

**CONSTRUCTION CONTRACT FOR CONSTRUCTION MANAGER AT RISK SERVICES  
AMENDMENT No. 3**

**WHEREAS**, the Town of Brookline (“Owner”) represented by Owner’s Project Manager, LeftField, LLC, entered into a contract (“Contract”) with Consigli Construction Company, Inc. (the “CM at Risk”) (collectively the “Parties”) for construction manager services in association with the design and construction of the John R. Pierce School Project (the “Project”) on May 17, 2022; and

**WHEREAS** CM Contract Amendment No. 1 was approved on August 9, 2022; and  
**WHEREAS** CM Contract Amendment No. 2 was approved on June 13, 2023; and

**WHEREAS** effective as of October 10, 2023, 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:

- The Owner hereby authorizes this Amendment No. 3 with a total value of \$29,842.54. This Amendment is for additional HAZMAT and Structural Exploratory conducted in August and September 2023 for required due diligence. 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>
SD Preconstruction Services	<u>\$ 57,400.00</u>	<u>\$ 4,288.00</u>	<u>\$ 0.00</u>	<u>\$ 61,688.00</u>
Preconstruction Services		<u>\$ 300,000.00</u>	<u>\$ 29,842.54</u>	<u>\$ 329,842.54</u>
<b>Total Fee</b>	<b><u>\$ 57,400.00</u></b>	<b><u>\$ 304,288.00</u></b>	<b><u>\$ 29,842.54</u></b>	<b><u>\$ 391,530.54</u></b>

- The Project Schedule shall be as follows:  
Original Schedule for Substantial Completion: July 21, 2027  
  
Amended Schedule for Substantial Completion: TBD
- The Construction Budget shall be as follows:  
Original Budget: \$168,022,660  
  
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:** October 10, 2023

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**CM at RISK:  
CONSIGLI CONSTRUCTION COMPANY, INC.**

**By:** \_\_\_\_\_      **Date:** \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**APPROVED AS TO FORM:**

**By:** \_\_\_\_\_      **Date:** October 10, 2023

Name: \_\_\_\_\_

Title: \_\_\_\_\_



## Change Order

**Project:**

2776 Brookline - John R. Pierce Sch  
50 School Street  
Brookline, MA 02445

**Change Order: PC02****Date:** 9/18/2023**To Contractor:**

Consigli Construction Co., Inc.

**The Contract is changed as follows:**

This change order is for all work as specified and described in Consigli Change Requests as submitted and listed below. This change order includes all labor, material and equipment necessary to complete this work in accordance with the original contract conditions and schedule.

'PC002 Additional Hazmat &amp; Structural Exploratory - Aug/Sept 2023

\$29,842.54

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The original Contract Amount was	\$357,400.00
Net change by previously authorized Change Orders	\$4,288.00
The Contract Amount prior to this Change Order was	\$361,688.00
The Contract will be increased by this Change Order in the amount of	\$29,842.54
The new Contract Amount including this Change Order will be	\$391,530.54
The Contract Time will be increased by 0 days.	

**NOT VALID UNTIL SIGNED BY THE CONTRACTOR AND OWNER.**

Consigli Construction Co., Inc.

CONTRACTOR

OWNER



(Signature)

Jody Staruk

By

9/19/23

Date

(Signature)

By

Date

**Consigli Construction Co., Inc.**

Construction Managers and General Contractors

72 Sumner Street, Milford MA 01757 • phone: 508-473-2580 • fax: 508-473-3588 • web: www.consigli.com  
Hartford CT • Portland ME • Milford MA