

**AMENDMENT #3 TO AGREEMENT BETWEEN OWNER AND ARCHITECT
FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES**

Sarasota Middle School HVAC Renovation Project

THIS AMENDMENT #3 to Agreement between Owner and Architect for Design and Construction Administration Services is entered into this 24th day of June, 2012, by and between The School Board of Sarasota County, Florida, a body corporate under the laws of the State of Florida (the "Owner") and TOTeMS Architecture, Inc. (the "Architect").

R E C I T A L S

A. The Owner and the Architect entered into an Agreement between Owner and Architect for Design and Construction Administration Services for the Sarasota Middle School HVAC Renovation Project (the "Agreement"), dated January 4, 2011.

B. The parties hereto desire to modify the Agreement, and hereby enter into this Amendment #3 to memorialize this modification.

NOW, THEREFORE, in consideration of the mutual promises made herein, the parties do hereby agree as follows:

1. The Agreement amount is hereby modified to include fees for all services included in this agreement. The total fee amount of this Agreement is \$644,360.00.

2. Exhibits "A" and "B" dated July 24, 2012, attached to this Amendment #3, shall replace those originally issued with the Agreement. Exhibit "E" is being added to the contract to set forth the scope of work for Amendment #3.

3. The parties acknowledge and agree that, except as

otherwise expressly modified or amended herein, the remainder of the terms of the Agreement shall remain in full force and effect.

4. Where there is any conflict between the terms of this Amendment #3 and any terms of the Agreement, the terms of this Amendment #3 shall control.

IN WITNESS WHEREOF, the parties have executed this Amendment #1 as of the date first above written.

THE SCHOOL BOARD OF SARASOTA
COUNTY, FLORIDA

TOTeMS Architecture, Inc.

BY:

Mark Smith

Digitally signed by Mark Smith
DN: cn=Mark Smith, o=Sarasota County School Board,
ou=Construction Services,
email=mark_smith@sarasota.k12.fl.us, c=US
Date: 2010.02.18 13:35:09 -0500

Mark D. Smith
Director, Construction Services

BY:

**Todd M. Sweet,
AIA, LEED AP**

Digitally signed by Todd M. Sweet, AIA, LEED AP
DN: cn=Todd M. Sweet, AIA, LEED AP,
o=TOTeMS Architecture, ou=Principal,
email=tsweet@totemsinc.com, c=US
Date: 2010.02.28 09:41:16 -0400

Todd M. Sweet, Principal

Approved for Legal Content
February 17, 2010, by Matthews, Eastmoore,
Hardy, Crauwels & Garcia, Attorneys for
The School Board of Sarasota County, Florida
Signed: MG

EXHIBIT "A"
Amendment #3 7/24/2012
INVOICE FOR PROFESSIONAL SERVICES

TO: The School Board of Sarasota County, Florida
 Construction Services Department
 7895 Fruitville Road
 Sarasota, FL 34240

ATTN: Paul J. Pitcher, Project Manager

ARCHITECT: TOTeMS Architecture, Inc.
 2168 Main Street
 Sarasota, FL 34237

INVOICE NO.: For Exhibit Only
 DATE: 7/24/2012

RE: School Board Project Name: Sarasota Middle School - Renovation

School Board Project No.: 4031 School Board Contract No. : 110319

Professional Project No.: _____

SERVICE	SCHEDULED VALUE	% COMPLETE	TOTAL PREVIOUS PAYMENTS +	PAYMENT REQUEST THIS INVOICE =	TOTAL AMOUNT DUE TO DATE
Schematic Design Phase 10%	\$ 55,500.00	100.00%	\$ 55,000.00		\$ 55,000.00
Design Development Phase 20%	\$ 111,000.00	100.00%	\$ 111,000.00		\$ 111,000.00
Construction Document Phase 35%	\$ 194,250.00	100.00%	\$ 194,250.00		\$ 194,250.00
Bidding/Negotiation Phase 5%	\$ 17,000.00	100.00%	\$ 17,000.00		\$ 17,000.00
Construction Administration Phase 20%	\$ 148,000.00	50.00%	\$ 74,000.00		\$ 74,000.00
Final Acceptance 10%	\$ 74,000.00		-		\$ -
Total Fee 100%	\$ 619,750.00		\$ 451,250.00	\$ -	\$ 451,250.00
Total Add'l Services and Amendments	\$ 24,610.00		\$ 19,268.00	\$ -	\$ 19,268.00
Total Reimbursables	\$ -		\$ -	\$ -	\$ -
Grand Total	\$ 644,360.00		\$ 470,518.00	\$ -	\$ 470,518.00

TOTAL AMOUNT DUE AND PAYABLE THIS INVOICE: \$ -

CERTIFIED TRUE AND CORRECT BY: _____
 (Signature of Architect) (Date)

Typed Name and Title: Todd Sweet, Principal

(For School Board Use ONLY)

Recommended for Payment by: _____
 (Signature of Project Manager) (Date)

PROFESSIONAL SERVICES INVOICE FOR AMENDMENTS / ADDITIONAL SERVICES

AMENDMENT # / ADD. SERVICES (INCLUDE DESCRIPTION)	SCHEDULED VALUE (BUDGET)	% COMP	TOTAL PREVIOUS PAYMENTS +	PAYMENT REQUEST THIS INVOICE =	TOTAL AMOUNT DUE TO DATE
B1.1 - SWFWMD Permit	\$ 10,000.00		\$ 9,330.00		\$ 9,330.00
B1.8 - Amendment #1	\$ 3,300.00		\$ 1,450.00		\$ 1,450.00
B1.9 - Amendment #2	\$ 7,900.00		\$ 7,900.00		\$ 7,900.00
B1.10 - Amendment #3	\$ 3,410.00				\$ -
					\$ -
					\$ -
					\$ -
					\$ -
For Exhibit Only - Amendment #3					\$ -
7/24/2012					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
TOTAL AMENDMENTS/ADD'L SERVICES	\$ 24,610.00		\$ 18,680.00	\$ -	\$ 18,680.00

ATTACH DOCUMENTATION TO SUPPORT ADDITIONAL SERVICES ITEMS.

CERTIFIED TRUE AND CORRECT BY:

(Signature of Architect) _____ (Date)

Typed Name and Title: Todd Sweet, Principal

(For School Board Use ONLY)

Recommended for Payment by:

(Signature of Project Manager) _____ (Date)

PROFESSIONAL SERVICES INVOICE FOR REIMBURSABLES

REIMBURSABLES (INCLUDE DESCRIPTION)	SCHEDULED VALUE (BUDGET)	% COMP	TOTAL PREVIOUS PAYMENTS +	PAYMENT REQUEST THIS INVOICE =	TOTAL AMOUNT DUE TO DATE
					\$ -
					\$ -
For Exhibit Only - Amendment #3					\$ -
7/24/2012					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
TOTAL REIMBURSABLES	\$ -		\$ -	\$ -	\$ -

INSERT THESE FIGURES ON FORM A ON THE LINE FOR TOTAL REIMBURSABLES.
ATTACH DOCUMENTATION TO SUPPORT REIMBURSABLE ITEMS.

CERTIFIED TRUE AND CORRECT BY: _____
(Signature of Architect)

(Date)

Typed Name and Title: Todd Sweet, Principal

(For School Board Use ONLY)

Recommended for Payment by: _____

(Date)

EXHIBIT "B"
SCHEDULE OF ADDITIONAL SERVICES

B.1 ADDITIONAL SERVICES

B.1.1 On-site surface water management and drainage conceptual studies with professional guidance, reports, recommendations, biologist studies of wet areas, water retention design, filing of applications for administrative permits and for approvals of The Southwest Florida Water Management District (SWFWMD) and the Florida Department of Environmental Protection as required for development of the proposed project shall not exceed \$10,000.00.

B.1.2 Off-site Surface Water Management and Drainage Conceptual Studies with professional guidance, reports, recommendations, biologist studies of wet areas, water retention design, filing of applications for administrative permits and for approvals of The Southwest Florida Water Management District (SWFWMD) and the Florida Department of Environmental Protection as required for development of the proposed project shall not exceed \$ N/A .

B.1.3 Traffic impact studies, reports, recommendations and professional guidance performed by professionally trained consultants, traffic light request applications, as required by the public agencies having jurisdiction of the Project, for the purpose of preparing suggestions and recommendations for appropriate traffic circulation, ingress and egress to and from the site for off site roadways providing of professional services for the filing of applications for administrative permits and securing approvals for traffic concepts to be utilized in developing the Master Plan for proposed development of the property. Compensation for professional services shall not exceed:

B1.3.1: \$ N/A for study and report.

B1.3.2: \$ N/A for design and construction documents to implement governmental agency requests.

B1.3.3: \$ N/A for professional services related to the design and/or construction of roadways, pavement or traffic improvements off-site.

B.1.4 Professional Services to coordinate, and filing of applications for permits and approvals, furnish design, construction documents, and construction administration for the installation of water supply and sewer for off-site utilities, shall not exceed \$ N/A .

B.1.5 Professional Services to coordinate, filing of applications for permits and approvals, furnish design, construction documents, and construction administration for areas regulated by the Florida Department of Environmental Protection for project development shall not exceed \$ N/A .

B.1.6 Professional Services for full time inspection of sanitary sewer facilities designed by the Civil Engineer who shall be responsible for the completion of record drawings of all improvements required for certification to the appropriate governmental agencies shall not exceed \$ N/A .

B.1.7 Professional Services to coordinate filing of applications for Rezoning, Special Exceptions and furnishing information for approvals to Governmental Agencies regulating project site development shall not exceed \$ N/A .

B.1.8 Amendment #1 - Professional Services to coordinate, furnish design and data to utility company for electrical services to the project site shall not exceed \$ 3,300.00.

B.1.9 Amendment #2 – Provide design services for converting teacher planning areas to assessment labs, provide electrical and data to identified Classrooms of the Future along with construction administration services for this work shall not exceed \$7,900.00.

B.1.10 Amendment #3 – Provide electrical engineering services for the additional identified Classrooms of Tomorrow in Buildings #4,7,8 and 11 shall not exceed \$ 3,410.00.

B.2 HOURLY RATES

Principal Architect.....	<u>\$130.00</u>	per hr
Project Architect.....	<u>\$100.00</u>	per hr
Intern Architect.....	<u>\$85.00</u>	per hr
Architectural Draftperson.....	<u>\$75.00</u>	per hr
Clerical Staff.....	<u>\$45.00</u>	per hr
Educational Consultant.....	<u>\$ N/A</u>	per hr
Civil Engineer Principal.....	<u>\$150.00</u>	per hr
Civil Project Manager.....	<u>\$135.00</u>	per hr
Civil Project Engineer.....	<u>\$120.00</u>	per hr
Civil Design Engineer.....	<u>\$110.00</u>	per hr
Civil Draftperson.....	<u>\$75.00</u>	per hr
Two man survey crew.....	<u>\$ N/A</u>	per hr
Three man survey crew.....	<u>\$ N/A</u>	per hr
Clerical.....	<u>\$50.00</u>	per hr
Structural Engineer Principal.....	<u>\$90.00</u>	per hr
Structural Engineer Staff.....	<u>\$80.00</u>	per hr
Clerical.....	<u>\$35.00</u>	per hr
Mechanical Engineer Principal.....	<u>\$145.00</u>	per hr
Mechanical Engineer Staff.....	<u>\$130.00</u>	per hr
Mechanical Designer.....	<u>\$115.00</u>	per hr
Mechanical Draftperson.....	<u>\$70.00</u>	per hr
Electrical Engineer Principal.....	<u>\$145.00</u>	per hr
Electrical Draftperson.....	<u>\$70.00</u>	per hr
Clerical.....	<u>\$55.00</u>	per hr
Landscape Architect.....	<u>\$ N/A</u>	per hr
Landscape Planner.....	<u>\$ N/A</u>	per hr
Clerical.....	<u>\$ N/A</u>	per hr
Kitchen Consultant.....	<u>\$ N/A</u>	per hr

EXHIBIT "E"

AMENDMENT # 3 TO AGREEMENT BETWEEN OWNER AND ARCHITECT FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES

In accordance with the agreement dated: January 4, 2011

Between The School Board of Sarasota County, Florida and the Architect:

TOTeMS Architecture, Inc.
2188 Main St.
Sarasota, Florida 34237

For the Project: Sarasota Middle School - HVAC Renovation

Authorization is approved to proceed with additional services as described below:

- 1. Provide electrical engineering for the following Classroom of Tomorrow (COT) areas: as described in attached letter by MEG Engineering. Finishes and signage selected by Owner. Final Completion drawings on Architectural reflected ceiling plans included.

MEG = \$2538.00
TOTeMS = \$980.00 (8 hours at \$110/hr)
Total = \$3418.00

The cost of the aforementioned additional services shall be lump sum amount of \$3,418.00

Except as otherwise specifically modified by this Amendment, the rights and obligations of the parties, as contained in the Agreement Between Owner and Architect for Design and Construction Administration Services remain in full force and effect.

ARCHITECT

OWNER

Submitted by: 
(insert signature)

Approved Disapproved

Todd M. Sweet, Principal

School Board of Sarasota County

6.25.12
(insert date signed)

(insert date approved)

ME3

Consulting Engineers, LLC

7337 International
Place Suite 101
Sarasota, FL, 34238
Phone 941-748-1319
Fax 941-748-1349
www.me3-engineers.com

June 19, 2012

Arif Abdulla, AIA
TOTeMS Architecture, Inc.
2168 Main Street
Sarasota, FL 34237

Re: SMS Classroom of Tomorrow Electrical Infrastructure Design
Additional Service #2

Dear Arif,

ME3 Consulting Engineers appreciates the opportunity to provide professional engineering design services for your review on the above subject project and submits the following work authorization for your review:

The scope of work is to provide the panelboard specifications, safety switch specifications, transformer specifications, circuit breaker selection for high and low panel, minimal closeout CAD update, circuit numbering and load calculation on 8-1/2 by 11 sketches for Buildings 4,7,8,10 and 11. Branch circuit wiring sizing and data drops by CM.

The Client shall provide the required number of signed and sealed drawings as required by the Client for submission. The fee to provide this scope of services shall be a lump sum amount of \$2,530.00.

Thank you for the opportunity.

ME3 CONSULTING ENGINEERS, LLC.

Accepted by: Totemis Architecture, Inc.

Bryan P. Zapf, P.E.

Signature

Date

Signature

Date

Bryan P. Zapf, P.E. Vice-President

Printed name / Title