# Public Building Commission of Chicago
# Contractor Payment Information

Project: **Garvy Elementrary School Addition**

Contract Number: **1511**

General Contractor: **Skender Construction**

Payment Application: **#9**

Amount Paid**: $774,398.56**

Date of Payment to General Contractor: **6/17/11**

The posting of all or any portion of a contractor's payment application on the PBC's website is done solely for the purpose of providing information to subcontractors with respect the amount the contractor has requested as payment for its subcontractors on the posted portion of the payment application. The posting of this information is provided for in the PBC's Standard Terms and Conditions For Construction Contracts Section 16.09 entitled, Prompt Payment To Subcontractors. The PBC makes no representations or warranties with respect to any of the information provided by contractors on the contractors' payment applications. If you are a subcontractor, and have any questions regarding the information on a posted payment application, you should contact the general contractor

# PUBLIC BUILDING COMMISSION OF CHICAGO

## EXHIBIT S

CERTIFICATE OF ARCHITECT - ENGINEER

Date: **May 27, 2011**

Project: **Garvy School**

To: Public Building Commission of Chicago
In accordance with Resolution No. adopted by the Public Building Commission of Chicago on , relating to the $ Revenue Bonds issued by the Public Building Commission of Chicago for the financing of this project (and all terms used herein shall have the same meaning as in said Resolution), I hereby certify to the Commission and to its Trustee, that:

1. Obligations in the amounts stated herein have been incurred by the Commission and that each item thereof is a proper charge against the Construction Account and has not been paid; and

2. No amount hereby approved for payment upon any contract will, when added to all amounts previously paid upon such contract, exceed 90% of current estimates approved by the Architect - Engineer until the aggregate amount of payments withheld equals 5% of the Contract Price (said retained funds being payable as set forth in said Resolution).

| | | |
|---|---|---|
| THE CONTRACTOR | **Skender Construction** | |
| FOR | **Garvy School** | |
| is now entitled to the sum of | **$774,398.56** | |
| ORIGINAL CONTRACT PRICE | **$9,490,195.00** | |
| ADDITIONS | **$0.00** | |
| DEDUCTIONS | **$0.00** | |
| NET ADDITION OR DEDUCTION | **$0.00** | |
| ADJUSTED CONTRACT PRICE | **$9,490,195.00** | |
| TOTAL AMOUNT EARNED | | **$5,375,691.99** |
| TOTAL RETENTION | | **$537,569.20** |
| a) Reserve Withheld @ 10% of Total Amount Earned, but not to exceed 5% of Contract Price | **$537,569.20** | |
| b) Liens and Other Withholding | **$0.00** | |
| c) Liquidated Damages Withheld | **$0.00** | |
| TOTAL PAID TO DATE (Include this Payment) | | **$4,838,122.79** |
| LESS: AMOUNT PREVIOUSLY PAID | | **$4,063,724.23** |
| AMOUNT DUE THIS PAYMENT | | **$774,398.56** |

*Maria Pellot*
Architect - Engineer

Date: 05/27/2011

**EXHIBIT A**

## CONTRACTOR'S SWORN STATEMENT AND AFFIDAVIT FOR PARTIAL PAYMENT (1 of 5)

STATE OF **Illinois** }

} SS

COUNTY OF **Cook** }

The affiant, being first duly sworn on oath, deposes and says that he/she is, of **Skender Construction**, an **Illinois** corporation, and duly authorized to make this Affidavit in behalf of said corporation, and for him/herself individually; that he/she is well acquainted with the facts herein set forth and that said corporation is the Contractor with the PUBLIC BUILDING COMMISSION OF CHICAGO, Owner, under Contract No. **1511** dated the **27th day of July, 2010** , for (describe nature of work)

**General Construction**

for (designate Project and Location)

**Garvy School**

**5225 North Oak Park Ave, Chicago, Illinois 60659**

· that the following statements are made for the purpose of procuring a partial payment of

**Seven hundred seventy four thousand three hundred ninety eight and 56/100**

**$774,398.56**

under the terms of said Contract;

· that the work for which payment is requested has been completed, free and clear of any and all claims, liens, charges, and expenses of any kind or nature whatsoever and in full compliance with the Contract Documents and the requirements of said Owner under them;

· that for the purposes of said Contract, the following persons have been contracted with, and have furnished or prepared materials, equipment, supplies, and services for, and having done labor on said improvement;

· that the respective amounts set forth opposite their names is the full amount of money due and to become due to each of them respectively;

· that this statement is a full, true, and complete statement of all such persons and of the full amount now due and the amount heretofore paid to each of them for such labor, materials, equipment, supplies, and services, furnished or prepared by each of them to or on account of said work, as stated:

| NAME and ADDRESS | TYPE OF WORK | TOTAL CONTRACT (INCLUDE C.O.'s) | TOTAL WORK COMPLETE | LESS RETENTION (INCLUDE CURRENT) | LESS NET PREVIOUSLY PAID | NET DUE THIS PERIOD | BALANCE TO BECOME DUE |
|---|---|---|---|---|---|---|---|
| Skender Construction, 200 W. Madison, Suite 1300, Chicago, Illinois 60606 | GENERAL CONDITIONS | 724,252.38 | 724,252.38 | 72,425.24 | 651,827.14 | 0.00 | 72,425.24 |
| Robinette, 0S560 Highway 83, Oakbrook Terrace, Illinois 60181 | DEMOLITION | 54,300.00 | 44,521.00 | 4,452.10 | 40,068.90 | 0.00 | 14,231.10 |
| CR Schmidt, Inc., 29W002 Main Street, Suite 201A, Warrenville, Illinois 60555 | PERMEABLE PAVER | 29,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 29,000.00 |
| BSB Development Incorporated, 7901 Industrial Court, Spring Grove, Illinois 60081 | EARTHWORK EXCAVATION | 424,860.00 | 241,618.00 | 24,161.80 | 217,456.20 | 0.00 | 207,403.80 |
| To Be Let | SITE CONCRETE | 124,800.00 | 0.00 | 0.00 | 0.00 | 0.00 | 124,800.00 |
| Best Plumbing, 13931 South Kildare, Crestwood, Illinois 60445 | SITE UTILITIES SEWER & WATER | 75,300.00 | 34,300.00 | 3,430.00 | 27,900.00 | 2,970.00 | 44,430.00 |
| Action Fence Contractors, 945 Tower Road, Mundelein, Illinois 60060 | FENCING SYSTEM | 108,500.00 | 0.00 | 0.00 | 0.00 | 0.00 | 108,500.00 |
| Trilary, Inc., 1080 Uniek Drive, Waunakee, Wisconsin 53597 | SITE FURNISHINGS | 12,920.00 | 0.00 | 0.00 | 0.00 | 0.00 | 12,920.00 |

## EXHIBIT A

## CONTRACTOR'S SWORN STATEMENT AND AFFIDAVIT FOR PARTIAL PAYMENT (2 of 5)

| NAME and ADDRESS | TYPE OF WORK | TOTAL CONTRACT (INCLUDE C.O.'s) | TOTAL WORK COMPLETE | LESS RETENTION (INCLUDE CURRENT) | LESS NET PREVIOUSLY PAID | NET DUE THIS PERIOD | BALANCE TO BECOME DUE |
|---|---|---|---|---|---|---|---|
| F. Garcia Landscaping, 316 South Main St, Wauconda, Illinois 60084 | VEGATATIVE ROOF MODULES | 130,025.00 | 0.00 | 0.00 | 0.00 | 0.00 | 130,025.00 |
| Breezy Hill Nursery, 7530 288th Ave., Salem, Wisconsin 53168 | Landscaping | 79,500.00 | 0.00 | 0.00 | 0.00 | 0.00 | 79,500.00 |
| DeGraf Concrete Construction Inc., 300 Alderman Ave., Wheeling, Illinois 60090 | CIP CONCRETE | 449,252.00 | 449,252.00 | 44,925.20 | 382,500.00 | 21,826.80 | 44,925.20 |
| Larmco Company Inc, 20001 Blackstone Avenue, Lynwood, Illinois 60411 | MASONRY | 1,670,000.00 | 1,376,150.00 | 137,615.00 | 901,800.00 | 336,735.00 | 431,465.00 |
| Romero Steel Company, Inc., 1300 Main Street, Melrose Park, Illinois 60160 | STRUCTURAL STEEL/METALS | 690,000.00 | 662,066.00 | 66,206.60 | 576,059.40 | 19,800.00 | 94,140.60 |
| POB Construction, 4938 N. Elston, Chicago, Illinois 60630 | CARPENTRY | 161,000.00 | 51,650.00 | 5,165.00 | 30,852.00 | 15,633.00 | 114,515.00 |
| Accurate Custom Cabinets, 115 West Fay Avenue, Addison, Illinois 60101 | ARCHITECTURAL WOODWORK | 53,000.00 | 5,300.00 | 530.00 | 0.00 | 4,770.00 | 48,230.00 |
| Sager Sealants Corporation, 708 East Elm Ave., La Grange, Illinois 60525 | DAMPROOF/WATERPROOF | 16,800.00 | 5,032.00 | 503.20 | 4,528.80 | 0.00 | 12,271.20 |
| WILKIN INSULATION CO, 501 CARBOY ROAD, MT. PROSPECT, Illinois 60056 | SPRAY INSULATION | 20,000.00 | 18,000.00 | 1,800.00 | 0.00 | 16,200.00 | 3,800.00 |
| Midway Contracting Group, 7413 Duvan Drive, Tinley Park, Illinois 60477 | SPRAY FIREPROOFING | 26,000.00 | 26,000.00 | 2,600.00 | 21,600.00 | 1,800.00 | 2,600.00 |
| To Be Let | MEMBRANE ROOFING | 348,600.00 | 0.00 | 0.00 | 0.00 | 0.00 | 348,600.00 |
| To Be Let | JOINT SEALANTS | 15,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 15,000.00 |
| LaForce, Inc., 1060 West Mason, PO Box 10068, Green Bay, Wisconsin 54307 | STEEL DOOR/FRAMES | 61,000.00 | 12,844.00 | 1,284.40 | 11,559.60 | 0.00 | 49,440.40 |
| Midwest Contract Glazing, 3014 West Fillmore Street, Chicago, Illinois 60612 | ENTRANCES/GLAZING | 330,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 330,000.00 |
| To Be Let | CERAMIC TILE | 3,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 3,000.00 |
| Skender Construction, 200 W. Madison, Suite 1300, Chicago, Illinois 60606 | TERRAZZO | 225,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 225,000.00 |
| Meridienne Corporation, 1958 West 59th Street, Chicago, Illinois 60636 | ACOUSTICAL CEILINGS | 59,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 59,000.00 |
| Great Northern Flooring, 1051 East Main Street, Suite 216, East Dundee, Illinois 60118 | FLOORING | 47,500.00 | 0.00 | 0.00 | 0.00 | 0.00 | 47,500.00 |
| Durango Painting, 2846 Coastal Drive, Aurora, Illinois 60503 | PAINTING | 45,500.00 | 0.00 | 0.00 | 0.00 | 0.00 | 45,500.00 |

## EXHIBIT A

## CONTRACTOR'S SWORN STATEMENT AND AFFIDAVIT FOR PARTIAL PAYMENT (3 of 5)

| NAME and ADDRESS | TYPE OF WORK | TOTAL CONTRACT (INCLUDE C.O.'s) | TOTAL WORK COMPLETE | LESS RETENTION (INCLUDE CURRENT) | LESS NET PREVIOUSLY PAID | NET DUE THIS PERIOD | BALANCE TO BECOME DUE |
|---|---|---|---|---|---|---|---|
| Air Flow Architectural Inc., 7330 North Teutonia Avenue, Milwaukee, Wisconsin 53209-2006 | SPECIALTIES | 12,500.00 | 0.00 | 0.00 | 0.00 | 0.00 | 12,500.00 |
| To Be Let | TOILET COMPARTMENTS | 15,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 15,000.00 |
| To Be Let | LOUVERS | 16,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 16,000.00 |
| Art Dose, 3614 S. Lowe, chicago, Illinois 60609 | INTERIOR SIGNS | 30,350.00 | 0.00 | 0.00 | 0.00 | 0.00 | 30,350.00 |
| Storage & Design Group, P.O. Box 57067, Des Moines, Iowa 50317 | METAL LOCKERS | 49,500.00 | 5,000.00 | 0.00 | 0.00 | 5,000.00 | 44,500.00 |
| To Be Let | FIRE EXTINGUISHERS & CABINETS | 1,100.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1,100.00 |
| To Be Let | ATHLETIC EQUIPMENT | 12,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 12,000.00 |
| J-Mec Inc., PO Box 125, Lake Mills, Wisconsin 53551 | CHUTES/COLLECTORS | 26,637.85 | 0.00 | 0.00 | 0.00 | 0.00 | 26,637.85 |
| Kadee Industries, 7160 Krick Road, Walton Hills, Ohio 44146 | FLOOR GRILLES/MATS | 33,544.00 | 0.00 | 0.00 | 0.00 | 0.00 | 33,544.00 |
| Evergreen Specialties and Design, 12617 S Kroll Drive, Alsip, Illinois 60803 | WINDOW TREATMENTS | 5,500.00 | 0.00 | 0.00 | 0.00 | 0.00 | 5,500.00 |
| Mitsubishi Electric, 5665 Plaza Dr., Cypress, California 90630 | ELEVATORS | 100,000.00 | 67,450.00 | 6,745.00 | 22,500.00 | 38,205.00 | 39,295.00 |
| Nova Fire Protection, Inc., 1530 Wiley Road, Schaumburg, Illinois 60173 | FIRE PROTECTION | 90,000.00 | 52,950.00 | 5,295.00 | 32,188.50 | 15,466.50 | 42,345.00 |
| Cryer & Olsen Mechanical Inc., 1734 East Cass Street, Joliet, Illinois 60432-2766 | PLUMBING | 250,000.00 | 200,000.00 | 20,000.00 | 169,200.00 | 10,800.00 | 70,000.00 |
| Dynamic Heating & Piping Company, 4739 West 136th Street, Crestwood, Illinois 60445-1968 | HVAC | 895,000.00 | 480,935.00 | 48,093.50 | 223,969.50 | 208,872.00 | 462,158.50 |
| New Frontier Electrical Construction, P.O. BOX 2251, JOLIET, Illinois 60434 | ELECTRICAL | 1,066,948.00 | 618,829.84 | 61,882.98 | 480,126.60 | 76,820.26 | 510,001.14 |
| Skender Construction, 200 W. Madison, Suite 1300, Chicago, Illinois 60606 | Site Work Allowance | 144,610.00 | 0.00 | 0.00 | 0.00 | 0.00 | 144,610.00 |
| Skender Construction, 200 W. Madison, Suite 1300, Chicago, Illinois 60606 | PBC Contingency Fund | 263,061.00 | 0.00 | 0.00 | 0.00 | 0.00 | 263,061.00 |
| Skender Construction, 200 W. Madison, Suite 1300, Chicago, Illinois 60606 | CCTV Allowance | 120,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 120,000.00 |
| Skender Construction, 200 W. Madison, Suite 1300, Chicago, Illinois 60606 | Unforeseen Abatement | 50,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | 50,000.00 |

## EXHIBIT A

## CONTRACTOR'S SWORN STATEMENT AND AFFIDAVIT FOR PARTIAL PAYMENT (4 of 5)

| NAME and ADDRESS | TYPE OF WORK | TOTAL CONTRACT (INCLUDE C.O.'s) | TOTAL WORK COMPLETE | LESS RETENTION (INCLUDE CURRENT) | LESS NET PREVIOUSLY PAID | NET DUE THIS PERIOD | BALANCE TO BECOME DUE |
|---|---|---|---|---|---|---|---|
| Skender Construction, 200 W. Madison, Suite 1300, Chicago, Illinois 60606 | INSURANCE | 93,077.00 | 93,077.00 | 9,307.70 | 83,769.30 | 0.00 | 9,307.70 |
| Skender Construction, 200 W. Madison, Suite 1300, Chicago, Illinois 60606 | BOND | 94,902.00 | 94,902.00 | 9,490.20 | 85,411.80 | 0.00 | 9,490.20 |
| Skender Construction, 200 W. Madison, Suite 1300, Chicago, Illinois 60606 | FEE | 136,355.77 | 111,562.77 | 11,156.28 | 100,406.49 | 0.00 | 35,949.28 |
| | **Total** | 9,490,195.00 | 5,375,691.99 | 537,569.20 | 4,063,724.23 | 774,398.56 | 4,652,072.21 |

## EXHIBIT A

## CONTRACTOR'S SWORN STATEMENT AND AFFIDAVIT FOR PARTIAL PAYMENT (5 of 5)

| | | | |
|---|---|---|---|
| **AMOUNT OF ORIGINAL CONTRACT** | **$9,490,195.00** | **TOTAL AMOUNT REQUESTED** | **$5,375,691.99** |
| **EXTRAS TO CONTRACT** | **$0.00** | **LESS 10.00% RETAINED** | **$537,569.20** |
| **TOTAL CONTRACT AND EXTRAS** | **$9,490,195.00** | **NET AMOUNT EARNED** | **$4,838,122.79** |
| **CREDITS TO CONTRACT** | **$0.00** | **AMOUNT OF PREVIOUS PAYMENTS** | **$4,063,724.23** |
| **ADJUSTED CONTRACT PRICE** | **$9,490,195.00** | **AMOUNT DUE THIS PAYMENT** | **$774,398.56** |
| | | **BALANCE TO COMPLETE** | **$4,652,072.21** |

These provisions should not be construed as conferring any rights hereunder for the benefit of Subcontractors, suppliers, workers or employees, nor as enlarging or altering the application or effect of existing lien laws.

Contractor certifies

- that to the best of its knowledge, information and belief, the work is in accordance with the Contract Documents;
- that suppliers of materials, services, labor and all Subcontractors (including all significant sublevels thereof) are being currently paid,
- that the amount of the payments applied for are justified.
- That the Waivers of Lien and submitted herewith by affiant for affiant and each of the aforesaid persons, are true, correct, and genuine;
- that each and every Waiver of Lien was delivered unconditionally;
- that there is no claim either legal or equitable to defeat the validity of any of said Waivers of Lien;
- that said Waivers of Lien include such Waivers of Lien from all Subcontractors, suppliers of material or other agents acting on behalf of affiant in connection with the Work or arising out of the Work; and
- that so far as affiant has knowledge or information, the said Waivers of Lien include all the labor and material for which a claim could be made and for which a lien could be filed;
- that neither the partial payment nor any part thereof has been assigned;
- that said Contractor herein expressly affirms that should it at any time appear that any illegal or excess payments have been made to said Contractor by or on behalf of the PUBLIC BUILDING COMMISSION OF CHICAGO, the said Contractor will repay on demand to the PUBLIC BUILDING COMMISSION OF CHICAGO the amount or amounts so paid; and
- that if any lien remains unsatisfied after all payments are made, the Contractor will refund to the PUBLIC BUILDING COMMISSION OF CHICAGO all moneys that the latter may be compelled to pay in discharging such a lien including all costs and a reasonable attorney's fee.

*Henry Filipek*

(To be signed by the President or a Vice President)

Henry Filipek

(Typed name of above signature)

Subscribed and sworn to before me this 27th day of May, 2011.

*Kristine Pena*

Notary Public

Notary State: Illinois

Notary County: Cook

My Commission expires: 12/18/2010