



SAN MATEO-FOSTER CITY SCHOOL DISTRICT

Amendment No. 1 to Construction Management Services for HVAC Replacement at 7 sites

This Amendment No.1 to Project of Record Services, dated November 11, 2021, ("Amendment No.1") is made and entered into on January 5, 2022, between **Kitchell CEM** ("Contractor" of "Consultant") and **San Mateo-Foster City School District**, ("Owner"), (collectively, the "Parties")

RECITALS

WHEREAS, Consultant and owner entered into a **Contract for Construction Management Services, dated November 11, 2021** (the "Contract"), for the HVAC upgrade at seven sites (Abbott, Borel, College Park, George Hall, Laurel, Meadow Heights, and North Shoreview) and Electrical Service upgrade at one site project (**LEAD**) under which Consultant is to provide Construction Management Services to Owner on the Project; and

WHEREAS, the Parties desire to amend the Contract as indicated in this **Amendment No. 1**.

NOW, THEREFORE, for good and valuable consideration and in further consideration of the promises and agreements of the Parties set forth herein, the Parties now wish to amend the Contract as follows:
The Contract is amended as follows:

1. The original amount of Forty-Five Thousand dollars (\$45,000) reflected in Article 6.1 of the Agreement, shall be amended by an increase of One Million Twenty-Nine Thousand Five Hundred Sixty dollars (\$1,029,560.00) to reflect a cumulative total contract amount of One Million Seventy-Four Thousand Five Hundred Sixty dollars (\$1,074,560.00).
2. Add Exhibit "A.1" Kitchell's proposal for Amendment 1 which completes the bidding phase and includes construction and close-out phases.
3. Revise the schedule of Work in Exhibit "C": Bidding/Award November 2021 – February 2022, Construction Spring 2022 – Fall 2022, Closeout Winter 2022
4. Amend Exhibit "D":
 - a. Add Section 3 to "Compensation": District and Consultant to review staffing at each phase of the project to determine if changes, increase or decrease, is needed. If a change is agreed upon, an amendment would be created to adjust staffing and fee.
 - b. For the scope of work included in Amendment 1, the fee will be billed by percentage complete of each phase: Bid/Award Phase \$158,700 | Construction \$835,568 | Close-out \$35,292
 - c. Amend "Payment for Extra Services", Section 4 to include a 3% increase to hourly rates for the 22-23 fiscal year.

Except as revised herein, all other provisions of the Contract remain in full force and effect and are reaffirmed. If there is any conflict between this **Amendment No. 1** and any provision of the Contract, the provisions of this **Amendment No. 1** shall control.

ACCEPTED AND AGREED on the date indicated on the following page:



SAN MATEO-FOSTER CITY SCHOOL DISTRICT

Date:

SAN MATEO – FOSTER CITY SCHOOL DISTRICT

By:

Name: Patrick Gaffney

Title: Chief Business Official

Date:

KITCHELL CEM

By:

Name: Wendy Cohen

Title: President



December 22, 2021

Amy Ruffo
Director, Facilities and Construction
San Mateo-Foster City School District
1170 Chess Drive
Foster City, California

Re: Construction Management Services for HVAC upgrades at seven sites and Electrical Service upgrade at one site – Amendment #1

Dear Ms. Ruffo:

Pursuant to your request, Kitchell is pleased to provide a proposal for the **Construction Management Services for the San Mateo-Foster City School District for the HVAC upgrade at seven sites and Electrical Service upgrade at one site project.**

The HVAC packages will receive Board authorization in January 2022 bidding with construction starting during Spring Break 2022 and continues on the occupied school sites during the school year and through the end of 2022 with close-out during by the end of 2022. The electrical service upgrade project will receive Board authorization in February 2022 with work starting March 2022 through the Fall of 2022.

The following as our anticipated scope of services being requested for this project. We are happy to sit down to review the services you require and tailor our proposal to suit your needs.

During Bidding Phase:

- Attend design project meetings to discuss procurement options
- Construction Management Services including project bid document preparation, bid/solicitation inclusive of process management and necessary assistance in the preparation of Board documentation during the project Award Phase.

During Construction/Closeout Phase:

- Oversee and manage the selected project General Contractor
- Review of Contractor's proposed schedule and progress updates.
- Site visits as required (assumed to be approximately weekly) for construction observation and review for general conformance with the Contract Documents.
- Conduct weekly Owner-Architect-Contractor (OAC) meetings.
- Coordination of material testing and special inspections (to be provided by firm contracted with the School District - building inspections to be by the California State DSA Inspector of Record).
- Review of contractor submittals and shop drawings for general conformance.
- Administration of RFI and submittal process.
- Review of Contractor Change Order Requests.
- Review of monthly pay requests.
- Project Agency Close-out.

The proposed fee allowance to provide the scope of services utilizing the level of staff identified on the attached Staffing & Fee Proposal to continue the project through December 2022 is **\$1,132,516 for the bidding, construction and closeout phases, this amount includes a 10% contingency allowance to be used at the District's discretion if unforeseeable project issues arise.** This amount does not include the current contract that has already been executed for \$45,000.00

The above costs are to be billed on a lump sum basis. District will provide reprographics services to eliminate need for reimbursables. Office and site facilities to be provided by the contractor as part of the construction bid.



Our team is excited for the opportunity to continue working with the San Mateo-Foster City School District and will bring the same dedication and service delivery that led to our successes on similar projects within the greater Bay Area. Thank you again for the opportunity to provide these services. Our resources are in place and we are ready to continue with this work. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patricia Nguyen', with a long horizontal flourish extending to the right.

Patricia Nguyen
Program Manager

Attachments:

Kitchell Staffing Spreadsheet
Kitchell Rates Sheet

CC:

Arturo Taboada
Ranjit Sinha
Kent Brown