

**PUBLIC BUILDING COMMISSION OF CHICAGO
FIRST AMENDMENT
CONTRACT NUMBER PS 772**

THIS FIRST AMENDMENT AGREEMENT is made and entered into as of the 2nd day of October, 2007, and shall be deemed and taken as forming a part of the Agreement for Owner's Representative Services ("Agreement") between by and between the **PUBLIC BUILDING COMMISSION OF CHICAGO**, a municipal corporation of the State of Illinois ("Commission") and **TISHMAN CONSTRUCTION CORPORATION OF ILLINOIS** ("Owner's Representative") dated July 14, 2004 with the like operation and effect as if the same were incorporated therein.

WITNESSETH:

WHEREAS, the Commission and Owner's Representative have heretofore entered into an Agreement dated the 13th day of July, 2004, ("Agreement"), wherein the Owner's Representative is to provide Services for the construction and/or improvement of Miles Davis Elementary School; and

WHEREAS, the Commission and Owner's Representative now desire to amend the Agreement to provide continuation of services; and

WHEREAS, Section 4.1 of the Agreement provides that the Commission and the Owner's Representative may, by mutual agreement, amend the Agreement; and

WHEREAS, Section 4.1 of the Agreement further provides that the Commission and the Owner's Representative may agree to changes to the terms of the agreement;

NOW THEREFORE, in consideration of the provisions and conditions set forth in the Agreement and herein, the parties hereto mutually agree to amend the Agreement as hereinafter set forth.

It is agreed by and between the parties hereto that the sole modification of, changes in, and amendments to the Agreement pursuant to this Amendment are as follows:

TERMS

1. Recitals

THE ABOVE RECITALS ARE EXPRESSLY INCORPORATED IN AND MADE A PART OF THE AMENDMENT AGREEMENT AS THOUGH FULLY SET FORTH HEREIN.

2. Schedule A

Scope of Services

The Consultant shall perform additional services for the additional pre-construction services performed by the Owner's Representative which includes pre-construction consulting, schedule/bid reviews and estimating.

3. Schedule C Compensation of the Owner's Representative

Section C.1 Owner's Representative Fee for Services is revised as follows:

C.1.1 The Consultant shall be paid the amount of \$11,687.50 for the additional services outlined in Item 2 of this Amendment 1.

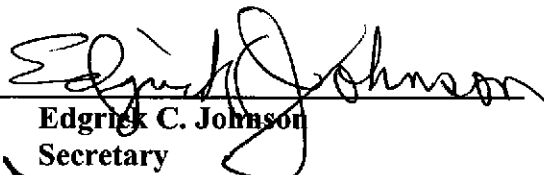
Execution of this Amendment by the Owner's Representative is duly authorized by the Owner's Representative, and the signature(s) of each person signing on behalf of the Owner's Representative have been made with the complete and full authority to commit the Owner's Representative to all terms and conditions of this Amendment.

All capitalized terms not defined herein shall have the meaning ascribed to them in the agreement. Except as and to the extent that the terms of the Agreement are amended and modified herein, all terms of the Agreement shall remain in force and effect.

IN WITNESS WHEREOF, the parties hereto have agreed and executed this Amendment Agreement No. 1.

ATTEST:

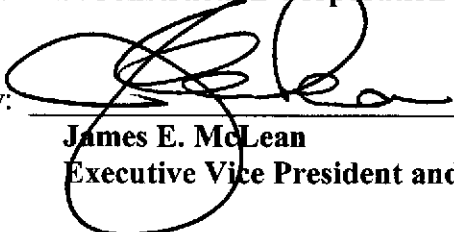
**PUBLIC BUILDING COMMISSION
OF CHICAGO**

BY:  Date: 10-15-2007
Edgrick C. Johnson
Secretary

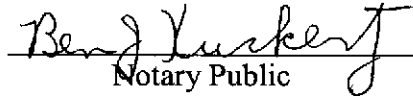
BY:  Date: _____
Richard M. Daley
Chairman

OWNER'S REPRESENTATIVE

Tishman Construction Corporation of Illinois

By:  Date: 10/12/07
James E. McLean
Executive Vice President and Chief Operating Officer

Subscribed and sworn to me this
12 day of October 2007.


Notary Public

My Commission expires: 3-26-09

(Seal of Notary)



RECEIVED
GENERAL INVESTIGATIVE
DIVISION
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE



Richard J. Daley Center
50 W. Washington Street
Room 200
Chicago, Illinois 60602
(312) 744-3090
Fax: (312) 744-8005
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BOARD OF COMMISSIONERS

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Mayor
City of Chicago

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JOHN E. WILSON
John E. Wilson, Ltd.
Certified Public Accountants

Secretary
EDGRICK C. JOHNSON

Assistant Secretary
JOE HARMENING

October 2, 2007

James E. McLean
Tishman Construction Corporation of Illinois
One South Wacker Drive, Suite 2300
Chicago, Illinois 60606

**Re: Amendment No. One made part of the Professional
Service Agreement PS 772 - Owner's Representative
services for Miles Davis Elementary School**

Dear Mr. McLean:

Enclosed is Amendment One to the captioned Agreement. Please return both copies of the signed and notarized amendment to my attention at your earliest convenience. Upon acceptance of the amendment by the PBC, a fully executed copy will be returned to you.

Sincerely,

Deborah Burton
Director of Procurement

DB/dz

10/2/07

Joel -

Please review
for release to
supplier.

Shakti -

Oh

10/2/07
Shakti
7:30 AM

**Public Building Commission of Chicago
Proposed Amendment Report to the Administrative and Operations Committee -
August 29, 2007**

A4.

Amendment	Project	Consultant	Reason for the Proposed Amendment	Amount of the Proposed Amendment	Consultant's Fee including the Proposed Amendment Fee	Consultant's Fee including the Proposed Amendment Fee as a % of the Current Cost of Construction
1	Fleet Vehicle Maintenance Facility	Teng & Associates, Inc. (ACR) PS 1022 AI	This amendment represents the following additional PBC requested services to be performed by the consultant in the amount of \$10,030.00 to prepare Planned Development submittal requirements and attend a series of review meetings with various City of Chicago agencies. In addition, the allowance for project reimbursables shall be increased by \$3,300.00. These services were not included in the Consultant's Original Scope of Services.	\$10,030.00	\$951,530.00	6.61%
2	Miles Davis Academy	Tishman Construction Corporation (OR) PS 772 AI	This amendment represents the following PBC requested additional pre-construction services performed by the consultant for the amount of \$11,687.50: pre-construction consulting, schedule/bid reviews, and estimating. These services were rendered from February 1, 2005 through March 31, 2006. Tishman's contract was terminated on May 5, 2006. Tishman's additional pre-construction services were conducted and completed prior to the contract termination date.	\$11,687.50	\$451,687.50	1.78%

**PUBLIC BUILDING COMMISSION OF CHICAGO
PROFESSIONAL CONSULTANT
REQUEST FOR SERVICE**

Project Name: Miles Davis Elementary School **Date:** August 7, 2007
Project Location: 6730 S. Paulina **Project Number:** CPS.18
Owner Agency: Chicago Public Schools **PS Number:** PS772.03
Project Services: OR Basic Services **Portfolio Manager:** Ray Giderof

NOTE: This Request for Service is governed by the terms and conditions set forth in the "Standard Terms and Conditions for Professional Services for Projects of \$25,000.00 or less", dated February 26, 2001, as amended and incorporated as if fully set forth here by this reference and by any Exhibits or Attachments to this Request for Service. Such Standard Terms and Conditions for Professional Services for Projects of \$25,000.00 or less are available from the PBC's website at: <http://www.pbcchicago.com/subhtml/standards.asp>.

Firm Name: Tishman Construction Corporation
Firm Address: One South Wacker Drive, Suite 2300
Firm Phone Number: 312.577.2310
Contact Name:

SCOPE OF SERVICES:

Internal use only:

Tishman's contract was terminated—approved payment is for invoice #07-0228—services rendered 02.01.05 thru 03.01.06 for the Miles Davis Academy.

Total Fee: \$11,687.50

APPROVAL

	
Portfolio Manager	Director of Development
8/8/07	8/8/07
Date	Date

	
Executive Director	Date

DZ/8-10-07/ Sect. Bd.

Potential Change Orders

Detailed, Grouped by Status

Miles Davis Academy
6730 South Paulina

Project # CPS-18
Tel: Fax:

No Status Assigned

PCO #: PS772-003

8/1/2007

Tishman-Additional Services Invoice

Category Reference Reason COR Number Revenue Code PCO Number

Notes Task Name Revenue Code

Tishman's contract was terminate-payment is for services rendered 02.01.05 thru 03.01.06 for the Miles Davis Academy.

Summary:

Requested Days:	0	Budget:	0	Proposed	Approved	Applied
Approved Days:	0	Cost:	11,688	11,688	0	11,688

Itemized Details:

General Description	Quote Due	Quote Rec'd	Allocation	Estimated	Proposed	Approved	Applied
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PS772-003 - TISCON - CPS-18 / 03-64-21-513142 8/8/2007				0	0	0	0
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Tishman's contract was terminate-payment is for services rendered 02.01.05 thru 03.01.06 for the Miles Davis Academy.

Budget:	No Alloc	0	0	0	0	0	0
Cost:	Use UnCmmt (Pend)	11,688	11,688	11,688	0	11,688	11,688

Anticipated Cost Report

Public Building Commission of Chicago

Miles Davis Academy

CPS-18

6730 South Paulina

Printed on: 8/1/2007

Group Headings Description	(A) Original Budget	(B) Approved Scope Change	(C) Pending Scope Change	(D) Potential Revisions	(E)-(A)-(B)-(C)-(D) Projected Budget	(F) Committed Cost	(G)-(A)-(B)-(F) Uncommitt Cost	(H) Pending Changes	(I) Potential Changes	(J)-(F)-(G)-(H)-(I) Anticipated Cost	(K)-(J-E) Overrun / (Underrun)	Company Code
03												
64												
CPS-18 Miles Davis School												
21												
511300.3355 - PBC Project Admin.	483,000	283,300	0	0	746,300	746,300	0	0	0	746,300	0	USGBC;
513100.3355 - Technical Consultants	0	2,500	0	0	2,500	1,266	1,234	0	0	2,500	0	TRINC;
513104.3355 - Affirm. Action Consult.	67,336	78,576	0	0	145,912	145,912	0	0	0	145,912	0	ILLENV; GSGENV; ILEASS;
513120.3355 - Environmental Consultants	50,000	75,000	0	0	125,000	245,299	0	0	0	245,299	120,299	
513124.3355 - Food Service Consulting	10,000	(5,000)	0	0	5,000	4,500	500	0	0	5,000	0	
513127.3355 - FF&E Consulting	0	30,000	0	0	30,000	0	30,000	0	0	30,000	0	
513138.3355 - Quality Control Inspect.	70,000	55,000	0	0	125,000	0	125,000	0	0	125,000	0	
513142.3355 - Program Mgr. / O.R. Fees	772,000	328,000	0	0	1,100,000	87,560	1,000,753	11,688	0	1,100,000	0	TISCON;
513166.3355 - Geotechnical Consulting	0	25,000	0	0	25,000	20,330	4,670	0	0	25,000	0	GSGENV;
513200.3355 - Legal Fees	50,000	0	0	0	50,000	50,000	0	0	0	50,000	0	
514200.3355 - General Insurance	0	45,000	0	0	45,000	0	45,000	0	0	45,000	0	
515200.3355 - Blueprinting	0	25,000	0	0	25,000	20,107	4,893	0	0	25,000	0	CUSCOM;
515500.3355 - Signs, Murals, Etc.	700	4,300	0	0	5,000	3,911	30	0	0	3,941	(1,059)	CUSCOM; HMWITT; TISCON;
520100.3355 - OR Reimbursables	25,000	25,000	0	0	50,000	10,771	39,229	0	0	50,000	0	ILEASS;
521100.3355 - AOR Basic Fee	586,145	504,855	0	0	1,100,000	1,063,545	36,455	0	0	1,100,000	0	ILEASS;
521500.3355 - AOR Reimbursables	50,000	25,000	0	0	75,000	53,125	21,875	0	0	75,000	0	
521600.3355 - AOR Additional Services	50,000	25,000	0	0	75,000	65,035	9,965	0	0	75,000	0	DEPCAP;
521900.3355 - Building Permit Fee	36,000	24,000	0	0	60,000	54,751	5,249	0	0	60,000	0	COMCAS; BURELE; SBCILL;
523700.3355 - Utility Relocation/Fees	400,000	100,000	0	0	500,000	96,586	403,414	0	0	500,000	0	
523900.3355 - Environmental Remediation	585,819	(585,819)	0	0	0	0	0	0	0	0	0	GEOSOL;
524300.3355 - General Construction	16,111,000	8,765,000	0	0	24,876,000	25,376,000	677,000	0	(1,177,000)	24,876,000	0	
591000.3355 - Construction Crtyg.	644,000	598,800	0	0	1,243,800	0	1,243,800	0	0	1,243,800	0	
593000.3355 - Professional Services Contingency	0	50,000	0	0	50,000	0	50,000	0	0	50,000	0	
Subtotal	20,000,000	10,459,512	0	0	30,459,512	28,044,998	3,699,067	11,688	(1,177,000)	30,578,752	119,240	
CPS-18 Subtotal	20,000,000	10,459,512	0	0	30,459,512	28,044,998	3,699,067	11,688	(1,177,000)	30,578,752	119,240	

