

AMENDMENT NO. 2
TO AGREEMENT FOR PROFESSIONAL SERVICES
WITH
HMC ARCHITECTS
FOR
GEORGE HALL ELEMENTARY SCHOOL NEW MPR AND SUPPORT ROOMS
PROJECT
PROJECT #20-176 (CONTRACT #2823/20)
SAN MATEO – FOSTER CITY SCHOOL DISTRICT
MARCH 1, 2021

**AMENDMENT NO. 2
TO AGREEMENT FOR PROFESSIONAL SERVICES
DATED JANUARY 12, 2021**

Between:

OWNER: San Mateo - Foster City School District
1170 Chess Drive
Foster City, CA 94404
(Hereinafter "District")

and

CONSULTANT: HMS Architects
333 W. San Carlos St. Studio 750
San Jose, CA 95110
(Hereinafter "Consultant")

SUBJECT:

George Hall Elementary New Multipurpose Room and Support Classrooms Project
Contract No. 2823/20
Amendment No. 2

1. The "Scope of Services" of the above referenced Agreement is hereby modified as follows:
(For "Scope of Additional Services" refer to the Exhibit A (HMC Proposal dated December 17, 2020),
which is for reference only):

1. MPR Scope Was Modified

- a. **From the original base fee to new construction estimate.**
- b. **Documentation and drawings for DSA approval (70% New Construction, 30% Modernization)**

"Compensation and Payment" of our Agreement approved by the BOT 05/07/20 is hereby modified to allow for the additional fees required to implement the above changes. The present fee of architectural services of \$620,300.00 is hereby increased by a not-to-exceed fee of **\$188,176.00**, for a fixed fee of **\$808,476.00** for the architectural services.

The new contract amount is **\$808,476.00**.

The contract completion date of the project after receiving the Amendment changed to the summer of 2023.

All other conditions of our Agreement (and subsequent Amendment(s) set forth above) remain in full force and effect as originally stated.

IN WITNESS WHEREOF, the Consultant has executed this Amendment, and the District by its officers, who is authorized to do so, has executed this Amendment.

CONSULTANT:

By: _____ Dated: _____

Brian Meyers
Principal

SAN MATEO - FOSTER CITY SCHOOL DISTRICT:

By: _____ Dated: _____

Patrick Gaffney
Chief Business Official

Amendment No. 2

Date: January 12, 2021

Project Name: San Mateo Foster City School District
San Mateo Foster City George Hall ES MPR
HMC #3542004-000

AMENDMENT NO. 2 TO OWNER/ARCHITECT AGREEMENT

That certain Owner/Architect Agreement (Agreement) dated March 18, 2020, by and between San Mateo Foster City School District (Owner) and HMC Group (Architect), with respect to providing Architectural and Engineering Services is hereby amended, modified, and revised as follows:

Scope of Work:

Increase in Construction Cost Value for Modernization and New Construction at George Hall Elementary School.

Compensation:

Construction Cost Budget estimated at Nine Million Seventy-Six Thousand Fifty-One Hundred Dollars (\$9,076,051). HMC will provide the services outlined in the Scope of Work above for a fee preliminarily estimated to be **One Hundred Eighty-Eight Thousand One Hundred Seventy-Six Dollars (\$188,176)**, as follows:

Construction Cost - **\$9,076,051**

70% NEW CONSTRUCTION - Based on SAB/OPSC Fee Structure - **\$6,353,236**

30% MODERNIZATION - Based on SAB/OPSC Fee Structure - **\$2,722,815**

SAB/OPSC Fee Structure for NEW CONSTRUCTION

1. Nine percent (9%) of the first Five Hundred Thousand Dollars (\$500,000) of computed cost.
2. Eight and one-half percent (8-1/2%) of the next Five Hundred Thousand Dollars (\$500,000) of computed cost.
3. Eight percent (8%) of the next One Million Dollars (\$1,000,000) of computed cost.
4. Seven percent (7%) of the next Four Million Dollars (\$4,000,000) computed cost.
5. Six percent (6%) of the next Four Million Dollars (\$4,000,000) of computed cost.
6. Five percent (5%) of computed cost in excess of Ten Million Dollars (\$10,000,000).

Computed Cost of NEW CONSTRUCTION: **\$6,353,236**

Fee based on Computed Costs: **\$468,694**

SAB/OPSC Fee Structure for MODERNIZATION

1. Twelve percent (12%) of the first Five Hundred Thousand Dollars (\$500,000) of computed cost.
2. Eleven and one-half percent (11 1/2%) of the next Five Hundred Thousand Dollars (\$500,000) of computed cost.
3. Eleven percent (11%) of the next One Million Dollars (\$1,000,000) of computed cost.
4. Ten percent (10%) of the next Four Million Dollars (\$4,000,000) of computed cost.
5. Nine percent (9%) of the next Four Million Dollars (\$4,000,000) of computed cost.
6. Eight percent (8%) of computed cost in excess of Ten Million Dollars (\$10,000,000).

Computed Cost of MODERNIZATION: **\$2,722,815**

Fee based on Computed Costs: **\$299,782**

The total award from the initial construction contract(s), plus the cost of all approved additive contract change orders with the exception of items resulting from errors and omissions on the part of the architect unless such Change Order results in value added to the project to the extent that such item or component would have been otherwise valued at bid time. In addition, the computed cost will include General Conditions and related Construction Management fees for CM/Multiple Prime Contracts.

HMC Group

For those projects or portions of projects that are designed assuming a single bid package that are subsequently let using separate bid packages, the computed Architect's fee shall be based utilizing the above referenced sliding scale for each separate bid package.

Fee Breakdown:

New Construction:	\$468,694
Modernization:	<u>\$299,782</u>
Total Revised Fee	\$768,476


Fee Summary:

Original Fee:	\$580,300
Amendment No. 1 (Pending Client Approval)	\$ 40,000
Amendment No. 2 (Construction Cost Increase)	<u>\$188,176</u>
Total Revised Fee	\$808,476

Please review this Amendment and if it meets with your approval, please sign and return one (1) original to my attention.

HMC GROUP
3546 Concourses Street
Ontario, CA 91764

San Mateo Foster City School District
1170 Chess Drive
Foster City, CA 94404

By  1/12/21
Brian Meyers LEED AP BD+C (Date)
Principal / Pre K12 Practice Leader

By _____ (Date)
Mr. Patrick Gaffney
Chief Business Official

cc: S. Jimenez, File-CN-AOA
Amendment No. 2_Construction Value Increase-2