

STATE SYSTEM OF HIGHER EDUCATION
COMMONWEALTH OF PENNSYLVANIA

AMENDMENT
TO THE
PROFESSIONAL SERVICES AGREEMENT
CAMPUS GEOTHERMAL UTILITY CONVERSION

WCU Contract No. WC906
Amendment Number A-4
SAP 7534201103.7
PO3900004372

Contract amendment made as of this 29th day of August 2011, at Chester County, by and between **West Chester University** of the State System of Higher Education of the Commonwealth of Pennsylvania, hereinafter called the "System", and **Century Engineering, Inc.**, 200 Airport Road, New Cumberland, PA 17070, a corporation, Federal Identification No. 52-2002914 hereinafter called the "Professional".

This Amendment is to the Standard Form of Agreement for Professional Design Services-Campus Geothermal Utility Conversion. The Amendment clause in the original agreement is located in Rider B, Paragraph 1.14.

WITNESSETH THAT:

The parties hereto, intending to be legally bound hereby, do agree as follows:

1. Incorporation by Reference. All terms, requirements, conditions, and considerations of the Professional Design Services Agreement WCU906, effective September 29, 2009, previously executed between the System and the Professional, are hereby referenced and made a part hereof as if attached.
2. Scope of Work and Compensation : Additional engineering design services and support services associated with extended distribution piping, new well field locations and administrative support for the Pump House design modifications and zoning variance Issues in accordance with Century Engineering Proposal 3057.00/A/MEP11-22(ASR-4) dated August 17, 2010 (3 pages) attached hereto and made a part of Amendment A-4 to WCU Contract No.WC906.
3. Attachments:
 - CenturyEngineering Proposal 3057.00/A/MEP11-22(ASR-4) dated August 17, 2010 (3 pages).

The total amount of the Professional's compensation under Amendment Number A-4 is **\$51,331.50**.

The total amount of the Professional's compensation for to date, for WCU Contract No. WC906 including this amendment is **\$958,100.19**.

In Witness Whereof, this Amendment has been executed and delivered as of the date set forth in the caption hereof:

WCU Contract No. WC906
Amendment Number A-4
Page 1 of 2

FOR THE PROFESSIONAL:

CENTURY ENGINEERING, INC.
200 Airport Rd.
New Cumberland, PA 17070

[Redacted]

of Corporation

[Redacted]

of Corporation

FOR THE COMMONWEALTH:

[Redacted]

Finance, West Chester University
of Pennsylvania of the State System of
Higher Education.

Approved as to Form and Legality:

[Redacted]

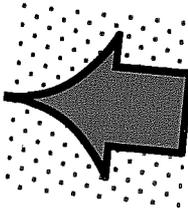
University Legal Counsel
State System of Higher Education

[Redacted]

Commonwealth of Pennsylvania

[Redacted]

~~OFFICE OF GENERAL COUNSEL~~



EFFECTIVE DATE
OCT 12 2011
OF CONTRACT

093057.00/A/MEP11-22 (ASR-4)

August 17, 2010

West Chester University
201 Carter Drive, Suite 500
West Chester, PA. 19383

Attention: Mr. Bruce Wilson

RE: West Chester University Proj. #7562309001.8
Campus Geothermal Utility Conversion - Additional
Architectural, Civil, and MEP Engineering Services
Related to Additional Services Request #4, (ASR-4)

Emailed to Bwilson@wcupa.edu

Dear Bruce:

In order to provide the level of construction administration and site support as desired by WCU, we have been attending additional construction related progress meetings and performing additional site visits for the Distribution Piping project along West Rosedale and in Parking Lot D. We have also been attending separate construction progress meetings and performing additional site visits to support the Church Street Piping Extension project with Gem Mechanical which was not expected at the time of our original contract amendment for this project as this work was split into two project deliverables after we had submitted our ASR or Amendment Request for that project. To date we have attended a combined twenty-five (25) progress meetings and performed more than thirty-eight (38) documented site visits and provided written reports for both the progress meetings and the site visits. Due to these additional meetings and site visits, we have incurred additional costs to date of approximately \$19,300 under Tasks 3, 4, and 7. We have also been asked to provide several additional services with our staff and with our sub-consultants to support the various project deliverables that we are presently working on with WCU. We respectfully submit this document for your approval and subsequent contract modifications as requested below.

Additional Construction Administration Support

Century Engineering respectfully requests our contract be modified to increase the construction administration fees available for the Distribution Piping and the Church Street Piping Extensions projects known as Tasks 3, 4, and 7 to cover the additional time spent to date and to increase that an additional amount to cover the upcoming meetings, site visits, and other construction administration support for both Task Orders under this project. Therefore, we respectfully request an increase in our contract in the amount of \$28,000 which we estimate should cover our additional construction administration costs of \$19,300 to date and should allow us to continue to support WCU with our construction services in the manner that WCU requires. We request for you to modify our contract to add \$2,000 to our Task 3, Construction Administration phase, \$20,000 to our Task 4, Construction Administration phase, and \$6,000 to our Task 7, Construction Administration phase, for a total contract modification of \$28,000 to support past, present, and upcoming construction activities.

Additional West Goshen Township and Zoning Support

We have been supporting WCU with technical document preparation and meeting attendance with WCU staff and West Goshen Township officials to help WCU obtain zoning variances and to gain land development approval for the Pump House project. We had a fee set aside for that work that has been exhausted due to the amount of additional technical documents, meetings, letters, and steps required to support this effort. We have only exceeded our fees so far by around \$380 as of the present date; however, we know there is a meeting scheduled for August 10, 2011 that Century Engineering staff will attend. Additionally, Century Engineering will have to prepare other technical submissions and attend additional meetings with the Township and Zoning Authorities to finalize the Pump House Zoning variance and to push through the Land Development submissions. We estimate that we will need approximately another \$7,900 in fees to support this evolving support effort. We therefore respectfully request a modification to our Contract Amendment no. 1 fees to increase them by \$ 7,900 which will get us current on this task and should provide an additional 60 hours of professional engineer support and 20 hours of drafting support to carry out the remaining meeting support and technical document preparation to support the zoning variance and land development modifications needed for this project.

Surveyor Support

Last fall Century Engineering was asked to provide construction support to locate the edges of the parking lot for Chesapeake Geosystems, Inc. so that they could restore the parking surface at the proper location. Specifically, we were asked to provide surveyor support to mark the edges and some specific notable areas so that Chesapeake could accurately install the asphalt topping and the emergency call box. Our surveyors went to the site and provided stakes/markers at the appropriate positions so that Chesapeake could continue with their construction. We were called back to check the initial staking and found that the initial stakes were in fact at the right locations. Our fees to complete the initial survey work were discussed prior to Century performing the work and we were given email notification to proceed. The surveyor's initial location and staking fees were \$1,232.00.

Tasks and Modifications our Sub-Consultants have been asked to complete to support the Pump House Design Modifications and Zoning Variance Issues:

Architectural Consultant Assistance

Century was asked to have WF Design Group prepare additional architectural elevations/renderings of the exterior of the building with different architectural elements to achieve a more residential appearance. In addition, once the proper appearance was decided upon, the construction documents were modified to incorporate the revised materials and components into the drawings and specifications. The fee for WF Design Group to perform this work is \$7,645.00 and our markup of 10% on their fees would increase that fee to $\$7,645.00 + (\$7,645 \times 0.1 = \$764.50) = \$8,409.50$. We respectfully request a modification of our contract to incorporate this additional amount.

Acoustical Consultant Assistance

Century was asked to obtain the services of our former acoustical consultant, Gerald Henning, of Henning Associates, Inc. to revise their previous acoustical report of the Pump House to support the ongoing zoning issues. This included modeling the building acoustically in a rotated position, with different exterior wall components, and with property lines that differed from their previous report. They were also asked to attend up to two (2) meetings in West Chester or at the Township office to support the zoning variance efforts. The modeling has been completed and the report has been modified, while the meeting attendance is presently slated for today, August 10, 2011. The cost for this additional work is $\$3,900 + (\$3,900 \times 0.1 = \$390) = \$4,290$ total including our markup of 10%. We, therefore,

Mr. Bruce Wilson
West Chester University Proj. #7562309001.8
Campus Geothermal Utility Conversion - Additional
Arch., Civil, and MEP Eng. Services
Page 3 of 3

respectfully request a modification of our contract in the amount of \$4,290 to cover this additional requested work by our sub-consultant.

Engineering Fees:

We respectfully request the following contract modifications:

Additional Construction Services – Tasks 3, 4, and 7	\$ 28,000.00
Additional West Goshen Twp./Zoning Support - Amend. #1 Modification	\$ 7,900.00
Survey of Wellfield 1B to Support Chesapeake Geosystems, new Task 8	\$ 1,232.00
Additional Arch Renderings, etc. to Support Zoning Variance	\$ 8,409.50
Revision to Acoustic Report and Meeting Attendance	\$ 4,290.00
Total for Study, Design, C.A., and Survey Work Fees Above	\$ 49,831.50 **

** Reimbursible expenses will be billed in addition to the Lump Sum labor amounts noted above. They have been estimated at \$1,500 for the Additional Construction Services – Tasks 3, 4, and 7.

Total Fees for Study, Design, C.A., Survey & Anticipated Reimb. Exp. \$ 51,331.50

Miscellaneous Provisions:

Deliverables will be appropriate to the service being offered. Expenses reimbursement (type) and invoicing will be in accordance with our present contract.

As always, should you have any questions concerning the above information, please do not hesitate to contact me for clarification. I can be reached at our office in New Cumberland, PA per our general number of (717) 901-7055 at extension #3101 or via my cellular phone number at (410) 241-2558.

Thank you again for the opportunity to be of service!

Very truly yours,
Century Engineering, Inc.


John M. Wettengel, Project Manager
Vice President

093057.00/A/MEP11-22 Additional Services Request ASR-4 – Bruce Wilson – WCU – JMW 8-17-2011