

TOWN OF BROOKLINE  
333 Washington Street, Brookline, Massachusetts 02146

PURCHASE ORDER CHANGE FORM

INVOICE DATE: 11-Feb-25

TO: Miller Dyer Spears, Inc  
99 Chauncy Street  
Boston MA 02111

Purchase Order Number  
21201408

Vendor Number  
2080

BUDGET \$18,732,557.11  
BALANCE \$8,418,038.32

FUND	ORGANIZATION	ACTIVITY	OBJECT
	40004101		524010

PAYMENT AMOUNT  
\$33,572.00

FOR: John R. Pierce School

Change Order	Date	
14	11/1/2024	Additional Monitoring of Hazardous materials

AMOUNT  
\$33,572.00

BUILDING COMMISSION

APPROVAL OF:

Janet Fleman, Chairman

George Cole

Karen Breslawski

Nathan E. Peck

Brooke Duskin

SELECT BOARD

APPROVAL OF:

Charles Carey, Town Administrator

Bernard Greene, Chairman

Michael Sandman

John VanScoyoc

Paul Warren

David Pearlman

SCHOOL COMMITTEE

APPROVAL OF:

Deputy Superintendent For Administration and Finance

Chair of School Committee

PURCHASE ORDER CHANGE FORM

INVOICE DATE; 11-Feb-25

TO:	Miller Dyer Spears, Inc 99 Chauncy Street Boston MA 02111
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Purchase Order Number  
21201408

Vendor Number  
2060

PAYMENT AMOUNT  
\$33,572.00

BUDGET \$18,732,557.11  
BALANCE \$8,418,039.32

FUND	ORGANIZATION	ACTIVITY	OBJECT
	40004101		524010

FOR: John R. Pierce School

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February 11, 2025

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

Re: John R. Pierce School Project  
Designer Services Contract Amendment No. 14

Dear Mr. Yan,

LeftField has reviewed Designer Contract Amendment No. 14 presented by Miller Dyer Spears (MDS). It includes additional Hazardous Materials Monitoring Services as UEC's original contract fee has been expended. UEC's cost is for \$30,520.00 and MDS' Administrative fee of \$3,052.00 results in the total for Designer Contract Amendment No. 14 of \$33,572.00. The scope of work presented in Amendment No. 14 is necessary to cover the remaining monitoring needed for the non-traditional work plan for the building foundations removal and the additional windows removal in the historic building associated with Alternate No. 1 to Bid Package 2.

The scope of services is a requirement, and the costs are fair and reasonable. LeftField recommends that the Town of Brookline accept Designer Contract Amendment No. 14 in the total amount of \$33,572.00.

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

Sincerely,  
LeftField Project Management



Lynn Stapleton, AIA, LEED AP B D + C

Attachment: MDS Designer Contract Amendment 14

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

main: 617-737-6400 fax: 617-217-2001  
101 federal street, suite 1900, boston, ma 02110

**owner project manager**  
owner representative construction audits  
cost forecasting **capital budgeting**

## CONTRACT FOR DESIGNER SERVICES

### AMENDMENT NO. 14

**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 attached Miller Dyer Spears (MDS) Additional Services Request Proposal: Additional Hazardous Materials Monitoring Services, dated February 6, 2025.

**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; and

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

**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**, effective as of February 11, 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. 14 for the total value of \$33,572.00. The Miller Dyer Spears' (MDS) Amendment is comprised of the attached MDS Proposal: Additional Hazardous Materials Monitoring Services for \$30,520.00 and MDS' administrative fee of \$3,052.00. 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	\$ 1,227,414.50	\$ 0	\$ 1,227,414.50
HAZMAT Services	\$ 0	\$ 173,157	\$ 33,572	\$ 206,729
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
<b>Total Fee</b>	<b>\$1,294,466</b>	<b>\$18,134,001.70</b>	<b>\$ 33,572</b>	<b>\$19,462,039.70</b>

This Amendment is for MDS' Additional Services for Additional Hazardous Materials Monitoring Services for the Pierce School.

3. The Construction Budget shall be as follows:

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

John R. Pierce Elementary School

Designer Contract Amendment No. 14

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

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:**  
TOWN OF BROOKLINE

\_\_\_\_\_  
(print name)

\_\_\_\_\_  
(print title)

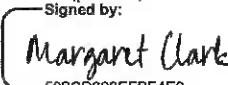
By: \_\_\_\_\_  
(signature)

Date: \_\_\_\_\_

**DESIGNER:**  
MILLER DYER SPEARS, INC.

Margaret Clark  
\_\_\_\_\_  
(print name)

Senior Associate  
\_\_\_\_\_  
(print title)

Signed by:  
By:   
\_\_\_\_\_  
502CD393EFBF4E9...  
(signature)

Date: 2/6/2025  
\_\_\_\_\_



February 6, 2025

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

Re: Pierce School - Additional Service Request - Additional Hazardous Materials  
Monitoring Services

Dear Lynn,

MDS is submitting this proposal for additional services for Hazardous Materials Monitoring Services as UEC's original fees have been exceeded. In general, the non-traditional work plans have pushed the required number of hours/days of monitoring over the anticipated allotment. These additional services are to cover the anticipated remaining monitoring needed for the non-traditional work plan on the building foundations removal and additional windows removal at the historic building associated with the acceptance of Alternate 1.

It is our understanding that this is a typical reimbursable expense under the standard MSBA contract. See attached proposal from UEC, Universal Environmental Consultants.

For this additional scope, MDS proposes the Not to Exceed fees below:

Fee Proposal:	
UEC	\$30,520
MDS markup x 1.1	<u>\$3,052</u>
Total	\$33,572

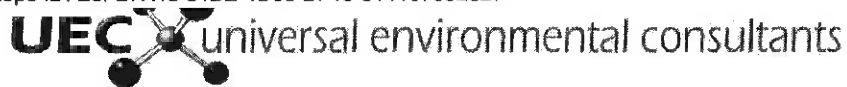
Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Margaret O. Clark", written in a cursive style.

MILLER DYER SPEARS INC.  
Margaret O. Clark, RA, LEED AP BD+C  
Senior Associate

Cc: A Mackrell



February 6, 2025

Ms. Margaret Clark  
Senior Associate  
MDS/MILLER DYER SPEARS ARCHITECTS  
40 Broad Street, Suite 103  
Boston, MA 02109

Reference: **Asbestos Containing Materials Construction Monitoring and Air Sampling Services  
Pierce School, Brookline, MA – Additional Services**

Dear Ms. Clark:

Thank you for the opportunity for Universal Environmental Consultants (UEC) to provide professional services.

We are pleased to submit our proposal for the above-mentioned project.

Should this proposal meet with your approval, kindly execute, and return the enclosed proposal.

Please do not hesitate to call me at (508) 628-5486 if you have questions about this proposal or our services.

Very truly yours,

Universal Environmental Consultants

A handwritten signature in black ink, appearing to read "Ammar M. Dieb", is written over a horizontal line.

Ammar M. Dieb  
President

UEC:\Proposals\IDM\MDS-Pierce School, Brookline-MA.DOC

Enclosure

**PROPOSAL  
FOR  
ASBESTOS CONTAINING MATERIALS CONSTRUCTION MONITORING  
AND  
AIR SAMPLING SERVICES  
AT THE  
PIERCE SCHOOL, BROOKLINE, MA**

**SCOPE OF SERVICES:**

- A. UEC Project Monitors will provide on-site asbestos abatement and building demolition activities monitoring and observe the contractor's practices and procedures.
- B. UEC Project Monitors will collect and analyze air samples in accordance with Federal and State regulations as follows:
  - ◆ Background air samples by Phase Contrast Microscopy (PCM) prior to the commencement of abatement activities in each area to establish the ambient levels of airborne fibers.
  - ◆ General area air samples by PCM during abatement activities both inside and outside abatement work areas to verify airborne fiber levels do not exceed required limits.
  - ◆ Clearance air samples by PCM as required by Federal and State regulations. PCM samples will be collected and analyzed on-site.
- C. UEC Project Monitors will perform air sampling on the exterior of the school during demolition as required by the DEP since ACM damproofing was found on foundation walls.

**PAYMENT:**

UEC will submit invoices for work completed. Invoices shall be paid within ten (10) days from client's receipt of payment from the owner. This proposal is subject to UEC conditions.

**FEES FOR SERVICES:**

Fees for services will be charged on time and material basis with an estimated fee as follows.

Monitor per 8-hour Shift (regular time) x 40 Shifts	\$ 500.00	\$ 20,000.00
Designer and Project Manager (per hour) x 8 Hours	\$ 115.00	\$ 920.00
Per PCM air samples x 12 Samples per Shift	\$ 20.00	\$ 9,600.00

The estimated additional requested NTE fee \$ 30,520.00

Based on 40 Monitoring Shifts

(NTE Fee will not be exceeded without prior approval)

Proposal Authorized By:



\_\_\_\_\_  
Ammar M. Dieb  
President

Proposal Accepted by:

Signature: \_\_\_\_\_

Ms. Margaret Clark

Senior Associate

MDS/MILLER DYER SPEARS ARCHITECTS

40 Broad Street, Suite 103

Boston, MA 02109

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INVOICE DATE: 11-Feb-25

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	40004101		524010

BUDGET \$18,732,557.11  
BALANCE \$8,418,039.32

FOR: John R. Pierce School

Change Order 14	Date 11/1/2024	Additional Monitoring of Hazardous materials
AMOUNT \$33,672.00		

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APPROVAL OF: SELECT BOARD

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Charles Carey, Town Administrator

Bernard Greene, Chairman

Michael Sandman

John VanScoyoc

William Aschkenasy

Paul Warren

SCHOOL COMMITTEE  
APPROVAL OF: Deputy Superintendent For Administration and Finance