



January 12, 2021

Mr. Tony Guigli
Project Manager
Building Department
333 Washington Street
Brookline, MA 02445

Re: Michael Driscoll School Project
Construction Management Contract Amendment No. 2

Dear Mr. Guigli,

LeftField has reviewed the Construction Management (CM) Contract Amendment No. 2 presented by Gilbane Building Company for revisions to the Construction Management Plan for \$7,350 as requested by the Town in response to neighborhood/abutter concerns. The revisions to the Construction Management Plan (CMP) include accommodations for pedestrians on the north side of Washington Street during non-working hours, associated truck turning maneuver analyses, sign modifications and related correspondence and meetings required to implement the changes to the CMP. The fee for these additional services can be covered by the original budget for Preconstruction Services. The total committed amount, including the proposed services of CM Contract Amendment No. 2, for the Preconstruction Services budget line is \$288,030 which represents 90% of the approved Preconstruction Budget, leaving \$31,658 uncommitted.

Given the sensitivities of the logistics within the Construction Management Plan with abutters, the \$7,350 cost for third party expertise regarding accommodating neighborhood concerns is fair and reasonable. The lump sum costs provided for the outlined tasks fairly represent the effort involved in adequately completing the revisions and modifications required. Therefore, Leftfield recommends approval of Construction Management Contract Amendment No. 2.

Should you have any questions regarding this recommendation of approval, please contact me.

Sincerely,

Lynn Stapleton, AIA, LEED AP B D + C

Cc: Jim Rogers, LeftField, LLC
Jennifer Carlson, LeftField, LLC
Philip Gray, Jonathan Levi Architects
Walter Kincaid, Gilbane Building Company

**CONSTRUCTION CONTRACT FOR CONSTRUCTION MANAGER AT RISK SERVICES
AMENDMENT No. 2**

WHEREAS, the Town of Brookline (“Owner”) represented by Owner’s Project Manager, LeftField, LLC, entered into a contract (“Contract”) with Gilbane Company, Inc. (the “CM at Risk”) (collectively the “Parties”) for construction manager services in association with the design and construction of the Michael Driscoll School Project (the “Project”) on May 8, 2020; and

WHEREAS, the scope of this work is summarized in the attached Gilbane and Vanasse & Associates Inc. letter proposals, dated December 18, 2020 and December 10, 2020 respectively, for revisions to the Construction Management Plan to incorporate accommodations for pedestrians on the north side of Washington Street during non-working hours, associated truck turning maneuver analyses, sign modifications and related correspondence and meetings; and

WHEREAS, Contract amendment No. 1 was approved by the Town of Brookline on November 10, 2020; and

WHEREAS effective as of January 12, 2021, 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. 2 with a total value of \$7,350.00. This Amendment is based upon approval of the Construction Manager’s additional Preconstruction Services proposal from Vanasse & Associates Inc. for revisions requested to the Construction Management Plan. The Contract Price in accordance with Articles 6 and 7 of the Owner-Construction Manager Agreement shall be amended as follows:

<u>Fee for Basic Services</u>	<u>Original Contract</u>	<u>Previous Amendments</u>	<u>Amount of This Amendment</u>	<u>After This Amendment</u>
Pre-Construction Services	<u>\$ 180,000.00</u>	<u>\$ 100,680.00</u>	<u>\$ 7,350.00</u>	<u>\$ 288,030.00</u>
Total Fee	<u>\$ 180,000.00</u>	<u>\$ 100,680.00</u>	<u>\$ 7,350.00</u>	<u>\$ 288,030.00</u>

2. The Project Schedule shall be as follows:

Original Schedule for Substantial Completion:	(Building)	<u>May 26, 2023</u>
	(Site)	<u>May 17, 2024</u>
Amended Schedule for Substantial Completion:	(Building)	<u>No Change</u>
	(Site)	<u>No Change</u>

3. The Construction Budget shall be as follows:

Original Budget:	<u>\$ 92,791,890.00</u>
------------------	-------------------------

Amended Budget:

\$ No Change

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:
TOWN OF BROOKLINE**

By executing this Agreement, the undersigned authorized signatory of Owner, who incurs no personal liability by reason of the execution hereof or anything herein contained, hereby certifies under penalties of perjury that this Contract is executed in accordance with a prior approval of the Town of Brookline.

By: See Attached Signature Page for Town **Date:** January 12, 2021

Name: _____

Title: _____

**CM at RISK:
GILBANE BUILDING COMPANY, INC.**

By: Walter J.G. Kincaid **Date:** January 12, 2021

Name: Walter Kincaid

Title: Senior Project Executive

APPROVED AS TO FORM:

By: _____ **Date:** January 12, 2021

Name: _____

Title: _____



December 18th, 2020

Town of Brookline
333 Washington Street
Brookline, Massachusetts 02445

Re: Michael Driscoll School

Gilbane Building Co. proposes, in consideration of engineering services in support of the preparation of the Construction Management Plan (CMP) support services (Amendment #1) for the construction of the Michael Driscoll School. the amount of:

\$7,350.00

The details to the costs are included in the attached supporting documentation.

CMP Review: Vanasse	Amendment #1	\$	7,000.00
	GBC fee 5%	\$	350.00
		\$	<u>7,350.00</u>

Should you have any questions regarding this submittal, please feel free to contact me at 617-478-3371

GILBANE BUILDING COMPANY
Charles Buhl
Accountant III

CONTRACT AMENDMENT

Project: Construction Management Plan – Support Services
Michael Driscoll School, 64 Westbourne Terrace
Brookline, Massachusetts

Amendment No.: 1
 Date: December 10, 2020
 Project No.: 8757
 Page: 1 of 2

To: Ms. Lynda Callahan
Project Manager
Gilbane Building Company
10 Channel Center Street
Boston, MA 02210

AMENDMENT COST ESTIMATE Lump Sum
 Fee: \$7,000 T&E
 Expenses: -- Fixed Fee
 Total: \$7,000 Other

REVISED CONTRACT COST ESTIMATE
 Fee \$19,000 Estimated Date
 Expenses: \$500 of Completion:
 Total \$19,500

Requested By: Stephen M. Boudreau

The Scope of Services of this Contract Amendment consists of the following tasks, which includes items beyond the scope of our original contract dated October 13, 2020.

Task 1.0 Construction Management Plans **\$5,000**

Pursuant to the Town of Brookline review comments received on November 25, 2020, the CONSULTANT will revise the Construction Management Plans to incorporate accommodations for pedestrians on the north side of Washington Street during non-working hours and the associated truck turning maneuver analyses; and signing modifications.

This amendment does not include work to incorporate notes or details for the Tannery Brook drain line and the building underpinning as informed by the site engineer and Client.

Task 2.0 Project Meetings & Coordination **\$2,000**

The CONSULTANT will continue project coordination efforts including written correspondence, conference calls and meetings with the CLIENT and Town of Brookline to facilitate the development and approval of the CMP's.

CONTRACT AMENDMENT

Project: Construction Management Plan – Support Services
Michael Driscoll School, 64 Westbourne Terrace
Brookline, Massachusetts

Amendment No.: 1
 Date: December 10, 2020
 Project No.: 8757
 Page: 2 of 2

COMPENSATION

The total compensation for performing the Scope of Services is estimated below:

Tasks	Original Contract	Contract Amendment No. 1	Total
1.0 Construction Management Plans	\$9,000	\$5,000	\$14,000
2.0 Project Meetings & Coordination	3,000	2,000	5,000
Labor Fee	\$12,000	\$7,000	\$19,000
Expenses	\$500	--	\$500
TOTAL ESTIMATED COSTS	\$12,500	\$7,000	\$19,500

Prepared By: Stephen M. Boudreau, P.E.

Please execute this Amendment to our existing Contract Agreement authorizing us to proceed with the above scope of services at the stated estimated cost. No work will be performed under this Amendment until it is signed and returned to VAI. Upon execution by both parties, this Amendment becomes part of our original Contract Agreement dated October 13, 2020 and is subject to all term and conditions and provisions therein.

VAI Authorization

By: Stephen Boudreau
 Title: Partner
 Date: December 10, 2020

Client Authorization *(Please sign and return)*

By: _____
 Title: _____
 Date: _____