A133-2009 PROJECT ATTACHMENT
to
AIA Document A133–2009
Standard Form of Agreement Between Owner and Construction Manager as Constructor, as currently amended by the Owner (hereinafter A101-2017)

<table>
<thead>
<tr>
<th>Appropriation Year(s):</th>
<th>Cost Center:</th>
<th>Object Codes: Fee:</th>
<th>Amounts Fee:</th>
<th>Vendor Number:</th>
<th>P.O. Numbers: Fee:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Term of Contract:**

This contract is effective on [INSERT FULL DATE (e.g., January 29, 2013)] or upon the date the final required signature is obtained by Minnesota State, whichever occurs later, and shall remain in effect until [INSERT FULL DATE (e.g., June 15, 2013)] or until all obligations set forth in this contract have been satisfactorily fulfilled, whichever occurs first. The CONSTRUCTION MANAGER understands that no work should begin under this contract until all required signatures have been obtained and the CONSTRUCTION MANAGER is notified to begin work by Minnesota State’s authorized representative.

**The Owner:**

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of [Insert name of College or University, but not a particular campus.], hereinafter referred to as the “Owner,”

Wherever reference is made to “Owner” related to project communications and management, it shall mean Owner, Delegated Project Manager, and Owner’s Project Representative as identified in this Attachment.

**The Construction Manager:**

[Insert Legal Name of Firm]  
[Insert Street Address]  
[Insert City, State, Zip Code]

for the following Project:

[Insert Project Name]  
[Insert Name of College/University]  
[Insert Campus Name, if applicable]  
[Insert City, MN, Zip Code]
The Architect:

[Insert Legal Name of Firm]
[Insert Street Address]
[Insert City, State, Zip Code]

The Owner’s Project Representative is:

[Insert Legal Name of Firm]
[Insert Street Address]
[Insert City, State, Zip Code]

The Owner’s Designated Representative is:

[Insert Name of Individual]
[Insert Individual’s title]

The Owner’s Designated Project Manager is:

[Insert Name of Individual]
[Insert Individual’s title]

The Construction Manager’s Designated Representative is:

[Insert Name of Individual]
[Insert Individual’s title]

The Architect’s Designated Representative is:

[Insert Name of Individual]
[Insert Individual’s title]

The Owner and Construction Manager agree as follows in reference to the A133 Agreement sections noted:

2.1.3 The Owner’s requirements for accelerated or fast-track scheduling or phased construction are: [If applicable, state the Owner’s plans for multiple phases and/or multiple bid packages that may be planned to facilitate an accelerated schedule.]

2.1.5.2 A milestone is achieved on the date of Owner approval. The Owner’s design and construction schedule milestone dates:

[Identify, if needed, milestone dates, durations or scheduling requirements. Insert any required construction Substantial Completion date(s). If there are multiple phases, include dates for Substantial Completion of each phase.]

.1 Design phase milestone dates:

.2 Construction commencement date:

.3 Substantial Completion date or dates:

.4 Other milestone dates:

4.1 Compensation

4.1.1 Preconstruction Services
4.1.2 For the Construction Manager’s Preconstruction Services Minnesota State will pay CONSTRUCTION MANAGER for the performance of the AGREEMENT, subject to additions and deductions provided therein, in current funds as follows:

_____________________________ DOLLARS ($___________)

[Insert Dollar Amount in words and numbers.]

5.1.1 The Construction Manager’s Fee: [Insert %] of the budgeted construction estimate

5.1.2 The Construction Manager’s Fee for Changes in the Work: [Insert %]

6.2.2 Approved administrative and supervisory personnel and hourly rates:

[Insert hourly rates or reference attachment]

10.1.2 Approved Preconstruction Phase personnel and hourly rates:

[Insert hourly rates or reference attachment]

11.5 Other Provisions:
SIGNATURES: (Sign and date at the appropriate signature line below.)
In witness whereof, the Owner has caused this Agreement to be duly executed on its behalf and the Construction Manager has caused the same to be duly executed on its behalf.

1. CONSTRUCTION MANAGER: [INSERT NAME OF CONSTRUCTION MANAGER FIRM]
CONSTRUCTION MANAGER certifies that the appropriate person(s) have executed the contract on behalf of CONSTRUCTION MANAGER as required by applicable articles, by-laws, resolutions, or ordinances.

<table>
<thead>
<tr>
<th>By (authorized signature and printed name)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
</tr>
<tr>
<td>Date</td>
</tr>
</tbody>
</table>

2. VERIFIED AS TO ENCUMBRANCE:
Employee certifies that funds have been encumbered as required by Minnesota Statute §16A.15. When contract is processed through e-Builder, encumbrance is incorporated into the workflow and signature block below is left unsigned. See attached Cover Page “Exhibit A” for Encumbrance Details.

[INSERT NAME OF COLLEGE/UNIVERSITY]:

<table>
<thead>
<tr>
<th>By (authorized signature and printed name)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
</tr>
<tr>
<td>Date</td>
</tr>
</tbody>
</table>

3. MINNESOTA STATE
[INSERT NAME OF COLLEGE/UNIVERSITY]:

<table>
<thead>
<tr>
<th>By (authorized signature and printed name)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
</tr>
<tr>
<td>Date</td>
</tr>
</tbody>
</table>

4. AS TO FORM AND EXECUTION
[INSERT NAME OF COLLEGE/UNIVERSITY]:

<table>
<thead>
<tr>
<th>By (authorized signature and printed name)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
</tr>
<tr>
<td>Date</td>
</tr>
</tbody>
</table>