

# **ATTACHMENT F**

## **CONTRACT FOR DESIGNER SERVICES**

### **AMENDMENT NO. 9**

**WHEREAS**, the Town of Uxbridge ("Owner") and Raymond Design Associates, Inc., (the "Designer") (Collectively, the "Parties") entered into a contract for Designer Services for the Uxbridge High School Project on August 10, 2009 (the "Contract"); and

**WHEREAS**, Amendment No. 1 was approved by the SBC on October 28, 2009; and Amendment No. 2 was approved by the SBC on April 29, 2010; and Amendment No. 3 was approved by the SBC on August 5, 2010; and Amendment No. 4 was approved by the SBC on August 18, 2010; and Amendment No. 5 was approved by the SBC on October 7, 2010; and Amendment No. 6 was approved by the SBC on November 29, 2010; and Amendment No. 7 was approved by the COWG on December 15, 2010; and Amendment No. 8 was approved on February 2, 2011:

**WHEREAS**, the parties wish to amend the Contract with Amendment No. 9 as of May 18, 2011;

**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 the Designer to perform additional services pursuant to Article 8 of the Contract and as specified in Section 4.11 to provide support services required for environmental permitting and for geotechnical services in the construction administration phase;

Proposed Additional Fee: **NTE \$24,876**

2. For the performance of services required under the Contract, as amended, the Designer shall be compensated by the Owner in accordance with the following Fee for Basic Services:

<b>Fee for Basic Services</b>	<b>Original Contract</b>	<b>Previous Amendments</b>	<b>Amount of This Amendment</b>	<b>After This Amendment</b>
Feasibility Study Phase	\$120,000	\$34,650		\$154,650
Schematic Design Phase	\$180,000	\$26,510		\$206,510
Design Development Phase		\$640,000		\$640,000
Construction Doc Phase		\$1,115,000		\$1,115,000
Bidding Phase		\$80,000		\$80,000
Construction Phase		\$895,000		\$895,000
Completion Phase		\$94,200		\$94,200
GeoTech & GeoEnv		NTE \$90,002	NTE \$16,252	NTE \$106,254
Site Survey		NTE \$21,230		NTE \$21,230
Site Survey		\$20,020		\$20,020
Wetlands		NTE \$116,490	\$8,624	NTE \$125,114
Traffic Studies		NTE \$68,200		NTE \$68,200
Total Fee	\$300,000	NTE \$3,201,302	NTE \$24,876	NTE \$3,526,178

3. The Construction Budget shall be as follows:

Original Budget:	\$0
Amended Budget:	\$35,293,766

4. The Project Schedule shall be as follows:

Original Schedule:	
Amended Schedule:	Design Development Complete 10/07/10 Construction Documents Complete 02/04/11 Substantial Completion 07/27/12

5. 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

IN WITNESS WHEREOF, the Owner, with the prior approval of the Authority, and the Designer have caused this Amendment to be executed by their respective authorized officers.

OWNER

Beth A. Pitman  
(print name)  
Chair, U2Bridge Board of Directors  
(print title)  
By: [Signature]  
(signature)  
Date: 25 May 11

DESIGNER

GENE S. RAYMOND, JR.  
(print name)  
PRESIDENT, RAYMOND DESIGN ASSOC., INC.  
(print title)  
By: [Signature]  
(signature)  
Date: 5-16-2011



**Raymond Design Associates, Inc.**  
222 North Street, Hingham, Massachusetts 02043  
Telephone 781-749-5530

May 12, 2011

Uxbridge School Building Committee  
c/o Joslin, Lesser + Associates, Inc.  
44 Pleasant Street  
Watertown, Massachusetts 02472  
Attn: David Krawitz

Re: Contract Amendment #9 – Additional Services  
Uxbridge High School

David:

We are pleased to submit our proposal for Additional Services for the Design Development thru Completion Phases of Designer Services for the new Uxbridge High School.

This proposal is based on the Request for Designer Services (RFS), dated May 6, 2009, the Contract for Designer Services, signed by the Owner August 10, 2009, the Schematic Design submission, dated June 11, 2010, and the Form 3011 approved by the MSBA Board at their meeting held on July 28, 2010.

#### **SCOPE OF SERVICES**

Additional Services, as defined in the contract for Designer Services, for the following professional services, to be completed during the Design Development through Completion Phases:

- **Site Survey Budget:** Provide support services to the Town of Uxbridge to finalize the Site Permitting authorized to under RDA Amendment # 6 and the Conservation Restriction at the well field site authorized under RDA Amendment #8. These services were beyond the original scope of work contemplated for permitting the site and were performed on a fluid/expedited manner to achieve schedule milestones for the start of construction. *(Please see BSC Group Proposal Attached)*
  - Prepare for and attend meetings and site visits.
  - Update construction documents and prepare exhibits.
  - Update Conservation Commission and provide final plans.
  - Create recordable plan stamped by Professional Land Surveyor.
  - Prepare application for EOEEA.
  - Provide coordination and notifications between Contractor and NHESP.
  - Create Conservation and Management Permit for recording at Registry of Deeds.
- **Geotechnical Budget:** Provide Geotechnical Engineering Support and Observation during construction. This work is in addition to previously authorized Geotechnical Engineering design services and consists of professional 'construction administration' services, not redundant 'soils testing', which is being performed on the Owner's behalf by John Turner Consulting. *(Please see PEER Consultants Proposal Attached)*

- Conduct field investigations and data review at the new High School site on an 'as-needed' basis.
- Review foundations to be supported by the on-site soils.
- Provide verbal and written engineering conclusions and recommendations.

**COMPENSATION**

Compensation is being requested for Additional Services from Design Development through the Completion Phase. These amounts are in addition to our authorization to date on the project for Basic Services from the Feasibility Study through the Project Completion Phases and in addition to previous authorizations to date for additional sub-consultant services not included in the scope of the Basic Services, all of which were authorized in Amendments #1 thru #8.

**Basic Services**

- Basic Services for Feasibility Study & Schematic Design: \$300,000
- Design Development (Amendment #3) \$640,000
- Contract Documents (Amendment #3) \$1,115,000
- Bidding (Amendment #3) \$80,000
- Contract Administration (Amendment #3) \$895,000
- Closeout (Amendment #3) \$94,200

**Total Basic Services \$3,124,200**

**Previously Approved Additional Services**

- Additional Services to Date (Amendments #1-8): \$377,102

**Additional Services – Amendment #9**

- BSC Group:
  - (Wetlands) \$7,840 x 1.1 Markup = \$8,624
- PEER Consultants:
  - (Geotech) Not-to-Exceed \$14,775 x 1.1 Markup = \$16,252

**Total Additional Services – Amendment #9 \$24,876**

**Total Services – Basic Services + Amendments #1 - 9: \$3,526,178**

**ASSUMPTIONS**

Please find BSC Group proposal dated May 3, 2011 and PEER Consultants proposal dated May 4, 2011 attached.

The cost of any Geotechnical inspections and reports beyond the not-to-exceed budget of 15 site visits is not included in this proposal.

All provisions of our Agreement remain in effect except as specifically modified by this amendment.

Sincerely Yours,  
Raymond Design Associates, Inc.



Gene S. Raymond Jr., AIA  
President



May 3, 2011

Mr. Gene S. Raymond, Jr., AIA  
President  
Raymond Design Associates, Inc.  
222 North Street  
Hingham, MA 02043-4619

**RE:** Uxbridge High School-Extra Services

Dear Mr. Raymond:

Due to the expedited construction schedule requiring a timely response to all the permitting complications, and unanticipated requirements for extra documentation, application/ exhibits, coordination with the state and preparation for, and attendance at, additional state and town meetings, we require additional extra services agreements;

1. MHC & Wetlands dated Nov. 24, 2010 - Anticipated T&M total is \$4,170 beyond our \$14,500 budget.

Based on issues related to avoiding impacting wetlands by relocating sewer line, MHC, ACOE and the tribal issues;

- Prepare for and attend additional meetings and site visits with ACOE, Tribal Reps, PAL, Inc and the town to review potential impact areas.
- Update Construction documents to reflect areas to be avoided and reissue to project team for installation of barriers around "no touch" areas.
- Provide requested exhibit to MHC for their input and review.
- Coordination with DPW and town on unanticipated site and maintenance issues involving sewer line.
- Send additional revised plans and documents to Cons Comm. and coordination with Cons Comm regarding changes.

2. Rare Species Permitting dated 2/1/11 - Anticipated T&M total is \$3,670 beyond our \$7,000 budget.

Based on final review and instruction from the Natural Heritage and Endangered Species Program, for the Conservation Restriction and other conditions of the Conservation and Management Permit :

- Professional Land Surveyor to review, sign, and stamp the recordable plan.
- Coordination to finalize the permit language and attend additional meetings.
- Application to the Executive Office of Energy and Environmental Affairs (EOEEA) for the Conservation Restriction.
- Notify the NHESP in writing that the Conservation Restriction has been submitted to the EOEEA. Submit proof of application.
- Provide copies of the Conservation and Management Permit for recording

33 Waldo Street  
Worcester, MA 01608

Tel: 508-792-4500  
800-288-8123  
Fax: 508-792-4509

[www.bscgroup.com](http://www.bscgroup.com)

Engineers

Environmental  
Scientists

GIS Consultants

Landscape  
Architects

Planners

Surveyors



Uxbridge High School  
Additional Extra Services  
May, 3, 2011

- Notify the NHESP in writing of the contractor contact information, and early construction schedule with start of work dates.
- Notify the contractor in writing of the presence of the state-listed species and provide educational materials regarding protocol if the species is observed.

Total for additional work is \$7,840.

Sincerely,  
**BSC GROUP, INC.**

*Leslie Fanger*

Leslie D. Fanger, RLA, LEED-AP  
Senior Project Manager

**AGREED AND ACCEPTED BY:**  
**Raymond Design Associates, Inc.**

**APPROVED BY:**  
**BSC Group, Inc.**

*[Signature]*  
Authorized Signature  
*GENE S. RAYMOND JR.*

*[Signature]*  
David N. Hayes, P.E., LEED AP  
Principal & Senior Vice President

*PRESIDENT*  
Title  
*RAYMOND DESIGN ASSOC. INC.*

*5-15-2011*  
Date

*May 3, 2011*  
Date

#### 4. STAFF RESPONSIBILITY

Mr. Kenneth Menzies will be in charge of the program, and we understand that you will provide general direction and policy decisions on behalf of your organization. Other staff members with appropriate technical backgrounds will participate on this project.

#### 5. GENERAL PROVISIONS

Our work for clients is conducted on a confidential basis, and we will treat information received from you or developed by us in accordance with our Established Professional Standards.

Our work will be on a best efforts basis. We expect that the results will meet the objectives sought, and we have assigned to the work professional personnel having the required skills, experience and competence. Our recommendations and the written material we provide will be our best judgment based upon the information available to us. In any event, our liability for damages arising out of your use of the results of our work or any recommendations we may make shall not be greater than the amount paid to us for the professional services rendered.

Any change in this agreement shall be confirmed in writing. This agreement shall be interpreted according to the laws of the State of Maryland, in which PEER is incorporated.

#### 6. ACCEPTANCE

We appreciate the opportunity to work with you on this important assignment. To authorize us to proceed, please sign this document and return to PEER Consultants, P.C.


Sincerely,

PEER Consultants, P.C.

*Kenneth Menzies*

Kenneth Menzies  
Senior Project Manager

Accepted for  
Raymond Design Associates, Inc.

By:   
Title: PRESIDENT, RAYMOND DESIGN ASSOCIATES, INC.  
Date: 5-15-2011