

THE CITY OF WALTHAM  
MASSACHUSETTS

PURCHASING DEPARTMENT

**DESIGN for the Field Survey, Repairs, Rehabilitation, Renovation  
and Construction Administration for 6 Buildings**

**ADDENDUM NO. 3**

April 9, 2018

**CHANGES, CORRECTIONS AND CLARIFICATIONS**

The attention of bidders submitting proposals for the above subject project is called to the following addendum to the specifications. The items set forth herein, whether of omission, addition, substitution or clarification are all to be included in and form a part of the proposal submitted.

THE NUMBER OF THIS ADDENDUM (NO. 3) MUST BE ACKNOWLEDGED IN SECTION Price Sheet Page.

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**ITEM 1: ANSWERS TO POSED QUESTIONS**

**Q1.** Given that the selection of the designer follows the rule of MGL Ch. 7C, is the completion and submittal of the price sheet required?

**A1.** The Price sheet page, submitted in a separate sealed envelope, will be opened only After the DSB selected the 1st ranked company. The price in the sealed envelope for the 1<sup>st</sup> ranked will be the base for the design fee negotiation. If negotiation fail with the 1<sup>st</sup> ranked, the City will then move to the 2d ranked. The 2d ranked company's envelope will then be opened and the price in it will form the base for negotiation...and so on with the 3d ranked. The selection decision WILL NOT be based on cost. NO Price envelope will be opened for the other submitting companies, only the one for selected 1st ranked company.

Neither Chapter 149 or 7C address: 1) HOW negotiation is to be conducted, 2) WHAT is the starting point/amount in the negotiation process, 3) WHAT matters to discuss in the Process, 4) HOW long will the negotiation last and at 5) WHAT point is the negotiation deemed failed.

M.G.L. Chapter 7C Section 58 paragraph (e) (1) states the following:

*"An agency shall select architects, engineers and related professional firms on the basis of qualifications for the type of professional services required, and on technical proposals, if*

submitted. An agency may solicit or use pricing policies and proposals or other pricing information to determine consultant compensation only after the agency has selected a firm and initiated negotiations with the selected firm” and

M.G.L. Chapter 7C Section 58 paragraph (f) (1) further states:

*“The agency and the selected firm shall discuss and refine the scope of services for the public works project and shall **negotiate conditions including, but not limited to, compensation level and performance schedule based on scope of services.** The compensation level paid **shall be reasonable and fair to the agency as determined solely by the agency.** In making such determination, the agency shall take into account the estimated value of the services to be rendered and the scope, complexity and professional nature thereof”.*

Please do submit your price proposal in a SEPARATE SEALED ENVELOPE.

**End of Addendum 3**