

APPLICATION SUBMITTED BY:

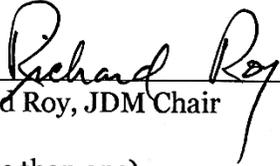
Name of Organization: Josiah Dennis Manse Committee

Address: 61 Whig Street, Dennis, MA 02638

Phone Number: 508.394.7311 (Diane Rochelle, Treasurer)

Email: whiskeyboo@comcast.net

Chief Executive Officer: Richard Roy, Josiah Dennis Manse Committee Chair

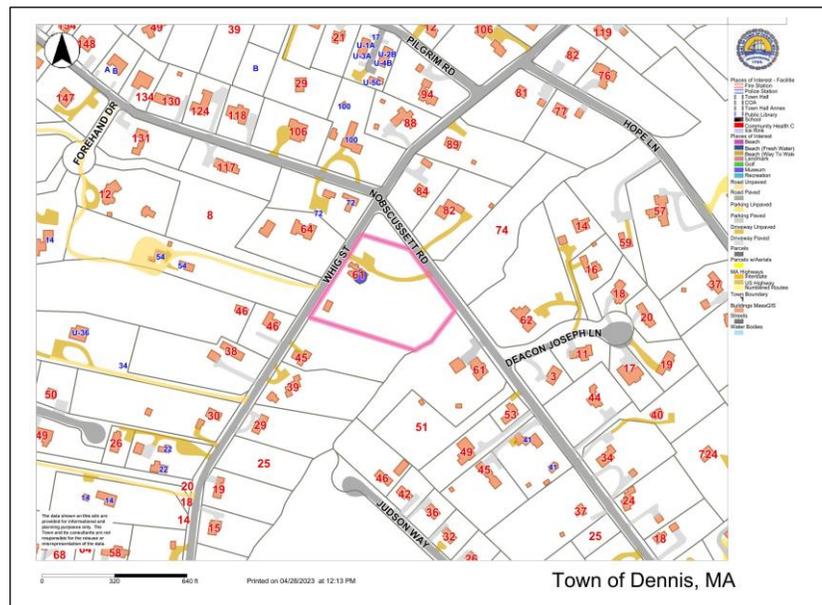
Signature:   
Richard Roy, JDM Chair

Name: (if more than one)

Signature:   
Diane Rochelle, JDM Treasurer

## Synopsis

1. **Project Title:** Architectural & Consulting Services for Josiah Dennis Manse Preservation & Repair
2. **Organization Name:** Josiah Dennis Manse Committee (JDMC)
3. **Amount Requested from CPA funds:** \$ 28,358.00
4. **Purpose:** Historic Preservation of National Register of Historic Places Museum
5. **Project site:** Josiah Dennis Manse Museum, 61 Whig St., Dennis, MA, 02638



Parcel ID 349-41; 2.6 acres; Zone R40; Old King's Highway Historic District; Mass. Historic Property DEN.331; National Register Historic Property April 24, 1957

6. **Synopsis of Project:** preservation & repairs of roof, exterior wood trim, windows, exterior door, exterior railing, sloped accessible walkway & adjacent tree trimming with architectural plans of existing conditions, code review, regulatory approvals, preservation design plans and project budget.

JDM underwent a major stabilization, rehabilitation, restoration & preservation in 2010 thanks to the Community Preservation Act and an outpouring of supporting donations from the residents of Dennis. Since then, the wooden exterior has been negatively affected by the weather, to the extent that there is mold, decay, pest infestation and some leaking. The sloped accessible walkway and parking area are no longer ADA compliant. The purpose is to correct these concerns before they become issues of full replacement and structural integrity.

**Applicant Information:**

7. **Project Title:** Architectural & Consulting Services for Josiah Dennis Manse Preservation & Repair

8. **Organization Name:** Josiah Dennis Manse Committee (JDMC)

9. **Address:** 61 Whig Street, Denis, MA 02638  
Phone: 508.394.7311 (Diane Rochelle, Treasurer)  
Email: [whiskeyboo@comcast.net](mailto:whiskeyboo@comcast.net)  
Website: [www.town.dennis.ma.us](http://www.town.dennis.ma.us) (JDMC web page)

10. **Federal Tax Identification Number:** EO.46001129 (Town of Dennis)

11. **Primary Contact Person & Secondary Person:**

**Primary contact:** Diane Rochelle, JDMC Treasurer, 130 Shad Hole Road, Dennis Port, MA 02639 Phone: 508.394.7311 email: [whiskeyboo@comcast.net](mailto:whiskeyboo@comcast.net)

**Secondary contact:** Richard Roy, JDMC Chair  
43 Nobscussett Road, PO box 887, Dennis, MA 02638  
Phone: 215.205.3930 email: [r\\_e\\_roy@msn.com](mailto:r_e_roy@msn.com)

**Third Contact:** David Talbott, JDMC member, 74 Blackball Hill Road, Dennis, MA 02638 Phone: 508.385.3031 email: [dpmct@comcast.net](mailto:dpmct@comcast.net)

11a. **Primary Contact Person & Secondary Person who can approve & receive the funds:**

**Primary contact:** Diane Rochelle, Historical Commission Chair, 130 Shad Hole Road, Dennis Port, MA 02639 Phone: 508.394.7311 email: [whiskeyboo@comcast.net](mailto:whiskeyboo@comcast.net)

**Secondary Contact:** Richard Roy, JDMC Chair  
43 Nobscussett Road, PO box 887, Dennis, MA 02638  
Phone: 215.205.3930 email: [r\\_e\\_roy@msn.com](mailto:r_e_roy@msn.com)

**Applicant Background**

12. **Brief applicant history:** the Josiah Dennis Manse Committee is appointed by the Dennis Select Board to manage the Josiah Dennis Manse Museum.

13. **Names of governing board:** Richard Roy, Chair; William Collins, Terrill Fox, Susan Kelley, Paula McMurtry, Robert McMurtry, Mary Raycraft, Diane Rochelle, Chris Talbott, David Talbott and Jan Ward.

- 14. Summary of comparable projects completed:** 2006, 2007, 2008, 2009 & 2010 CPC grants for restoration of the Josiah Dennis Manse; 2018 & 2019 CPC grants for West Schoolhouse Stabilization

### **Project Information**

- 15. Project Concept:** to continue to preserve the Josiah Dennis Manse, home of first minister of the East Precinct of Yarmouth, Reverend Josiah Dennis. The Manse is now a house museum, gifted to the town of Dennis in 1968. There is no fee for admission. Site visits are welcome, contact Diane Rochelle to schedule (see contact information above)

An oversight committee for historic town buildings and structures was formed under Dept. of Public Works to recommend and prioritize capital & long-term items, including accessibility. This grant application is a direct result of their research, site review and deliberation.

- 16. Project Goals/Objectives:** the goal of this project is to be proactive and efficient in the protection and preservation of a National Register property with a preservation restriction held by Mass. Historical Commission. It will enable all visitors and volunteers to enjoy the interpretation of Dennis history with accessibility. It will protect and preserve the historic assets within the museum.

- 17. Describe any legal issues,** ramifications, impediments about this project, if any: none known

- 18. Describe how this Project accomplishes the goals & objectives of the CPA:** it preserves a public museum, originally a home, built ca. 1700, that has been determined by the Dennis Historical Commission to be significant to the history & culture of Dennis. It is listed on the Mass. Historic Register and NHRP. The project protects historic collections, owned by the Dennis Historical Society, which are exhibited in its seven rooms, with additional stored in climate-controlled areas of the basement. Dennis history, from the 1700s to maritime years of the 1900s, is interpreted by volunteer docents in period dress, who guide visitors and personalize the exhibits. It ensures continued interpretation of Dennis history and accessibility to present and future generations of all ages.

- 19. Describe how this Project is relevant to the current & future needs of Dennis:** it preserves the heritage & historic setting of Dennis and protects this history for current and future generations of visitors. The Manse is a seasonal museum, open Tuesdays, Thursdays and scheduled Saturdays with permanent and rotating exhibits. Special weekend exhibits, like Colonial Day with its early American demonstrations and Christmas with its natural decorations, continue to delight our visitors. Each year the School Program brings 4<sup>th</sup> grade students from Ezra Baker School to the Manse to participate in interactive interpretations of culinary, maritime, weaving and other educational experiences.

**20. Describe how this Project relates to the Dennis Local Comprehensive Plan:** the project preserves & protects the historic resources of Dennis for current and future generations of residents and visitors. It supports local, state & federal historic preservation priorities.

**Project Implementation & Budget**

**21. Total CPA Funding Request: \$ 28,358.00**

**22. A Financial Plan:** see Attachment #1 for the proposal from Catalyst Architecture/Interiors. Architectural documents, reports & photos from the 2010 JDM restoration are available for review. Phase 3 (optional) includes all necessary regulatory approvals (OKHRHDC, MHC, ADA). Timeline from contract signing to design services completion should be between 6 months and a year. The DPW oversight committee will review the final design and approve a CPC grant submittal for the project completion.

**FEE PROPOSAL**

Catalyst Architecture/Interiors and our Engineering Consultant Team will provide the services noted above for the following fees plus normal reimbursable expenses listed below:

<b>Phase 1</b>	
Architectural Pre-Design Services	\$ 10,626.00
Subtotal:	<b>\$ 10,626.00</b>
<b>Phase 2</b>	
Architectural Schematic Design Services	\$ 12,662.00
Cost Estimating Services	\$2,070.00
Subtotal:	<b>\$ 14,732.00</b>
<b>Total A&amp;E Fee for Phases 1 &amp; 2</b>	
<i>(not including Optional Phase 3 Below)</i>	
	<b>\$ 25,358.00</b>
<b>Phase 3 (Optional)</b>	
Historic Commission Submission and Presentation	(Est) \$ 3,000.00
<b>Phase 4 (Future Not Included)</b>	
Design Development/Construction Documents	Future TBD
<b>Phase 5 (Future Not Included)</b>	
Bidding/Contract Award Phase	Future TBD
<b>Phase 6 (Future Not Included)</b>	
Construction Administration Phase	Future TBD

\*Fee for Future Phases to be determined prior to submission to CPC for Grant and will be included in the soft costs of the Overall Project Budget.

**Hourly Rate Schedule for Additional Services (If Requested by Owner)**

Principal / Architect	= \$ 235.00 / hr.
Architect	= \$ 185.00 / hr.
Interior Designer	= \$ 175.00 / hr.
Designer	= \$ 165.00 / hr.
CAD Technician	= \$ 150.00 / hr.
Administrative Staff	= \$ 90.00 / hr.

**23. Evidence of interest from potential lenders:** N/A

**24. List of funding source(s) include private/public/in-kind:** private donations and volunteer services

**25. A five-year income and expense plan** for this project, if applicable: N/A

**Support Documents**

**26. Letters of support:** Dennis Historical Commission, Josiah Dennis Manse Committee, DHS & JDM Board member



**DENNIS HISTORICAL COMMISSION**  
685 Route 134, South Dennis, MA 02660

May 1, 2023

Dennis Community Preservation Committee  
Town of Dennis  
685 Route 134  
S. Dennis, MA 02660

Chris Foley, Chair, & Committee Members:

The Dennis Historical Commission is extremely supportive of a CPC grant application from the Josiah Dennis Manse Committee for preservation repairs on the Manse Museum. The foresight of the newly appointed oversight committee for town buildings, especially the historic ones, brings a welcome sigh of relief to those who volunteer to protect and preserve Dennis history.

The repairs and ADA compliance are necessary for the continued preservation of the building, its exhibits and collections. We sincerely appreciate your past support and hope you will continue to support the preservation of Dennis history through its town owned museums.

Respectfully,

Diane Rochelle, Dennis Historical Commission Chair  
Robert Poskitt, Vice-Chair, William Collins, Joshua L. Crowell, Sarah Kruger, Tim Scannell & Kenneth Van Tassell

May 1, 2023

Town of Dennis

Attn: Community Preservation Committee

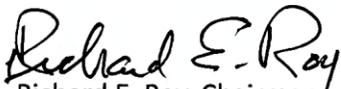
Dear Committee Members

I am writing this letter in support of the Josiah Dennis Manse Committee's request for a CPC grant to develop a scope of work to bring the Josiah Dennis Manse Museum back to the first class condition it was in when restoration and preservation project was completed in 2010. The Josiah Dennis Committee and its volunteers, along with the Dennis Department of Public Works, has worked over the past thirteen years to keep the Manse Museum in the best possible condition. However, over the last few years, with the Manse Committee getting older and fewer in numbers, and the Department of Public Works getting an ever expanding work load, the maintenance tasks at the Manse are getting harder and harder to complete and the building is starting to fall behind in repairs.

It is time to develop a comprehensive work plan to address these and future maintenance issues. The proposal by Catalyst Architecture Interiors will give us the framework to put together Request for Proposals to address vendor specific tasks and more encompassing general contractor tasks. I believe following this path will allow us to identify specific issues and develop solutions quicker and help reduce maintenance costs.

I look forward to your positive response to our request,

Thank you,

  
Richard E. Roy, Chairman

Josiah Dennis Manse Committee

May 1, 2023

Community Preservation Committee  
685 Route 134  
South Dennis, MA 02660

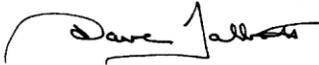
Dear Members of the CPC,

As a long time member of both the Dennis Historical Society Board of Directors and the Josiah Dennis Manse Committee, I know how important the Manse is to preserving and promoting the history of Dennis. There is no structure of more significance in our town.

The time has come for the much needed work described in the Grant Application to be properly detailed and delineated by a professional architectural and consulting service. Only in this manner can a comprehensive package addressing all aspects of the work be prepared.

I urge the approval of the Grant Application submitted by the Josiah Dennis Manse Committee.

Respectfully submitted,



David P. Talbott  
74 Black Ball Hill Road  
Dennis, MA 02638  
dptmct@comcast.net

**27. References:** none

**28. Other relevant materials specific to the Project:** none

**29. Copy of most recent US Income Tax Form 990:** N/A

**30. Certificate of Non-Collusion:**

**CERTIFICATE OF NON-COLLUSION**

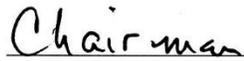
*The undersigned certifies under penalties of perjury that this proposal has been made and submitted in good faith and without collusion or fraud with any person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or any other organization, entity, or group of individuals.*

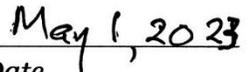
*Chief Executive Officer (s):*

Richard Roy (Chairman)  
*Name (print)*

Diane Rochelle (Treasurer)  
*Name (print)*

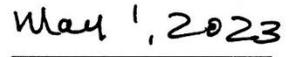
  
*Signature*

  
*Title*

  
*Date*

  
*Signature*

  
*Title*

  
*Date*

Attachment #1

**Proposal for**  
**Architectural & Consulting Engineering Design Services**  
*Phases 1-2 (Pre-Design & Schematic Design Phases)*

**Proposed Preservation/Restoration and Alterations to**  
**Josiah Dennis Manse**  
**61 Whig Street**  
**Dennis, MA**



April 21, 2023

**Catalyst**  
Architecture Interiors

203 WILLOW STREET SUITE A  
YARMOUTHPORT, MA 02675  
508-362-8382

[WWW.CATALYSTARCHITECTS.COM](http://WWW.CATALYSTARCHITECTS.COM)

**CPC 2023 Grant Application: Architectural & Consulting Services  
for Josiah Dennis Manse Preservation & Repair**

Preservation/Restoration and Alterations to the Josiah Dennis Manse  
April 21, 2023

**Project Understanding:**

*The following summary of the current goals and objectives for the subject project is based upon a site walkthrough on Friday 3/22/23 with Town of Dennis Owner's Representatives and the Josiah Dennis Manse Committee – JDMC) and serves as the basis for this proposal.*

1. The Josiah Dennis Manse is Owned by the Town of Dennis (TOD). The Josiah Dennis Manse Committee (JDMC) operates the historic house museum.
2. The Historic House was constructed circa 1736.
3. The Building is individually listed on the National Register of Historic Places (02/15/1974), and is a contributing building to the Old King's Highway Dennis Historic District.
4. There is a Preservation Restriction (dated 05/05/1998) on the property per Massachusetts Historical Commission records.
5. A restoration project was completed in the early 2000's to restore the original structure and improve accessibility.
6. Existing Conditions of the Josiah Dennis Manse will be evaluated by Catalyst Architecture/Interiors,
7. Field Measure existing Building and prepare existing conditions drawings to be used as a base for the schematic design drawings; proposed drawings include plans, and exterior elevations.
8. A Preliminary Code Review will be completed to determine if there are Building Code or Accessibility Issues that will affect the proposed scope of work. Existing and Historic Building Code provisions will be explored and implemented as the Josiah Dennis Manse Historic per the Existing Building Code.
9. Programming meeting with JDMC to discuss the existing building evaluation and preliminary code review, and discussion of project scope.
10. Produce option(s) for schematic design of Josiah Dennis Manse restorage based on discussions with JDMC and existing building analysis, and preliminary code review findings.
11. It is understood that funding for the proposed Preservation/Restoration and Alterations Project will be acquired through grant submissions to the Dennis Community Preservation Committee (CPC), among other grant sources.
12. Budget for the proposed project will be developed based on the Existing Conditions Analysis of the building and the Schematic Drawings and Specifications and Narratives produced by Catalyst and its Consulting Engineers. The Schematic Drawings and Specifications/Narratives will be provided to an Independent Cost Estimator for pricing.
13. Overall Project budget will be developed with the input from the JDMC on soft costs, using the

*Preservation/Restoration and Alterations to the Josiah Dennis Manse  
April 21, 2023*

appropriate budget price values from the Independent Cost Estimator including escalation and contingency costs.

The assumed Scope of Work based on conversations with the JDMC prior to the Evaluation of the Existing Conditions is identified as follows:

- Preservation and Repair of Building Exterior including but not limited to:
  - Cleaning and treatment of wood shingle roof.
  - Preservation/Repair of existing wood trim at windows, window frames, and standing or running trim at isolated areas throughout the building exterior.
  - Exterior Door Replacement.
  - Exterior Railing Replacement.
  - Scraping and Painting all trim work.
  - Wood Window Sash Restoration (Glazing and Sash Replacement).
  - Repairs / Adjustments to existing Handicapped Access Ramp (Sloped Walkway).
  - Small amount of additional landscape repair scope (Adjustments to metal landscape edging, trimming tree adjacent to the house, and reconstruction of steps to east side area of property)
- Discuss other potential scope items uncovered in Existing Conditions Evaluations of the Building.

Catalyst Architects will assist the JDMC with compiling documents for the CPC Submission, and if desired attendance and support at the CPC Review Meeting.

Preservation/Restoration and Alterations to the Josiah Dennis Manse  
April 21, 2023

### **SCOPE OF BASIC SERVICES OUTLINE**

#### **Assumptions:**

Architectural and Site/ Civil drawings of existing conditions and copies of any previously completed studies will be provided to the Architects. If an updated Site Survey is required, the TOD will obtain services of a Civil Engineer, or Catalyst will provide as an additional service.

It is our understanding that the House Museum has Architectural and Engineering Drawings from previous renovations, these will be provided to CAI for our use in developing the updated Existing Conditions Drawings.

#### **PHASE 1: PRE-DESIGN – EXISTING CONDITIONS DOCUMENTATION**

- |           |                                                                                                                                                                                                                                                                                                                                    |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Task 1.01 | Conduct site visit to further review, field measure building, and photograph existing conditions.                                                                                                                                                                                                                                  |
| Task 1.02 | Obtain and review all available drawings and historic photos related to the existing building and site.                                                                                                                                                                                                                            |
| Task 1.03 | Prepare scaled drawings of existing conditions (“As Built” drawings) and distribute to consulting team. Drawings will include: <ul style="list-style-type: none"><li>➤ Architectural Floor Plan</li><li>➤ Partial Architecture Site Plan</li><li>➤ Exterior Elevations</li><li>➤ Building Section(s)</li><li>➤ Roof Plan</li></ul> |
| Task 1.04 | Catalyst and Consulting Engineers to Evaluate Existing Condition of the Josiah Dennis Manse Building.                                                                                                                                                                                                                              |
| Task 1.05 | Building Code and Accessibility Code Review                                                                                                                                                                                                                                                                                        |
| Task 1.06 | Conduct Pre-Design Kick-off Meeting with JDMC to review photographs and existing conditions drawings, building code review, and general design goals, and discussion of proposed space programming.                                                                                                                                |

(Allowance of one design meeting included in this task)

Preservation/Restoration and Alterations to the Josiah Dennis Manse  
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**PHASE 2: SCHEMATIC DESIGN**

- Task 2.01 Based on the pre-design information and discussion during Phase 1, we will prepare schematic design drawings of the proposed Scope of Work as outlined in the Project Understanding and present it to JDMC for discussion, The Schematic Design Drawings shall include:
- Floor Plan key noted with recommended design alterations and work notes.
  - Exterior Elevations
  - Roof Plan
  - Architectural Site Plan
- (Allowance of two design meetings included in this task)
- Task 2.02 Prepare written Scope of Work Outline Specifications for use by Independent Cost Estimator in developing budget prices.
- Task 2.03 Submit and review all design drawings and written scope of work outline specifications and narratives to Independent Cost Estimator in preparation for budget pricing exercise.
- Task 2.04 Upon receipt of Independent Cost Estimator's Estimate, review construction cost estimate with JDMC.
- Task 2.05 Prepare overall project budget (hard costs & soft costs). Coordinate estimated soft costs with JDMC. Develop Architectural and Engineering Fees for Phases III, IV, and V to be included in project budget soft costs.
- Task 2.06 Prepare final design presentation drawings for use in grant submissions, and JDMC fundraising efforts.
- Task 2.07 Coordinate with JDMC for Grant Submission Application Deliverables  
Provide updated Project Schedule if needed.

**PHASE 3: REGULATORY APPROVALS - HISTORIC COMMISSION SUPPORT  
(OPTIONAL - TO BE BILLED ON AN HOURLY BASIS)**

- Task 3.01 Prepare and file application to the local Historic Commission for the proposed alterations.
- Task 3.02 Attend Historic Hearings and present design to the local Historic Commission.

Note: The completion of this phase should include obtaining of all local approvals prior to moving forward with additional construction drawings and related expenses.

Preservation/Restoration and Alterations to the Josiah Dennis Manse  
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**HASE 4: DESIGN DEVELOPMENT/CONSTRUCTION DOCUMENTS (FUTURE – NOT INCLUDED)**

- Task 4.01 Prepare all necessary construction and contract bid documents based on approved Schematic Design documents including some or all of the drawings as generally outlined below for contractor bidding, permitting and construction:
- ◇ Cover Sheet
  - ◇ Partial Architectural Site Plan
  - ◇ Existing Plan, Elevations, Section
  - ◇ Demolition Plan and Elevations
  - ◇ Basement Plan
  - ◇ Floor Plan
  - ◇ Exterior Elevations and Details
  - ◇ Building Sections
  - ◇ Roof Plan and Details
  - ◇ CSI Format Construction Specifications

- Task 4.02 Review all construction bid documents with JDMC before release of documents for Bidding.

**HASE 5: BIDDING/CONTRACT AWARD (FUTURE – NOT INCLUDED)**

- Task 5.01 Assist Town with submission of Bid Document to Projectdog.
- Task 5.02 Conduct Pre-Bid meeting at site and review all project requirements with bidder(s).
- Task 5.03 Provide technical assistance to Contractors during bid phase.
- Task 5.04 Prepare and Issue Addenda to the Bid Documents
- Task 5.05 Receive and review all bids with JDMC and make recommendations for Award of the Construction Contract.

Preservation/Restoration and Alterations to the Josiah Dennis Manse  
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**PHASE 6: CONSTRUCTION ADMINISTRATION (FUTURE - NOT INCLUDED)**

Following the award of the construction contract, we will provide administration of the construction phase, as defined by the American Institute of Architects. In general, this will include:

- Task 6.01 Provide assistance to Owner/Contractor during Building Permit Application Submission.
- Task 6.02 Coordinate required building permit documents with selected Contractor.
- Task 6.03 Attend pre-construction conference with Owner and Contractor.
- Task 6.04 During the construction phase, the Architect shall visit the site and attend a job-site meeting on a bi-weekly basis to coordinate with the Owner, General Contractor, Sub-Contractors, review the work in progress, determine the level of completion and general compliance with the Construction Documents. Duration of Construction and number of site visits T.B.D.
- Task 6.05 Review and approve Change Orders and Change Order Requests.
- Task 6.06 Prepare clarification sketches as required to assist with construction.
- Task 6.07 Review and approve Contractor's Application for Payment.
- Task 6.08 Review product samples and submittal received from General Contractor and assist Owner with final finish selections.
- Task 6.09 Upon Substantial and Final Completion, conduct walk-through of completed work and prepare punch list of all outstanding items
- Task 6.10 Assist with project close-out.

Preservation/Restoration and Alterations to the Josiah Dennis Manse  
April 21, 2023**Additional & Excluded Services:**

*The following work items are considered additional services and are not included in the Architect's basic services itemized above. If requested by the Owner, the architect will submit a cost proposal for any additional services work; or if time is of the essence, these services will be provided on an hourly basis per the attached standard rate schedule:*

- Any Owner-requested design changes desired after the schematic design or construction drawings have been approved by the Owner or once construction has commenced.
- Real Estate Comparative Value Analysis
- LEED Certification
- Design or specifications related to special solar, hot water, solar PV or geothermal systems.
- Special 3-dimensional color rendered perspectives or presentation graphics.
- Detailed Plumbing & Piping Design.
- Detailed Heating & Cooling System Design.
- Detailed Landscape Design Plans.
- Attendance at meetings in excess of those included in the Basic Services above.
- Extraordinary Meetings or preparation and attendance for municipal permitting (i.e. Historic, Conservation Commission, Zoning Board of Appeals, etc.....) in excess of those itemized above.
- Architect's involvement coordinating and resolving any post-occupancy warranty issues with Owner and General Contractor.

**Excluded Services**

- Property Surveying & Civil Engineering
- Soil & Materials Testing including Geotechnical Reports
- Hazardous Materials Testing or Abatement (i.e. lead paint, asbestos, waste oil etc...). Please note that a Hazardous Materials Report may be required prior to demolition by local Building Department.
- Computer, Security, Central Audio / Visual or Home Theater Design and/or Specifications.
- Energy Modeling
- Utility Usage Modeling

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<b>Total A&amp;E Fee for Phases 1 &amp; 2</b> <i>(not including Optional Phase 3 Below)</i>	<b>\$ 25,358.00</b>
<b><u>Phase 3 (Optional)</u></b>	
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**STANDARD CONDITIONS OF THE AGREEMENT**

**PAYMENT:** Invoices will be rendered monthly, as work progresses. The CLIENT agrees that funds are readily available in the amount of the total Invoices are due and payable upon receipt and no later than 30 days from the date of invoice. Amounts past due are subject to a service charge 1.5% per month (18% annually). The CLIENT agrees to pay reasonable attorney's fees and any collection agency fees incurred in the collection of amount owed thereunder and not paid when due. ARCHITECT reserves the right to stop the work on accounts unpaid or partially paid after 45 days from billing date. CLIENT reserves the right to terminate work at any time and will compensate ARCHITECT for work completed to date of termination.

**ADJUSTMENT TO HOURLY RATE SCHEDULE:** The ARCHITECT reserves the right to adjust the Hourly Rate Schedule as included herein during the contract period, but will notify the CLIENT as to how the adjustment will affect the project fees.

**INSURANCE:** ARCHITECT is covered by Worker's Compensation Insurance and Public and Professional Liability Insurance. ARCHITECT will furnish certification upon request.

**OWNERSHIP OF DOCUMENTS:** The ARCHITECT reserves copyright protection of any completed design work. All Documents, including original drawings, estimates, specifications, field notes, and data, are and shall remain the sole and exclusive property of the ARCHITECT as instruments of service. CLIENT may, at his/her expense, obtain record prints of drawings, in consideration of which the CLIENT will use them solely in connection with above described project and not for the purpose of making subsequent extensions or enlargements thereto.

**USE OF DOCUMENTS:** Services performed and Documents prepared by the ARCHITECT under this agreement shall be for the benefit of CLIENT and may not be relied upon by any third party(ies) unless specifically agreed to in advance by ARCHITECT or CLIENT.

**CONSTRUCTION SERVICES:** On request, ARCHITECT will provide personnel to observe construction in order to ascertain that it is, in general, being performed in accordance with our plans and/or specifications. This does not make ARCHITECT a guarantor of any contractor's work, and the CLIENT and CLIENT'S Agent will continue to be responsible for the accuracy and adequacy of all construction performed.

The ARCHITECT and the CLIENT agree that if the Owner does not retain the ARCHITECT for the construction administration services provided herein then the CLIENT shall be solely responsible for interpreting the contract documents and observing the work of the contractor or sub-contractor discover, correct or mitigate errors, inconsistencies or omissions. If the CLIENT authorizes deviations, recorded or unrecorded, from the documents prepared by the ARCHITECT, the CLIENT shall not bring any claim against the ARCHITECT and shall indemnify and hold the ARCHITECT, its agents and employees, harmless from and against claims, losses, damages and expenses, including, but not limited to defense costs and the time of ARCHITECT, to the extent such claim, loss, damage or expense arises out of or results in whole or in part from such deviations, regardless of whether or not such claim, loss, damage or expense is caused in part by a party indemnified under this provision.

**INDEMNIFICATION:** The CLIENT will agree to limit ARCHITECT'S liability resulting from errors and/or omissions in Architectural design information furnished to the CLIENT to those portions of the design prepared by us and in an amount not to exceed ARCHITECT'S fee. The CLIENT agrees to require a like limitation from any contractor engaged to perform work for which ARCHITECT has provided reports, plans and/or specifications. CLIENT shall further indemnify and hold ARCHITECT harmless from any liability resulting from the acts, errors, or omissions of the CLIENT or CLIENT'S Agents, contractors, or assigns. Such indemnification shall include the cost of defense arising in any way with claims connected with any such liability excepting only such liability as may arise out of the ARCHITECT'S sole negligence in performance of services.

**WARRANTY:** ARCHITECT'S professional services will be performed in accordance with generally accepted Architectural practices. This warranty is in lieu of all other warranties expressed or implied.

**PHOTOGRAPHY:** The ARCHITECT reserves the right to photograph the completed project (interior and exterior) via professional or in-house photographer at a mutually agreeable time. The Architect reserves the right to use said photographs for marketing purposes including but not limited to website content, magazine articles, advertising, press releases, and award entry. Client privacy will be respected, and anonymity as to Client name and project location will be honored upon request.

**ELECTRONIC FILES:** Electronic files are transmitted for informational purposes only and at the request of the CLIENT or CLIENT'S agent. Catalyst Architecture / Interiors, Inc. official product is limited to its signed and sealed hard copy of plans, specifications, and/or studies. The CLIENT agrees to hold Catalyst Architecture / Interiors, Inc. harmless for any damages incurred from inappropriate or illegal uses resulting from any electronic transfer of information that was requested by the CLIENT or CLIENT'S agent.

**SCHEDULE TO COMMENCE SERVICES:** Catalyst Architecture / Interiors, Inc. proposes to begin the services identified in Phase I, Section A upon receipt of CLIENT'S written authorization to proceed. This offer to perform services is valid for a period of ninety (90) days from the date of the proposal.