

**PUBLIC BUILDING COMMISSION OF CHICAGO
FIRST AMENDMENT
CONTRACT NUMBER PS 1022**

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 Architect of Record Services ("Agreement") between by and between the **PUBLIC BUILDING COMMISSION OF CHICAGO**, a municipal corporation of the State of Illinois ("Commission") and **TENG & ASSOCIATES, INC.** ("Architect") dated October 2, 2006 with the like operation and effect as if the same were incorporated therein.

WITNESSETH:

WHEREAS, the Commission and Architect have heretofore entered into an Agreement dated the 13th day of July, 2004, ("Agreement"), wherein the Architect is to provide Services required to design and administer construction of the New Fleet Management Vehicle Maintenance Facility; and

WHEREAS, the Commission and Architect now desire to amend the Agreement to provide continuation of services; and

WHEREAS, Section 4.o of the Agreement provides that the Commission and the Architect may, by mutual agreement, amend the Agreement; and

WHEREAS, Section 4.o of the Agreement further provides that the Commission and the Architect 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 A. 3 – Design Development is revised to add the following services:

A.3.7 The Architect shall perform additional services to prepare Planned Development submittal requirements and attend a series of review meetings with various City of Chicago agencies.

3. **Schedule C Compensation of the Architect**

Section C.1 Architect's Fee for Basic Services is revised as follows:

C.1.1 The Architect shall be paid the amount of \$10,030.00 for the additional services outlines in Item 2 of this Amendment 1. The Fixed Fee is increased to \$951,530.00.

Section C.4 Reimbursables is revised as follows:

C.4.2 Costs for these expenses are on a not to exceed basis of \$33,300.00.

Execution of this Amendment by the Architect is duly authorized by the Architect, and the signature(s) of each person signing on behalf of the Architect have been made with the complete and full authority to commit the Architect 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: Edrick C. Johnson Date: 10-15-07
Edrick C. Johnson
Secretary

BY: Richard M. Daley Date: _____
Richard M. Daley
Chairman

ARCHITECT

Teng & Associates, Inc.

By: Ivan Dvorak Date: 10/5/07
Ivan Dvorak
President and CEO

Subscribed and sworn to me this
5th day of Oct. 2007.

Misty Lynch
Notary Public

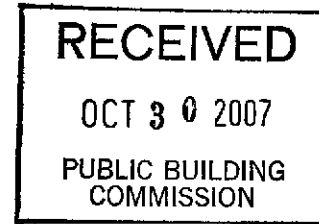
My Commission expires: 12/28/09

(Seal of Notary)



October 23, 2007

Deborah Burton
Public Building Commission
50 W. Washington Street
Room 200
Chicago, IL 60602



Re: Contract No. PS 1022
Amendment No. 1 – Receipt Confirmation
Teng Project No. 20026.001

Dear Ms. Burton,

Enclosed please find one (1) signed copy of the above referenced *Amendment No. 1 – Receipt Confirmation* between the Public Building Commission and Teng & Associates, Inc.

Should you have any questions, please contact me at LYNCHMJ@TENG.COM or 312.616.5039.

Very truly yours,

TENG & ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Misty J. Lynch".

Misty J. Lynch
Contract Administrator

October 8, 2007

Deborah Burton
Public Building Commission
50 W. Washington Street
Room 200
Chicago, IL 60602



Re: Contract No. PS 1022
Amendment No. 1
Teng Project No. 20026.001

Dear Ms. Burton,

Enclosed please find two (2) signed copies of the above referenced *Amendment* between the Public Building Commission and Teng & Associates, Inc.

Please forward one fully executed copy to the attention of the undersigned.

Very truly yours,

TENG & ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Misty J. Lynch".

Misty J. Lynch
Contract Administrator



MEMORANDUM

TO: MAYOR RICHARD M. DALEY
FROM: Montel M. Gayles *M. Gayles*
DATE: October 15, 2007
RE: Amendment One made part of Professional Service Agreement PS 1022 for the New Fleet Management Vehicle Maintenance Facility

This Amendment is to provide additional professional services for the New Fleet Management Vehicle Maintenance Facility. The fee amount for this Amendment is a not-to-exceed amount of \$10,030.00 and reimbursable of \$3,300.00. This appointment was approved at the September 11, 2007 Board of Commissioners meeting.

cc: Pat Harney
Bridget:
Pls sign

Seng



September 15, 2007
 Board of Directors
 Meeting

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. (AOR) PS 1022	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	\$991,530.00	6.61%
2	Miles Davis Academy	Tishman Construction Corporation (OR) PS 772	This amendment represents the services performed by the consultant, scheduled for review February 1, 2005 through March 2006. Tishman's additional price to the contract termination date			

10/2/07

Joel.
 Please review
 for release to
 Supplier.

[Handwritten signature]

OK JS
 10/2/07
 Teng

From: "Griggs, Tom" <Tom.Griggs@parsons.com>
To: "Deborah Burton" <Deborah.Burton@cityofchicago.org>
Date: 10/3/2007 9:57:22 AM
Subject: RE: Amendment for Teng - Fleet Management Maintenance Facility

Deb,
Design Development Phase.

Thomas E. Griggs
Project Manager

*: 312-930-5246
*: 312-930-0018
*: 312-735-6811
*: tom.griggs@parsons.com

-----Original Message-----

From: Deborah Burton [mailto:Deborah.Burton@cityofchicago.org]
Sent: Wednesday, October 03, 2007 9:07 AM
To: Griggs, Tom
Subject: Amendment for Teng - Fleet Management Maintenance Facility

Tom-

I am putting together the amendment for Teng regarding the additional scope. Legal would like me to refer to the section of the Scope that this work would fall under. Could you provide me with the Phase of the project that this work will occur.

Thanks-

Deb

Deborah L. Burton
Director of Procurement
Public Building Commission of Chicago
312-744-9262 (office)
773-406-5448 (cell)
Deborah.Burton@cityofchicago.org

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail (or the person responsible for delivering this document to the intended recipient), you are hereby notified that any dissemination, distribution, printing or copying of this e-mail, and any attachment thereto, is strictly prohibited. If you have received this e-mail in error, please respond to the individual sending the message, and permanently delete the original and any copy of any e-mail and printout thereof.

PUBLIC BUILDING COMMISSION OF CHICAGO
REQUEST TO ISSUE AMENDMENT TO CONSULTANT CONTRACT FOR ADDITIONAL SCOPE
RTIATCC # 1

Client: FM/DGS

Date: 7/24/07

Project Name: Vehicle Maintenance Facility

Project Number: CS-093 (TENG #20026.001)

Requestor: Tom Griggs

Contract Number: N/A

Consultant: TENG

Bulletin Number: 1

AS A RESULT OF THIS CHANGE:

The Consultant Contract will be Increased Decreased by: \$10,030.00(Additional Services)
Current project Amount \$941,500;
Proposed Revised Contract Amount \$951,530;

Funding Source for Proposed Modification: CS-093/12-52-21/513163.3385

The Contract Time will be Increased Decreased by: _____
 Not Change

Current FINAL COMPLETION date: _____

Revised FINAL COMPLETION date: _____

REASON FOR CHANGE (Check):

_____ Deficiency (Error _____ Omission _____)
_____ Reference Drawing/Detail No:
_____ Reference Specification Section (s)

_____ Changed Conditions
 Request for Design Change/Bulletin

DESCRIPTION OF CHANGE:

On April 13, 2007, the PBC directed TENG to prepare Planned Development submittal requirements and attend a series of review meetings with various City of Chicago agencies. TENG's original Modification request was for \$36,380.00.

JUSTIFICATION FOR CHANGE: (Attach any pertinent specifications or drawings and include impacts to M&O)

Consultant did not bid the incremental effort required for Planned Development.

SUMMARY OF CONTRACT ADJUSTMENTS
If available, attach documentation to support rough order of magnitude estimate
Complete Cost Analysis Exhibit 2B for Modifications Greater than \$5000
Complete Time Extension Analysis Exhibit 2B for All Requests for Extension of Time

Doc 30
Approved - PMO Director of Construction - Round Table Chairman

Paul Rich
Approved - PMO Director

Monty W. Sayler
Approved - PBC Director

Attachments:

- RFIs
- Sketches
- Plans
- Specs

Cost Distributions for: 04.02
AOR Basic Fees

Budget

Item	To	From	Contract No.	Number	Original Amount	Pending Revisions	Approved Revisions	Adjustments	Estimated Revisions
					Original: \$941,500.00	Revised: \$941,500.00	Projected: \$951,530.00		
CHUP	PBC	PBCPMO	001	00001	\$0.00	\$10,030.00	\$0.00	\$0.00	\$0.00
COI	PBCPMO	PBC	001	00001	\$941,500.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals:					\$941,500.00	\$10,030.00	\$0.00	\$0.00	\$0.00

Committed

Item	To	From	Contract No.	Number	Original Amount	Pending Revisions	Approved Revisions	Adjustments	Estimated Revisions
					Original: \$941,500.00	Revised: \$941,500.00	Projected: \$941,500.00		
COI	TENASS	PBC	PS1022	001	\$941,500.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals:					\$941,500.00	\$0.00	\$0.00	\$0.00	\$0.00

Actuals

Item	To	From	Contract No.	Number	Date	Received	Issued
						Received: \$212,779.00	Issued: \$0.00
INV	TENASS	PBC	PS1022	00001	6/19/2007	\$111,097.00	\$0.00
INV	TENASS	PBC	PS1022	00002	6/19/2007	\$101,682.00	\$0.00
Totals:						\$212,779.00	\$0.00

Cost Distributions for: 04.04
AOR Additional Services

Budget

Item	To	From	Contract No.	Number	Original Amount	Pending Revisions	Approved Revisions	Adjustments	Estimated Revisions
					Original: \$104,679.00	Revised: \$104,679.00		Projected: \$94,649.00	
CHUP	PBC	PBCPMO	001	00001	\$0.00	(\$10,030.00)	\$0.00	\$0.00	\$0.00
COI	PBCPMO	PBC	001	00001	\$104,679.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals:					\$104,679.00	(\$10,030.00)	\$0.00	\$0.00	\$0.00

C.3.4 Hourly Rates for Architect and Subconsultant personnel are provided in the Table C-1 that follows this Schedule.

C.3.5 Premium on Overtime. To the extent that the Architect (or any Subconsultant) pays its employees a premium in excess of its hourly rates for overtime spent performing the Services, the cost of the premium will be treated as a Direct Cost (see "Project Reimbursable Expenses", below), which will not be treated as a labor cost and which will not be subject to the application of the Labor Multiplier. Any such overtime must be in accordance with Architect's (or Subconsultant's) policies, which are subject to prior written approval by the Commission.

C.4 REIMBURSABLES

C.4.1 Project Reimbursable Expenses ("Direct Costs"). Architect will be reimbursed for certain expenses incurred in the satisfactory performance of the Services. Allowable Direct Costs consist of and are limited to expenses not provided for elsewhere which have been paid for or incurred by Architect (or Subconsultant) in connection with the Services and subject to the limitations set forth below. Allowable Direct Costs will include the following:

C.4.1.1 Plotting, printing and reproduction of drawings specifications, and presentation materials requested by the Commission, or required for scheduled reviews of the progress of the work by the Commission and/or the User Agency, public or city agency meetings and hearings, and as required for professional peer reviews of documents as directed by the Commission. One coordination set will be provided to each Subconsultant at the conclusion of schematic, design development and construction document phases.

C.4.1.2 Distribution of drawings, specifications, and presentation materials requested by the Commission, or required for scheduled reviewed of the progress of the work by the Commission and/or the User Agency, public or city agency meetings and hearings, and as required for professional peer reviews of documents as directed by the Commission.

C.4.1.3 Plotting, printing, reproduction and distribution of drawings and specifications for the purposes of soliciting contractor bids, issuing documents for building permit and issuing documents for construction.

C.4.1.4 Printing and distribution costs associated with shop drawing and submittal reviews during construction.

C.4.2 Costs of these expenses are on a not to exceed basis of \$30,000.00.

C.4.3 The following reimbursable expenses require prior written approval by the Commission:

C.3.4.1 Expense of transportation and living of principals and employees traveling in connection with the Project, but not including travel and expense to and from the job site or within a 50-mile radius of downtown Chicago. Travel expenses include coach air fare, hotel and per diem costs, auto rental, fuel and insurance, and must be supported with proper documentation in the form of itemized invoices.

C.3.4.2 Fees and costs of special consulting services requested by the Commission, such as acoustical, theater and food service Subconsultants, will be paid as a reimbursable expense. Civil, structural, mechanical, electrical, plumbing

and fire protection engineering services are included within the Fixed Fee indicated in paragraph C.1.

- C.4.3.3 Costs for rental or purchase of special items or equipment requested by the Commission.
- C.4.3.4 Fees and costs to secure necessary permits or civil agency approvals, including permit fees and expenditure fees.
- C.4.3.5 Costs of surveys, geotechnical and environmental technical testing and reports.

C.5 METHOD OF PAYMENT

- C.5.1 **Invoices.** Once each month, the Architect will submit an invoice to the Commission for Services performed during the preceding month with the exception of Project Close-out phase services that will be paid in one lump sum after the Completion Date of Services.

Each invoice must be supported with such reasonable detail and data as the Commission may require, including detail and data related to Subconsultant costs. In accordance with the terms of this Agreement, the Architect must maintain complete documentation of all costs incurred for review and audit by the Commission or its designated audit representative(s). Each invoice must be submitted in the format directed by the Commission. Invoices must be accompanied by a progress report in a format acceptable to the Commission. Such progress report must identify any variances from budget or schedule and explain the reasons for such variances.

- C.5.2 **Payment.** Payment will be processed within 30 days after Commission receives an acceptable invoice from the Architect.
- C.5.3 **Invoice Disputes.** If the Commission disputes certain items in the Architect's invoices, the amount not disputed will be paid in full. The amount in question must be resolved in accordance with the Disputes provisions of this Agreement

April 17, 2007
July 9, 2007 – *Revised*
July 27, 2007 – *Revised*

Mr. Tom Griggs
Public Building Commission of Chicago
Parsons – Program Management Office
10 South Riverside Plaza, Suite 400
Chicago, Illinois 60606

Re: Public Building Commission of Chicago (PBC)
New Fleet Management Vehicle Maintenance Facility (VMF)
Planned Development Submittal
Professional Service Agreement No. PS1022
Modification Request No. 2 – *Revised*
Teng Project No. 20026.001

Dear Tom:

We have revised our Planned Development Submittal Modification Request. Revisions are, based on our discussions at our June 29, 2007 meeting and follow-up comments received from the PBC in an e-mail dated July 26, 2007. Please reference the attached Level of Effort Worksheet, dated July 27, 2007, for a detailed breakdown of additional tasks.

SCOPE OF SERVICES

The changes to the Scope of Services include the following design services necessary to prepare Planned Development submittal requirements:

1. Review application narrative prepared by others.
2. Prepare use and bulk regulations data table.
3. Format existing zoning map (8½ x 11 format).
4. Prepare property line map (8½ x 11 format).
5. Prepare general land use map (8½ x 11 format).
6. Prepare site/landscape plan (8½ x 11 format).
7. Prepare elevations for building (8½ x 11 format).
8. Attend internal coordination meetings (two meetings).
9. Prepare for and attend the following meetings. Documentation of the meetings will be by others (PMO).
 - a. Progress/review meetings with PBC (two meetings).
 - b. Pre-application meeting with the Department of Planning and Development (one meeting).
 - c. CDOT plan review meeting (one meeting).
 - d. Fire Department plan review meeting (one meeting).

Mr. Tom Griggs
New Fleet Management Vehicle Maintenance Facility (VMF)
Planned Development Submittal
Modification Request No. 2 – *Revised*
April 17, 2007
July 9, 2007 – *Revised*
July 27, 2007 – *Revised*
Page 2

SCHEDULE IMPACT

As discussed at the April 12, 2007 meeting, it is anticipated that the total Planned Development process will take four to six months. The Planned Development process will run currently with the design process. It is anticipated that the Planned Development approval process will impact the project completion date.

COMPENSATION

For the above Additional Services, Teng shall be compensated in accordance with the terms and conditions of the Professional Services Agreement between Teng & Associates, Inc. and the Public Building Commission of Chicago dated October 6, 2006 (PBC Contract Number PS1022).

Total lump sum compensation payable to Teng for the Additional Services identified herein is **\$10,030.00**. The attached matrix further clarifies the level of effort required.

OTHER DIRECT COSTS: In addition to in the amounts stated above for Services, Teng shall be reimbursed for miscellaneous direct expenses incurred in connection with the Services such as reproduction, messenger, and the like. The existing allowance of \$30,000.00 for project reimbursables shall be increase by **\$3,300.00** to **\$33,300.00**.

TERM AND CONDITIONS

The terms and conditions set forth in the PBC Contract No. PS1022 apply to this proposal for compensation for Additional Services, and Teng requests a Modification to our Professional Consulting Services Agreement.

The following items are excluded from our Scope of Services:

1. Completion of the written portion of the application.
2. Completion of the Zoning Ordinance Amendment.
3. Completion of the Plan Development Statement.
4. Completion of the Economic Disclosure Statement.
5. Affidavits to the Chairman of the Zoning Committee.
6. Affidavits to the Chicago Plan Commission.
7. Notice of filing of application.
8. List of property owners.
9. Design revisions as result of the review process.


Mr. Tom Griggs
New Fleet Management Vehicle Maintenance Facility (VMF)
Planned Development Submittal
Modification Request No. 2 – *Revised*
April 17, 2007
July 9, 2007 – *Revised*
July 27, 2007 – *Revised*
Page 3

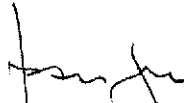
10. Attendance at meetings with the Alderman, Community Groups, or the Public.
11. Submittals to CDOT, Fire Department, and MOPD may occur earlier than the standard permit process. However, additional submittals are not included.
12. Meeting documentation.
13. Attendance at additional meetings, beyond meetings specifically identified.

Teng & Associates, Inc. is very pleased to provide the outlined professional services to the PBC. If you have any questions, or if we can be of any further assistance, please do not hesitate to contact me at 312-616-3115 or HoernerJM@teng.com.

Very truly yours,

TENG & ASSOICATES, INC.


Joseph M. Hoerner, AIA
Senior Associate


Ivan J. Dvorak, P.E.
President and CEO

Attachment: PD Submittal Requirements -- Level of Effort Worksheet, Revised July 27, 2007

Xc: Erin Lavin Cabonargi/PBC
Mark Stromberg
Exec File/20026.001/991
F/101/20026.001

Public Building Commission (PBC)
 Vehicle Maintenance Facility (VMF)
 Planned Development (PD) Submittal Requirements - Level of Effort
 Revised July 27, 2007

Task	Project Manager	Project Architect	Landscape Architect	Civil Engineer	Total
Review Application	2	2			4
Prepare Use and Bulk Regulations Data Table	2	2			4
Format Existing Zoning Map (8 1/2 x 11)		4		2	6
Prepare Property Line Map (8 1/2 x 11)		4		2	6
Prepare General Land Use Map (8 1/2 x 11)		4		2	6
Prepare Site/Landscape Plan (8 1/2 x 11)		4	2		6
Prepare Elevations for Building (8 1/2 x 11)		6			6
Assemble Site Info Requirements					0
Prepare Presentation Boards					0
Prepare CDOT Plan Review Committee Submission Requirements	Earlier submittal for permit. No additional submittal Required.				0
Prepare Fire Department Site Review Submission Requirements					0
Prepare MOPD Review Submission Requirements					0
Attend Internal Meetings (Two Meetings)	2	2	2	2	8
Attend Progress Meetings With PBC (Two Meetings).	4	8			12
Attend Pre-Application Meeting at Department of Planning (One Meeting).	2	6			8
Attend CDOT Plan Review Meeting (One Meeting).	2	6			8
Attend Fire Department Plan Review Meeting (One Meeting).	2	6			8
Attend MOPD Review Meeting (One Meeting).	Earlier meeting for permit. No additional meeting.				0
Attend Meeting with Alderman and Community Group (One Meeting).	Meeting to be handled by PBC.				0
Present to Planning Commission					0
	16	54	4	8	82

Work to be performed by others (excluded from this fee proposal):
 Written Application
 Zoning Ordinance Amendment
 Plan Development Statement
 Economic Disclosure Statement
 Affidavits to the Chairman of the Zoning Committee
 Affidavits to the Chicago Plan Commission
 Notice of Filing of Application
 List of Property Owners
 Design revisions as a result of the review process.
 Documentation of meetings.
 Additional meetings, beyond meetings identified.

	Project Manager	Project Architect	Landscape Architect	Civil Engineer	Total
Rate with 2.5 Multiplier	\$140.00	\$115.00	\$125.00	\$135.00	
Fee	\$2,240.00	\$6,210.00	\$500.00	\$1,080.00	\$10,030.00