

Supplemental Agreement No. 5 to Master Agreement for Architectural Services –

Hibser Yamauchi Architects, Inc.

This Supplemental Agreement No. 5 ("Supplement") is an addendum to the Master Agreement for Architectural Services by and between San Rafael City Schools and HIBSER YAMAUCHI Architects, Inc. ("Master Agreement") entered by San Rafael City Schools ("District") and HIBSER YAMAUCHI Architects, Inc. ("Architect") (together, "Parties") as follows:

RECITALS

WHEREAS, the Parties entered into the Master Agreement effective as of August 22, 2016 for the provision of professional design services in connection with the District's Measure A bond program ("Program");

WHEREAS, the Master Agreement provides that the Parties may execute this Supplement to authorize Architect's work on certain Project(s) identified herein;

WHEREAS, the Parties wish to supplement the Master Agreement to assign Architect the Project(s) and accompanying terms, including but not limited to scope and payment, contained herein;

NOW THEREFORE, in consideration of the mutual promises and covenants set forth above and contained herein, the Parties agree as follows:

SUPPLEMENTAL AGREEMENT

1. **Effect:** This Supplement is entered into pursuant to the Master Agreement, and, when fully executed, is considered as an integral part of said Master Agreement subject to all the provisions and conditions thereof. The District does hereby authorize Architect to provide professional services on the project identified herein.
2. **Project:** Design, obtain permits and provide construction administrative support for the building that houses Madrone Continuation High School, the District's Central Kitchen, a Student Commons and Administrative offices as well as the surrounding site improvements, including the quad between the proposed building and the theater as well as the 3rd Street parking lot renovation and reconfiguration.
 - a. The Project shall be divided into three (3) distinct permit bidding packages as follows:
 1. Phase 1 – Interim Housing
 - a. 5 portables on the blacktop near the gymnasium.
 - b. Project to be submitted to the Division of the State Architect (DSA) and local fire marshal.
 2. Phase 2 – New Buildings
 - a. One building permit package to include:
 - i. Madrone Continuation High School.
 - ii. Central Kitchen / Student Commons / Administration.
 - iii. Portion of central quad renovations and 3rd Street Parking lot renovation.
 - iv. Project to be submitted to DSA, California Geologic Survey (CGS), Marin County Health

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department, local fire and City of San Rafael
Public Works Department.

- b. Three Bidding Packages to include
 - i. Package 1 – Existing CTE, art and childcare buildings demolition.
 - ii. Package 2 – Madrone Continuation High School / Central Kitchen / Student Commons / Administration.
 - iii. Package 3 – Portion of central quad renovations and 3rd Street.

No Agency submittals are anticipated for the Building Demolition package.

- 3. **Services:** Upon final execution of this Supplement, Architect's Services for this assigned Project shall include all of those identified in the Master Agreement, including those set forth in Exhibit "A" to the Master Agreement, which is attached hereto as **HIBSER YAMAUCHI Supplemental Agreement No. 5 – Exhibit A**, and which is incorporated herein by reference.
- 4. **Fee:** The District shall pay Architect for all Services contracted for under this Supplement an amount equal to the following ("Fee"): Two Million Nine Hundred Sixty-Seven Thousand Five Hundred Dollars (\$2,967,500). The Fee shall be paid in accordance with the terms of the Master Agreement, including but not limited to Article 6 of and Exhibit "D" to the Master Agreement.
- 5. **Staffing:** Services shall be provided in accordance with the terms of the Master Agreement, and the Project team shall be comprised of the following:

Architects: HIBSER YAMAUCHI Architects, Inc.

Principal In Charge:

Project Director:

Project Architect(s):

Other:

Major Consultants:

Civil Engineering: Previously Identified

MEP Engineering: Previously Identified

Structural Engineering: Previously Identified

Acoustical Engineering: To be approved by District

Landscape Architect: Gates Associates

Cost Estimator/Consultant: Silva Cost Consulting

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6. **Schedule:** Services shall commence immediately and be provided in accordance with the terms of the Master Agreement, and in accordance with the Schedule of Services attached to this Supplement as **HIBSER YAMAUCHI Supplemental Agreement No. 4 – Exhibit C**, which is incorporated herein by reference.
7. **Meetings:** Services shall include meetings as set forth in the **HIBSER YAMAUCHI Supplemental Agreement No. 5 – Exhibit A** attached hereto and incorporated herein by reference.
8. All other provisions of the Master Agreement, including those contained in Exhibits to the Master Agreement, shall remain in full force and effect and are reaffirmed and are fully incorporated into this Supplement by this reference. If there is any conflict between this Supplement and any provision of the Master Agreement relating to the Supplement only, the provisions of this Supplement shall control.

IN WITNESS WHEREOF, the Parties hereto have accepted and agreed to this Supplement on the dates indicated below.

Dated: _____, 2017

San Rafael City Schools

Dated: _____, 2017

HIBSER YAMAUCHI Architects, Inc.

By: _____

By: _____

Print Name: _____

Print Name: _____

Print Title: _____

Print Title: _____