TOWN OF BROOKLINE

333 Washington Street, Hrunkline, Manachusetts 02146

PURCHASE ORDER CHANGE FORM

INVOICE DATE; 09-Jun-25 21201408 Miller Dyer Spears, Inc. 99 Chauncy Street Boston MA 02111 Vendor Number 2080 THEODER THEORY BUDGET \$18,732,557.11 ORGANIZATION PUND ACTIVITY OBJECT \$8,500,669.57 40004101 524010 \$69,377.00 BALANCE FOR: John R. Pierce School Date 6/10/2025 Change Order AMOUNT \$69,377.00 Additional soil sampling Hidden footing that required additional structural design BUILDING COMMISSION SELECT BOARD APPROVAL OF APPROVAL OF Janet Flerman Chairman Charles Carey, Town Administrator George Cole Bernard Greene, Chairman Sive si hus Karen Breslay Michael Sandman John VanScoyoc Nathan E. Peck Brooke Duskin Mirlam Aschkenasy Paul Warren SCHOOL COMMITTEE Deputy Superintendent For Administration and Finance



June 10, 2025

Mr. Lap Yan Project Manager **Building Department** 333 Washington Street Brookline, MA 02445

Re:

John R. Pierce School Project

KB SE Not to Ant Designer Services Contract Amendment No. 16

Dear Mr. Yan,

LeftField has reviewed Designer Contract Amendment No. 17 presented by Miller Dyer Spears (MDS). It includes two proposals. One proposal for \$56,925 is for Additional LSP Services for GEI for the additional quantity of soil removal and for the complexity of the soils. The LSP of Record's soils pre-characterization, documentation and testing for both the new building and geothermal wellfield are required for a disposal facility to accept the soil. The second for \$12,452 is for Havard Street Existing Conditions Adjustment for MDS and Sasaki. The unforeseen conditions require additional civil, landscape and architectural work to make adjustments to the original design. The scope of work for both proposals is presented in Amendment No. 17 for a total amount of \$69,377.00.

The scope of services for both proposals is necessary, and the costs are fair and reasonable. LeftField recommends that the Town of Brookline accept Designer Contract Amendment No. 17 in the total amount of \$69,377.00.

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

Sincerely,

LeftField Project Management

Rym Stapleton

Lynn Stapleton, AIA, LEED AP B D + C

Attachment: MDS Designer Contract Amendment 17

Cc:

Jim Rogers, LeftField, LLC Adam Keane, LeftField, LLC Andrew Deschenes, LeftField, LLC Margret Clark, Miller Dyer Spears, Inc.

CONTRACT FOR DESIGNER SERVICES

AMENDMENT NO. 17

WHEREAS, the TOWN OF BROOKLINE ("Owner") and MILLER DYER SPEARS, INC. (the "Designer") (collectively, the "Parties") entered into a Contract for Designer Services for the Feasibility Study and Schematic Design Phases for the John R. Pierce Elementary School Project (Project Number 201800460040) on January 26, 2021, ("Contract"). The John R. Pierce Elementary School is located at 50 School Street, Brookline, MA 02445; and

WHEREAS, the scope of this work is summarized in the two attached Miller Dyer Spears (MDS) Additional Services Request Proposals, one, dated May 30, 2025, for Additional LSP Services from GEI and one, dated May 30, 2025, for Havard Street Existing Conditions Adjustments from MDS and Sasaki.

WHEREAS, Contract Amendment No. 1 was approved by the Town of Brookline on August 10, 2021; and

WHEREAS, Contract Amendment No. 2 was approved by the Town of Brookline on September 14, 2021; and

WHEREAS, Contract Amendment No. 3 was approved by the Town of Brookline on January 11, 2022; and

WHEREAS, Contract Amendment No. 4 was approved by the Town of Brookline on June 29, 2022; and

WHEREAS, Contract Amendment No. 5 was approved for approval by the Town of Brookline on July 11, 2023; and

WHEREAS, Contract Amendment No. 6 was approved for approval by the Town of Brookline on July 11, 2023; and

WHEREAS, Contract Amendment No. 7 was approved by the Town of Brookline on May 14, 2024 and on June 11, 2024; and

WHEREAS, Contract Amendment No. 8 was approved by the Town of Brookline on June 11, 2024;

WHEREAS, Contract Amendment No. 9 was approved by the Town of Brookline on June 11, 2024;

WHEREAS, Contract Amendment No. 10 was approved by the Town of Brookline on June 11, 2024; and

WHEREAS, Contract Amendment No. 11 was approved by the Town of Brookline on September 4, 2024; and

WHEREAS, Contract Amendment No. 12 was approved by the Town of Brookline on October 8, 2024; and

WHEREAS, Contract Amendment No. 13 was approved by the Town of Brookline on November 12, 2024; and

WHEREAS, Contract Amendment No. 14 was approved by the Town of Brookline on February 11, 2025; and

WHEREAS, Contract Amendment No. 15 was approved by the Town of Brookline on April 8, 2025; and

WHEREAS, Contract Amendment No. 16 was approved by the Town of Brookline on May 13, 2025; and

WHEREAS, effective as of June 10, 2025, the parties wish to amend the contract, as amended:

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 Contract Amendment No. 17 for the total value of \$69,377.00. The Miller Dyer Spears' (MDS) Amendment is comprised of the two attached proposals: Additional LSP Services Proposal, dated May 30, 2025, for \$51,750 for GEI and MDS' mark-up of \$5,175 for a total of \$56,925; and Existing Havard Street Conditions Adjustments Proposal, dated May 30, 2025, for \$7,100 Sasaki and \$5,352 for MDS for a total of \$12,452. The Designer is herein authorized to commence the services outlined in this Amendment, pursuant to the terms and conditions set forth in the Contract, as amended.
- 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:

Fee for Basic Services	Original Contract	Previous Amendments	Amount of This Amendment	Total of All Amendments
Feasibility Study/Schematic Design Phase	\$1,294,466	\$ 170,652.11	\$ 0	\$ 1,465,118.11
Design Development Phase	\$ 0	\$ 3,705,919	\$ 0	\$ 3,705,919
Construction Documents Phase	\$ 0	\$ 6,229,098	\$ 0	\$ 6,229,098
Bidding Phase	\$ 0	\$ 394,247	\$ 0	\$ 394,247
Construction Phase	\$ 0	\$ 5,164,912	\$ 0	\$ 5,164,912
Completion Phase	\$ 0	\$ 394,247	\$ 0	\$ 394,247
Printing (Over Min.)	\$ 0	\$ 0	\$ 0	\$ 0
A/E Reimbursable Services	\$ 0	\$ 1,240,667.75	\$ 12,452	\$ 1,252,119.75
HAZMAT Services	\$ 0	\$ 206,729	\$ 56,925	\$ 263,654
Geotechnical/Geo- Environmental	\$ 0	\$ 532,570.50	\$ 0	\$ 532,570.50
Site Survey	\$ 0	\$ 63,311.60	\$ 0	\$ 63,311.60
Traffic Studies	\$ 0	\$ 78,473	\$ 0	\$ 78,473
Total Fee	\$1,294,466	\$18,180,828.95	\$ 69,377.00	\$19,544,670.95

This Amendment is for Additional LSP Services and for Additional Civil, Landscape and Architectural Services for Unforeseen Existing Conditions and for Structural Analysis and Recommendation for Unforeseen Conditions in Harvard Street that require adjustments to the design.

3.	The Construction Budget shall be as follows:	ows:
	Original Budget:	\$168,022,660
	Amended Budget	
4.	The Project Schedule shall be as follows	;
	Original Schedule: (based on 6/1/23	DD start) Substantial Completion - 7/21/27
	Amended Schedule	
5.	amendments to the original Contra	erms and conditions agreed upon by the Parties as ct, as amended. No other understandings or garding amendments to the original Contract, as ind the Parties, and all other terms and conditions of force and effect.
IN ha	N WITNESS WHEREOF, the Owner, with ave caused this Amendment to be executed	the prior approval of the Authority, and the Designer by their respective authorized officers.
	WNER: OWN OF BROOKLINE	
	(print name)	_
	(ртип паше)	
	(print title)	_
В	y:	···
D	Pate:	_
	DESIGNER: MILLER DYER SPEARS, INC.	
ĮVi	MILLER DIER SFEARS, INC.	
	(print name)	_
_	(print title)	_
В	Ву:	
_	(signature)	



May 30, 2025

Ms. Lynn Stapleton 101 Federal Street, Boston, MA 02110

Re:

Pierce School - Additional LSP Services

Dear Lynn,

As discussed with Adam Keane, MDS is submitting this proposal for expenses to be incurred by MDS in the form of additional LSP Services.

Given the quantity of soils to be removed, as well as the complexity of soils, and unexpected documentation and testing required, GEI has submitted additional services for their work. See attached proposal from GEI.

Exclusions:

This proposal does not include the additional LSP services related to the PCB finding at the south end of the historic building. Those additional services will be submitted later as soon as the extent of contamination and removal action required is defined.

For the additional scope defined above, MDS proposes the fees below:

Fee Proposal:

GEI

\$51,750

MDS markup

\$5,17<u>5</u>

Total Additional Service

\$56,925

Please do not hesitate to contact me if you have any questions.

Sincerely,
Margan Da

MDS ARCHITECTS

Margaret O. Clark, AIA, LEED AP BD+C, WELL AP

Associate Principal

Cc: A. Mackrell



Consulting Engineers and Scientists April 29, 2025 (Revised May 29, 2025) Proposal 2403583

Ms. Margaret Clark MDS/Miller Dyer Spears, Inc. 40 Broad Street, Suite 103 Boston, Massachusetts 02109

Dear Ms. Clark:

Re: Proposal for Environmental Engineering Services – Additional Service #3
Pierce Elementary School Project
50 School Street
Brookline, Massachusetts 02445

GEI Consultants, Inc. is pleased to submit this proposal to continue providing environmental engineering services for the proposed Pierce Elementary School project at 50 School Street in Brookline, Massachusetts.

Background

Our currently authorized environmental scope, dated April 15, 2024 (Rev. May 2, 2024) assumed the following soil volumes would be generated during construction, based on Consigli's estimates and input:

- Existing building demolition approximately 2,300 cubic yards (cy) of excess soil from site work, street utility work, drilling spoils from support of excavation (SOE) installation, and excess imported fill brought to the site to temporarily brace building foundation walls during demolition of the slab.
- New building construction approximately 12,000 cy of excess soil from the new building footprint.
- Geothermal wellfield installation approximately 3,000 cubic yards of excess loam and drilling spoils from horizontal and vertical work.

However, based on updated soil volume estimates provided by Consigli and Derenzo to GEI on March 19, 2025, additional soil volume is anticipated. Consigli and Derenzo estimated there could be up to approximately 22,000 cubic yards of soil from the new building construction (including related to improvements to the historical building and the School Street right-of-way, neither of which were included in the 2024 volume estimate); and up to approximately 6,000 cubic yards of soil from the geothermal wellfield installation. The increases in soil volume require additional pre-characterization environmental testing.

In addition, our currently authorized environmental scope, dated April 15, 2024 (Rev. May 2, 2024) also assumed GEI would prepare up to six LSP Opinion Letters and waste profiles to

facilitate off-site disposal of excess soil at various soil receiving facilities. As of April 18, 2025, GEI prepared six such letters and waste profiles. However, based on the updated soil volume estimates and the sequencing of the pre-characterization environmental sampling and testing, additional LSP Opinion Letters and waste profiles are needed.

Scope of Work

1. Soil Pre-Characterization – New Building Construction: We originally assumed 24 soil samples for the new building footprint based on the soil volume of 12,000 cubic yards previously provided to us by Consigli, and 3 days of sample collection from test pits. GEI observed the first 3 days of test pit excavations on February 18, March 4, and March 25, 2025.

The new soil volume estimated by Consigli and Derenzo is up to approximately 22,000 cubic yards. Consequently, there is a need to pre-characterize the increase in soil volume (10,000 cubic yards) with 20 additional soil samples at a frequency of 1 sample per 500 cubic yards. In addition, there is a need for 3 additional days of sample collection from test pits based on the contractor's sequencing for test pit excavations. So far, GEI already observed test pit excavations for this purpose on March 28 and Aprill 11, 2025, and GEI anticipates 1 more day for the future School Street test pits.

For this scope, we will collect and test the 20 additional soil samples for the parameters listed below and we will tabulate, review, and distribute the testing results.

- Volatile organic compounds (VOCs)
- Semi-volatile organic compounds (SVOCs)
- Total petroleum hydrocarbons (TPH) by method 8100M
- Extractable petroleum hydrocarbons (EPH), if necessary
- PCBs
- MCP 14 total metals
- Toxicity characteristic leaching procedure (TCLP) for lead or other metals, if necessary
- Conductivity, corrosivity, ignitability, and reactivity

Additional sampling and testing may be necessary if the testing results indicate that a higher sampling frequency is necessary by the specific soil receiving facilities, or delineation sampling is required by the soil receiving facilities. The specific nature and extent of additional sampling is unknown at this time.

2. <u>Soil Pre-Characterization – Geothermal Wellfield Installation:</u> We originally assumed six soil samples for the geothermal wellfield based on the soil volume of up to 3,000 cubic yards previously provided to us by Consigli, and 2 days of sample collection from hand augers (shallow loam) or drilling spoils stockpile (deep soil).

The new soil volume estimated by Consigli and Derenzo is up to approximately 6,000 cubic yards. Consequently, there is a need to pre-characterize the increase in soil volume (3,000 cubic yards) with six additional soil samples at a frequency of 1 sample per 500 cubic yards. In addition, there is a need for 1 additional day of sample collection from test pits based on the number of samples anticipated to be collected.

For this scope, we will collect and test the six additional soil samples for the same parameters listed in Task 1 above and we will tabulate, review, and distribute the testing results.

Additional sampling and testing may be necessary if the testing results indicate that a higher sampling frequency is necessary by the specific soil receiving facilities, or delineation sampling is required by the soil receiving facilities. The specific nature and extent of additional sampling is unknown at this time.

- 3. <u>Soil Disposal Coordination</u>: We originally assumed six Licensed Site Professional (LSP) Opinion Letters for the entire project. As of April 18, 2025, GEI had already prepared and issued six final or draft LSP Opinion Letters based on the sample testing results and the scheduling needs by the contractor. These letters have included:
 - Kingston Loam (11/5/2024)
 - Kingston Stockpile 1 (3/7/2025)
 - Danvers Stockpile 1 (4/18/2025)
 - Tiverton Stockpile 2 (3/28/2025)
 - Kingston Building Footprint (partial) (4/18/2025)
 - Saugus Building Footprint (4/18/2025)

There is a need for up to seven additional LSP Opinion Letters. Specifically, additional LSP Opinion Letters will be needed to facilitate off-site disposal approvals for soil generated from the remainder of the new and historical building footprints (assumed two letters; Kingston and Danvers), School Street improvements (assumed two letters; facilities to be determined), and geothermal well installation (assumed three letters; facilities to be determined).

For this scope, we will prepare seven LSP Opinion Letters, including either a Material Shipping Record (MSR) or Bill of Lading (BOL), based on soil receiving facility information provided by the contractor. Our scope also includes closing out the MSRs and BOLs at the end of the project.

Cost

Our proposed fee for the above scope of work is summarized in the table below.

	Task	Unit	Unit Price	Quantity	Cost
1.	Soil Pre-Characterization – New Building Construction (field work, lab analysis, lab results review/evaluation)	Lump Sum	\$31,000	1	\$31,000
2.	Soil Pre-Characterization – Geothermal Well Installation (field work, lab analysis, lab results review/evaluation)	Lump Sum	\$13,000	1	\$13,000
3.	Soil Disposal Coordination (7 additional letters; for 13 cumulative letters to date)	Lump Sum (Per Letter)	\$3,000	7	\$21,000
To	tal:				\$65,000
Cre	edit for Unused Budgets (refer to budget status le for budget reallocations):				(\$13,250)
An	nount Requested:				\$51,750

Reimbursable expenses such as environmental laboratory testing, field equipment, and other incidentals (all included in the costs above) are approximately \$30,000.

Additional services will be performed on a negotiated lump sum or unit cost basis. Invoices will be submitted monthly based on the work performed for each lump sum task and the actual units completed for the other tasks at the end of the billing period.

We will notify you before we reach the budgeted cost for any task before completing the planned scope if unanticipated conditions arise.

•	
Terms and Conditions	
Our services will be provided in accordance with the Dyer Spears, Inc. dated May 30, 2023. If this proposition which will serve as our contract and notice-to-process.	sal is acceptable, please return a signed cop
We appreciate the opportunity to submit this propor or Ryan Hoffman at 781-424-9920 if you have any	sal. Please call Andy Sanna at 781-721-40 questions.
Sincerely, GEI CONSULTANTS, INC. Andrew Sanna, P.E. Senior Project Engineer RSH: c. Adam Keane, LeftField Project Management	Ryan/Hoffman, P.G., LSP Vice President
B:\Working\MDS ARCHITECTS\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	nal Services\#03 Additional Soil Sampling and Disposal CoordigEl any form or by any means, electronic or mechanical
Accepted by:	
MILLER DYER SPEARS, INC.	
(Signature)	(Title)
(Typed/Printed Name)	(Date)

GEI - Additional Service #3 - Estimated Increase Pierce Elementary School Project 50 School Street Brookline, Massachusetts

Teak	มูนก	Unit Price	Quandity	Original R Bodget	Realtocated R	Restlocated	Billed Re to Date	Remaining Pro Budget In	Proposed p. Budget Ne	Proposed Rationale Rationale Investigated Proposed Proposed Rationale Proposed Propo
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Environmental										
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2.2. Soil Pre-Chairechtaiten – Erosing bancary Lemanous, two-ty to seminary 2.3. Soil Pre-Chairechtaiten – New Buildine Construction (2025) (24 samples)	Lump Sum	\$42,000		\$42,000	\$13,250	\$55,250	\$42,000	\$13.250	517,750	\$73,000 [10 additional samples collected on to be collected based on included to the Volumes plas J more certs to observe association near year. Learning (\$16,250). Increase accounts for credit from reallocated budget amount (\$16,250).
A. C. C. C. Communication Constitution (Note Incident COUNTY (Restrictive)	mus omail	\$16,000	2	516,000		\$16,000	95	\$15,000	S13.000	\$29,000 (8 additional semplos to be collected based on increased soil volumes plus 1 more day to achanica test pills
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C.D. Specifications & Management Committee and Committee (22) broaded	Turk Grant	\$11,000		517,000	(\$3,400)	\$7,800	\$5,400	\$2,200		
2.0. Design Flashe Flash Meddings of the Sylvanication (St. 1992)	Meeting	\$3,250		\$9,750	(\$8,200)	\$1,550	20	\$1,690		\$1,550
A.r., Continuity meetings	Lump Sum	\$12,000	2	\$12,000	23,000	215.000	\$12,000	\$3,000		\$15,000
2.0. White Divers Team Mention and Constitution (8 bolis)	Lump Sum	\$2,000		\$2,000	(\$2,000)	\$0	\$0	50		0%
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2.11. Statutispood Coordination (a Lor Openior Levers)	Lump Sum	\$10,000	L	\$10,000	(\$9,250)	\$750	8750	280		0525
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Environmental Unit Coats										
A. C. Parenter allem Observation, B.d. Davice	Full Day	\$1,275	01	\$12,750		\$12,750	\$1,275	\$11,475		\$12,750
Constitution Cookwards Tail Laye	Half Day	\$850	L	\$25,500		\$25,500	\$20	\$25,500		\$25,500
3.2 CONSIDERATION COSCIVILION - THE EMPS		ETE		62 000	-	\$3,000	\$75	52,925	-	000'55
3.3 Construction Observation - PID Rental	Á		1	and the	†	300.00	62 550	\$1.075	-	128 64
3.4 UST Removal Observation - Full Days	Full Day	\$1,275		33,623		93,023	2000	1		300-8
3.5 UST Ramoval Observation - PID Renial	Day	\$75	6	522		\$225	octo	0	1	7776
Total:				\$481,850	St	\$461.850	\$299,400	\$182,450	251,750	\$533,600
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May 30, 2025

Ms. Lynn Stapleton 101 Federal Street, Boston, MA 02110

Re: Pierce School - Additional Services - Harvard St Existing Conditions Adjustments

Dear Lynn,

As discussed with Adam Keane, MDS is submitting this proposal for additional expenses to be incurred by MDS in the form of additional civil, landscape, and architectural services.

There were unexpected obstructions found at Harvard Street in the form of an additional electrical duct bank and an old rubble foundation wall. The found utilities and rubble walls impact the foundation drain system, drainage system, and streetscape improvements along Harvard St, which require design revision.

The depth and configuration of the found footings and grade beams at 68 Harvard Street would have required +-6" of underpinning, relative to the proposed work. To avoid the cost and risk of underpinning that small height, the school's walkway will be adjusted upwards, and insulation will be added, in lieu of lowering the footings. Wall sections will be developed to redesign the base of the retaining wall directly adjacent to the existing footings, grade beams, and rubble foundation wall.

Assumptions:

This proposal is related to the found obstructions in RFI 076 and the test pits at 68 Harvard St.

Exclusions:

This proposal does not include any additional obstructions that may be found later.

For the additional scope defined above, MDS proposes the fees below:

 Fee Proposal:
 \$7,100

 Sasaki
 \$5,352

 Total Additional Service
 \$12,452

Please do not hesitate to contact me if you have any questions.

Sincerely,
Margine O

MDS ARCHITECTS

Margaret O. Clark, AIA, LEED AP BD+C, WELL AP

Associate Principal

Cc: A. Mackrell

27 - Harvard St Existing Conditions Adjustments

MDS Design, coordination and documentation	24	\$5,352
	Subtotal MDS	\$5,352
Sasaki		
Civil and Landscape Services		9
PIC	e-l	0049
¥ď	&	\$1,400
4	4	\$800
CWI	08	\$4,500
TOTAL	Subtotal Sasaki	\$7,100













