

CONSTRUCTION CONTRACT FOR CONSTRUCTION MANAGER AT RISK SERVICES

AMENDMENT NO. 9

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, effective as of May 9th, 2012 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 9 with a total value of \$2,000,000. This amendment is based upon the acceptance of the Construction Manager's Change Order #07 as detailed in the attachments to cover the cost of constructing the main multi-purpose athletic field which was part of the original base project scope. This GMP amendment will require a commensurate increase in the Total Project Budget, from \$43,000,000 to \$45,000,000 based on additional funding which has been approved by the Town. The Town expects to pay 100% of these additional costs directly and does not expect the MSBA to participate in funding for the amount of this change order.

Fee for Basic Services	Original Contract	Previous Amendments	Amount of This Amendment	After This Amendment
GMP		\$35,885,378	\$2,000,000	\$37,885,378
Pre-Construction Services	\$69,184	\$17,296	\$0	\$86,480
Total Fee	\$69,184	\$35,902,674	\$2,000,000	\$37,971,858

2. The Construction Budget shall be as follows:

Original Budget:	\$34,469,807
Amended Budget:	\$37,971,858

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

BRUCE DESILETS
(print name)
CHAIR BOS
(print title)
By: Bruce Desilets
(signature)
Date: 5/9/2012

CONSTRUCTION MANAGER AT RISK

Peter L'Homme
(print name)
PM
(print title)
By: Peter L'Homme
(signature)
Date: 5/7/12



Prime Contract Change Order

Project : Uxbridge High School
300 Quaker Highway
Uxbridge, MA 01569

SDC Project # : 100764
Tel: (617) 622-7184
Fax: (617) 622-8184

No:007

Date: 5/7/2012

To:
Shawmut Design and Construction
3 Davol Square, Suite A275
Providence, RI 02903

Contract Date: 2/18/2011
Contract Number: 100764

The Contract is hereby revised by the following items:

Amendment #9 including COR# 97

COR #	PCO	Description	Amount
097	172	Football Field/Track	\$ 2,000,000
			\$ 2,000,000

Change To Contract Sum

The original Contract Value was.....	\$35,352,299
Sum of changes by prior Prime Contract Change Orders.....	\$619,559
The Contract Value prior to this Prime Contract Change Order was.....	\$35,971,858
The Contract Value will be changed by this Prime Contract Change Order in the amount of.....	\$ 2,000,000
The new Contract Value including this Prime Contract Change Order will be.....	\$ 37,971,858

Change To Contract Time

The Contract duration will be changed by.....	112 Days
The revised Substantial Completion date as of this Prime Contract Change Order is.....	11/16/2012

Town of Uxbridge

RDA Architecture

Shawmut Design and
Construction

OWNER:

ARCHITECT

CONTRACTOR

21 S Main St
Uxbridge, MA 01569

222 North Street
Hingham, MA 02043

3 Davol Square, Suite A275
Providence, RI 02903

By: Bruce Desilets

By: Gene Raymond

By: Peter L'Hommedieu

Signature

Signature

Signature

Date

Date

Date



Change Order Request # 097

To: Bruce Desilets
Town of Uxbridge
21 S Main St
Uxbridge, MA 01569
Fax: (508) 278-8605

Date: 5/7/2012
Project #: 100764
Project: Uxbridge High School

Description: Football Field/Track

Item	Amount
Field Change (Sitework),	\$1,126,284
Field Change (Landscaping),	\$44,166
Field Change (Synthetic Turf),	\$396,460
Field Change (Track & Tennis),	\$161,212
Field Change (Concrete),	\$77,418
Field Change (Electrical),	\$78,743
Field Change (General Conditions/Project Requirements),	\$183,330
Field Change (Contingency), Subcontract,	\$27,157
OWNER HOLD: Rough Grading, The Welch Corporation	\$(121,870)
Allow- Winter Conditions, Shawmut Design and Construction	\$(77,864)
Payment & Performance Bond, Shawmut Design and Construction	\$17,821
General Liability Insurance, Shawmut Design and Construction	\$24,811
Builder's Risk, Shawmut Design and Construction	\$4,185
2.75% not contractual 5% Fee, Shawmut Design and Construction	\$58,147
Total	\$2,000,000

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

See attached 1/7/12 proposal and qualifications.
Pricing per PR# 44 and field bid RFI's.


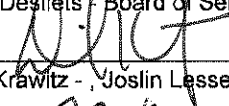
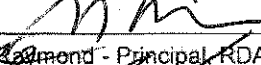

Please review, sign and return to the undersigned.

Sincerely,

Peter L'Hommedieu
Shawmut Design and Construction



Change Order Request 097

Owner		Date: 5/9/2012
	Bruce Desilets - Board of Selectmen - Chair, Town of Uxbridge	
Owner 2		Date: 5/9/12
	Dave Krawitz - Joslin Lesser & Assoc.	
Architect		Date: 5/9/2012
	Gene Raymond - Principal, RDA Architecture	
PM		Date: 5/7/12
	Peter L. Hammedieu - Senior Project Manager, Shawmut Design and Construction	

CC:
REF. PCO: 172



5/7/12

Shawmut Design and Construction is pleased to present the enclosed Guaranteed Maximum Price Change Order for the Uxbridge High School Multipurpose Field and Track. The GMP CO is based on the contract drawings, April 9, 2012. In addition, enclosed are the following documents:

- GMP CO cost summary
- Assumption and Clarifications

This is a Guaranteed Maximum Price Change Order to the SDC contract based on new supplemental funding raised by the Town of Uxbridge which will increase the Total Project Budget by the full amount of this Contract Amendment, \$2,000,000.

This CO is based on the Town executing the contract amendment by 6/1/12 and a SDC completion of 11/16/2012.



Uxbridge HS Fields
Quaker Highway
Uxbridge, MA

5/7/2012

Summary Sheet - Alternate 3A (Multipurpose Field & Track)

TRADE	COST
SITEWORK / ACCESSORIES	\$ 1,126,284
LANDSCAPING	\$ 44,166
SYNTHETIC TURF	\$ 396,460
TRACK	\$ 161,212
CONCRETE	\$ 77,418
ELECTRICAL	\$ 78,743
SUBTOTAL	\$ 1,884,282
GENERAL CONDITIONS / REQUIREMENTS	\$ 183,330
GLI	\$ 24,811
BUILDERS RISK	\$ 4,185
P&P BOND	\$ 17,821
FEE : 2.75% (Reduced FEE, Contractually 5%)	\$ 58,147
SUB TOTAL	\$ 2,172,577
CONSTRUCTION CONTINGENCY (1.25%)	\$ 27,157
SUB TOTAL	\$ 2,199,734
FUNDS RELEASED FROM UNUSED ALLOWANCES WITHIN ORIGINAL GMP	\$ (199,734)
TOTAL	\$ 2,000,000



Uxbridge HS Fields
Quaker Highway
Uxbridge, MA

Exclusions

Change order does not include any scope other than the multipurpose synthetic field
Change order does not include field facility building
Change order does not include any underslab utilities for the field facility building
Change order does not include any soil & clay mitigation, unsuitable soils, and hazardous material
Change order does not include any unforeseen conditions
Change order does not include any testing or monitoring
Change order does not include the press box or PA system
Change order does not include any lighting, scoreboard or wiring
Change order does not include any owners contingency
Change order does not include any work outside the limits of work
Change order does not include permits
Change order does not include any utility consumption and backcharge costs
Change order does not include an irrigation well
Change order does not include any SWPPP monitoring and reporting, to be performed by BSC Group under the base project budget
Change order does not include any costs for an updated SWPPP, ConComm or DEP restrictions
Change order does not include any costs for permanent trash receptacles or bike racks
Change order does not include any costs for dust control
Change order does not include any costs for the enlarged track surface. Track pricing is based on original design .
Change order does not include any costs for the additional crushed stone layer below the turf. We have included 4" per the original design

Change order does not include any costs additional bituminous walkways. We have included walkways per the original design.
Change order does not include a painted logo at the synthetic field

Inclusions

Change order is based on a June 1, 2012 release
Change order is based on submittals being approved within 2 weeks and RFI answered within 5 business days
Change order assumes \$199,734 within the GMP will be released and moved to cover expenses in this change order
Change order includes a concrete pad, retaining wall and conduit for a future press box
Change order is based on a November 16, 2012 turnover
Change order is based on screening only as needed and spreading of the existing stockpiled topsoil. Excess topsoil to remain in existing stockpiled location (not respread).