

**TOWN OF WINDHAM
CONSTRUCTION OVERSIGHT AGREEMENT
Everett T Hammond, PE Consulting Engineer
WINDHAM HILL ROAD**

OFFER OF ENGINEERING SERVICES

The ENGINEER offers to provide the engineering services as described in the attached cost estimate, for the compensation specified. The attached TERMS AND CONDITIONS is considered part of this Proposal.

Everett Hammond
Everett Hammond, PE

5/21/21
Date

The authorizing signature representing the CLIENT authorizes the initiation of CONSTRUCTION OVERSIGHT SERVICES.

Maureen Bell
Town of WINDHAM

5.21.2021
Date

TERMS AND CONDITIONS

1. Payments to the ENGINEER: Invoices are payable within thirty (30) days from date of invoice. Failure to pay within 30 days will result in interest charged at the rate of 1.0% per month on any balance that remains unpaid 30 days after the date of invoice.
2. LIMITATION OF LIABILITY: The ENGINEER's total liability to the CLIENT for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this Agreement, from any cause or causes, shall not exceed the total amount of this Agreement. Such causes include, but are not limited to, the ENGINEER's negligence, errors, omissions, strict liability or breach of contract.
3. EXPENSES: Mileage will be expensed out at the current federal rate.
4. SCHEDULE: The ENGINEER agrees to provide construction oversight services for Windham Hill Road during the summer of 2021 for sections 2, 3 and 6b.
5. ENGINEERING SERVICES DURING CONSTRUCTION: Construction administration and inspection is an important service to minimize problems during construction. Construction Services by the ENGINEER is not an insurance or warranty of any type. In all cases, contractors, subcontractors or material providers shall retain responsibility for the quality of their work and for adhering to plans and specifications. The TOWN agrees that the construction contractor is solely responsible for job-site safety. The TOWN agrees that the contractor is solely responsible for conformance to all safety regulations (OSHA, VOSHA, etc.), and to hold the ENGINEER harmless to any claims, fines or lawsuits made during construction. The rate for inspection services is \$80/hour through the end of 2021.