AMENDMENT #3 MEMORANDUM OF AGREEMENT
Approved by the Jones Library Board of Trustees June 10, 2024

This Memorandum of Agreement ("#3 Amendment") is entered into on this ____ day of June 2024 by and between the Town of Amherst (the "Town"), acting by and through its Town Manager, and The Jones Library, Incorporated (the "Library"), a Massachusetts nonprofit corporation, acting by and through its Board of Trustees.

Recitals

Whereas, a Memorandum of Agreement was entered into between the Town and the Library in 2021 (attached) regarding the renovation and expansion of the Jones Library building ("Project"); and

Whereas, an Amendment to the Memorandum of Agreement was entered into between the Town and Library in 2022 (attached); and

Whereas, since the time the parties entered the Memorandum of Agreement and the Amendment to the Memorandum of Agreement (together, the "Agreements"), updated estimates have been procured based on more detailed designs; and

Whereas, since that time the construction bid from a general contractor exceeded the project budget; and

Whereas, the Town and Library wish to commission value engineering on the Project in anticipation of again putting the Project out for bid; and

Whereas, the Town and Library seek to amend the Agreements by clarifying the expectations of the parties, including financial commitments; and

Now, therefore, for good and valuable consideration, the Town and Library agree to this Third Amendment to the Memorandum of Agreement as follows:

1. The Library agrees to pay the cost of architectural fees, currently estimated at $550,700, in order to rebid the project in the Fall of 2024. This amount will be added to the Library’s Share of the project cost;

2. If the project doesn’t move forward in the Fall of 2024, the Town will not need to return these funds to the Library, and these funds will not need to be applied toward Library repairs;

3. All other provisions of the Agreements remain in force.

Attachments:

Memorandum-of-Agreement - April, 2021
MOA Amendment #1 10-27-22
MOA Amendment #2 12-7-23

[signature page follows]
Signed and effective as of this 18 day of June, 2024.

TOWN OF AMHERST,

By its Town Manager,

Paul Bockelman, Duly Authorized

THE JONES LIBRARY INCORPORATED,

By its President,

Austin Sarat

By its Treasurer,

Lee Edwards

BOARD OF TRUSTEES OF THE JONES LIBRARY, INCORPORATED, AND OF THE AMHERST TOWN LIBRARY

Austin Sarat

Tamson Ely

Lee Edwards

Farah Ameen

RECUSED

Eugene Goffredo