AMENDMENT THREE
CONSTRUCTION MANAGEMENT RISK (CMAR) SERVICES
ROGERS ELEMENTARY SCHOOL ANNEX AND RENOVATIONS
CONTRACT NUMBER PS3021F

This Amendment to Agreement Number **PS3021F ("Amendment")** is entered into as of July 22, 2022 by and between the **Public Building Commission of Chicago**, a municipal corporation organized and operating under the Constitution of the State of Illinois and having its principal office at Room 200, Richard J. Daley Center, 50 West Washington Street, Chicago, Illinois 60602 ("Commission"), and **Henry Bros. Co.** with offices located at 9821 South 78th Avenue, Hickory Hills, Illinois ("HBC" or "Construction Manager") and hereby amends the Agreement for the Rogers Elementary School (the "Agreement") dated December 11, 2018, between the Commission and the Construction Manager as further set forth herein. Collectively, PBC and HBC or Construction Manager are referred to herein as the "Parties."

RECITALS

WHEREAS, the Commission, on behalf of the Chicago Public Schools ("CPS"), has undertaken the renovation, rehabilitation, improvement, and construction of the Rogers Elementary School (the **"**Project") located at 7345 North Washtenaw Avenue, Chicago, Illinois; and

WHEREAS, the Commission requires certain construction manager services ("Services") described in this Agreement for the Project; and

WHEREAS, at its annual meeting on October 1, 2018, the Board of Commissioners of the Public Building Commission of Chicago (PBC Board) approved a partial undertaking for the Project; and

WHEREAS, at its regular meeting on December 11, 2018, the PBC Board approved the appointment of HBC to be the Construction Manager for the Project; and

WHEREAS, the Commission approved an Initial Guaranteed Maximum Price ("GMP") of $10,100,000 with HBC for the Project; and

WHEREAS, the Commission approved a Partial Guaranteed Maximum Price ("GMP") of $16,160,000 with HBC for the Project; and

WHEREAS, the Commission approved Amendment Two Guaranteed Maximum Price ("GMP") of $16,879,926.00 with HBC for the Project; and

WHEREAS, the Commission and Construction Manager desire to amend the Agreement to establish a revised GMP in the amount of **$16,407,835.59** (including the previously approved GMP) as provided in this Amendment that is within the amount that has been authorized by the PBC Board for the Project; and;

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NOW THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Commission and Construction Manager, the Parties hereby agree to amend the Agreement and establish the Project GMP as follows:

AMENDMENT

I. TERMS AND CONDITIONS

The recitals set forth are hereby incorporated in and made a part of the Agreement.

II. COMPENSATION

DELETE the form in Exhibit H of the Agreement "Amendment Two Guaranteed Maximum Project Cost and **REPLACE** with the "Amendment Three Guaranteed Maximum Project Cost"

(Remainder of the page is intentionally left blank)

GUARANTEED MAXIMUM PROJECT COST

Henry Bros.

Rogers Elementary School Annex and Renovations - PS3021F

Amendment Three

DESCRIPTION			COST
1. General Conditions			**$1,176,298.00**
2. Payment and Performance Bond & Insurance			
	Payment and Performance Bond	$164,772.00	
	Insurance	$172,809.00	**$337,581.00**
3. Construction (A+B)			
A. Pre-Construction Services		$176,386.00	
B. Cost of the Work			
Cost of Construction (General Requirements + Cost of Construction)		$12,031,573.72	
Site Work Allowance		$7,686.25	
Moisture Mitigation Allowance		$49,124.19	
CCTV Allowance		$57,498.83	
Environmental Allowance		$7,215.39	
CM's Contingency		$351,640.48	
Commission's Contingency		$1,674,495.95	
C. Allowances and Contingencies TOTAL		$2,147,661.09	
TOTAL Cost of the Work (Pre-Construction, Cost of Construction + Allowances + CM Contingency + Commission's Contingency) (A+B+C)		$14,355,620.81	**$14,355,620.81**
4. Construction Manager's Fee (percentage of the total value of line 3)		3.75%	**$538,335.78**
The Guaranteed Maximum Project Cost Proposal will be the added values of Lines 1 + 2 + 3 + 4			**$16,407,835.59**

[1] Unused portions of all dollars including contingencies and allowances will be returned to the Project's budget and ultimately, the User Agency (CPS)

Signature: William H Quinn Jr

Date: 7/26/22

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IN WITNESS WHEREOF, the parties hereto have agreed and executed this **Amendment 3.**

ATTEST:
PUBLIC BUILDING COMMISSION OF CHICAGO

Chairman

Secretary

Date: 08.05.2022

Approved as to form and legality:

Neal & Leroy, LLC

Date: 8/4/2022

CONSTRUCTION MANAGER:

Henry Bros. Co.

President or Authorized Designee

2/22/22
Date

AFFIX CORPORATE
SEAL, IF ANY, HERE

County of Cook
State of Illinois

Subscribed and sworn to me this 30th day of July, 2022.

Notary Public
My Commission expires:
(SEAL OF NOTARY)

OFFICIAL SEAL
CARRIE LYN HARRISON
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires April 12, 2026