Pm	3	Days	\$703.98	\$2,111.94
PM	2	Days	\$408.32	\$816.64
Asst Super	12	Days	\$387.46	\$4,649.52
			Total	<u>\$7,868.66</u>

Option 3 - Pressbox Only 100% Managed By Shawmut
Duration = 1 wks

Description	Quantity	UOM	Daly Rate	Total
PA	1	Days	291	\$290.56
Sr Pm	3	Days	\$703.98	\$2,111.94
PM	2	Days	\$408.32	\$816.64
Asst Super	7	Days	\$387.46	\$2,712.22
			Total	<u>\$5,931.36</u>

Option 4 - Subcontracts held with Shawmut but on-site Supervision by the Town of Uxbridge
OnSite Duration = 0 wks

Description	Quantity	UOM	Daly Rate	Total
PA	1	Days	291	\$290.56
Sr Pm	3	Days	\$703.98	\$2,111.94
PM	2	Days	\$408.32	\$816.64
Asst Super	2	Days	\$387.46	\$774.92
			Total	<u>\$3,994.06</u>