

October 3, 2023

Mr. Joel Maerten, Supervisor
Town of Pendleton
6570 Campbell Boulevard
Lockport, NY 14094



Re: Proposal for Professional Engineering Services
Amendment to Agreement for Engineering Services
Proposed Change Order No. 1 - Additional Services
Pendleton Town Park Improvements
File No. 22P1-0123

Issued via Email Only

Dear Supervisor Maerten:

Nussbaumer & Clarke, Inc. (Nussbaumer) respectfully submits this proposed Amendment to the existing Engineering Agreement (Proposal dated August 19, 2023) for an increase in fee authorization due to additional work/services related to the construction of the Community Center.

Under the scope of work outlined in the August 2022 Engineering Agreement, Nussbaumer's role was in support of the Project as a program manager, and the construction phase was estimated to occur over a 20-week period. Due to the expanded complexities of the project coupled with a change to the duration of the construction project to 52 weeks, we are submitting this change Order request to cover the additional scope of work as outlined below.

SCOPE OF ADDITIONAL SERVICES:

Additional Construction Administration

1. Serve as the primary Owner representative and Clerk of the Works to help manage construction risk and oversee and ensure quality, compliance, and progress monitoring.
2. Prepare a final design and bid package for the construction of the new server room at Town Hall.
3. Distribute contractor shop drawing submittals for the Community Center building to the retained Architect for review and approval.
4. Conduct periodic progress meetings and site visits, on an as-needed basis, to review project progress, schedule, and costs.
5. Review and make recommendations to the Town for all construction progress payment requests and generate summary and continuation sheet consistent with construction contract proposal (excludes supplemental funding agency forms and procedures).



6. Review and make recommendations to the Town for payment of any change order requests by the Contractor, generate summary and execution sheet detailing proposed change(s) (excludes supplemental funding agency forms and procedures).
7. As necessary, provide general consultation, advice, and problem resolution during construction.
8. Act as a liaison between on-site Contractors, Architect, and the Town to assist in resolving design clarifications and monitor progress.
9. Interpret Contract Documents and resolve unanticipated field problems by communications and visits to the site, as necessary.
10. Provide review and oversight of all project change order requests.

Additional Resident Inspection

Due to the change in the construction schedule, Nussbaumer proposes to provide part time resident inspection as needed for the additional 32 weeks of construction.

COMPENSATION AND PAYMENT

Nussbaumer proposes to perform the work described above for the following amounts and methods of payment:

Authorized Engineering Agreement Fee:	\$65,280.00
Additional Construction Administration (hourly)	\$47,000.00
Additional Resident Inspection (hourly)	\$23,500.00
Amended Engineering Agreement	\$135,780.00

Table 3.1 Detailed Fee Breakdown

Invoices for services will be issued monthly for the actual person-hours expended on behalf of the Town for the prior month. All work will be completed in accordance with the current engineering services agreement between Nussbaumer and the Town of Pendleton.

Should this proposed amendment meet with your approval, please sign below and return a copy to us for our files. This will then serve as our Agreement and Notice to Proceed.



On behalf of Nussbaumer we appreciate the opportunity to submit this additional scope of work and look forward to continuing to work with the Town on this important project for the community. As always, please do not hesitate to call me should you have any questions.

Sincerely,

NUSSBAUMER & CLARKE, INC.

David Britton, P.E.
Vice President, Municipal Engineering

Accepted by: TOWN OF PENDLETON

Signature: _____ Title: _____

Printed Name: _____ Date: _____