

**PUBLIC BUILDING COMMISSION OF CHICAGO  
FOURTH AMENDMENT  
CONTRACT NUMBER PS 997**

**THIS FOURTH AMENDMENT AGREEMENT** is made and entered into as of the 12<sup>th</sup> day of August, 2008, 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 August 8, 2006 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 8th day of August, 2006, wherein Owner's Representative is to provide Owner's Representative services for new fire stations – Engines 18, 70, 102 and 121; and

**WHEREAS**, the Commission and Owner's Representative now desire to amend the Agreement to include additional Services performed and associated compensation due to Owner's Representative;

**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 Article A.2 Additional Services** - Article A.2 is amended to include the following:

A.2.2 Owner's Representative will provide the following Owner's Representative services as required to complete the construction and close the contracts for Engine Companies 18, 70, 102, and 121:

1) Add 480 total hours (120 hours per station) and extend service end date from June 1, 2008 to August 30, 2008 for one Senior Project Manager;

- 2) Add 272 total hours (68 hours per station) and extend service end date from August 1, 2008 to September 30, 2008 for one Senior Project Manager;
- 3) Add 400 total hours (100 hours per station) and extend service end date from May 21, 2008 to July 30, 2008 for one Field Representative.

3. **Schedule C Compensation of Owner's Representative**

**Article C.1 Maximum Compensation** is revised to include the following:

The Owner's Representative shall be paid the amount of \$160,592.00 (\$40,148.00 per station) for the additional services outlined in Item 2 of this Amendment 4.

The maximum compensation allowable under this Agreement is increased to \$1,604,342.00.

Execution of this Amendment by Owner's Representative is duly authorized by Owner's Representative, and the signature(s) of each person signing on behalf of the Architect have been made with the complete and full authority to commit 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. 4.

PUBLIC BUILDING COMMISSION  
OF CHICAGO

BY: Richard M. Daley Date: \_\_\_\_\_  
Richard M. Daley  
Chairman

ATTEST:

BY: Edgwick C. Johnson Date: 10-16-08  
Edgwick C. Johnson  
Secretary

OWNER'S REPRESENTATIVE

TISHMAN CONSTRUCTION CORPORATION OF ILLINOIS

By: James E. McLean Date: 9/10/08  
James E. McLean  
Executive Vice-President

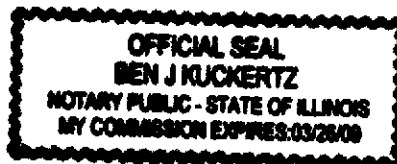
Subscribed and sworn to me this

10<sup>th</sup> day of Sep 2008.

Ben J Kuckertz  
Notary Public

My Commission expires: 3-26-09

(Seal of Notary)





## MEMORANDUM

**TO:** MAYOR RICHARD M. DALEY

**FROM:** Erin Lavin Cabonargi *ELC*

**DATE:** September 22, 2008

**RE:** Amendment Four made part of Professional Service Agreement PS 997, Owner's Representative Services for Engine Company 18, 70, 102, and 121

This Amendment is to provide additional professional services for Engine Company 18, 70, 102, and 121. The fee amount for this amendment is \$160,592.00 (\$40,148.00 per station). This appointment was approved at the August 12, 2008 Board of Commissioners meeting.

CC: Pat Harney

*Sent to  
Mayor 9-25-08*



Richard J. Daley Center  
50 W. Washington Street  
Room 200  
Chicago, Illinois 60602  
(312) 744-3090  
Fax: (312) 744-8005  
[www.pbcchicago.com](http://www.pbcchicago.com)

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City of Chicago

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Forest Preserve District of Cook County

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President  
Chicago Board of Education

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ERIN LAVIN CABONARGI

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

Secretary  
EDGRICK C. JOHNSON

Assistant Secretary  
PATRICK J. HARNEY

September 5, 2008

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

**Re: Amendment No. 4  
Professional Service Agreement PS 997  
Owner's Representative Services for New Fire Stations Engines 18,  
70, 102, and 121**

Dear Mr. McLean:

Enclosed are two original copies of Amendment No. 4 to the above referenced agreement. Please return all copies of the signed and notarized amendment to my attention within ten (10) days from the date of this letter.

An incomplete execution page may delay final execution of the Amendment and processing of invoices. Upon acceptance of the amendment by the Public Building Commission, a fully executed copy will be returned to you.

Sincerely,

Deborah Burton  
Director of Procurement

DB/dz

**PUBLIC BUILDING COMMISSION OF CHICAGO  
FOURTH AMENDMENT  
CONTRACT NUMBER PS 997**

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The maximum compensation allowable under this Agreement is increased to \$1,604,342.00.

Execution of this Amendment by Owner's Representative is duly authorized by Owner's Representative, and the signature(s) of each person signing on behalf of the Architect have been made with the complete and full authority to commit 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. 4.

**PUBLIC BUILDING COMMISSION  
OF CHICAGO**

BY: \_\_\_\_\_ Date: \_\_\_\_\_  
**Richard M. Daley**  
**Chairman**

ATTEST:

BY: \_\_\_\_\_ Date: \_\_\_\_\_  
**Edgrick C. Johnson**  
**Secretary**

**OWNER'S REPRESENTATIVE**

**TISHMAN CONSTRUCTION CORPORATION OF ILLINOIS**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
**James E. McLean**  
**Executive Vice-President**

Subscribed and sworn to me this

\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

**(Seal of Notary)**



**Public Building Commission of Chicago  
Proposed Amendment Report to the Administrative and Operations Committee -  
July 31, 2008**

Amendment	Project	Consultant	Reason for the Proposed Amendment	Amount of the Proposed Amendment	Consultant's Fee Including the Proposed Amendment Fee	Current Cost of Construction (including approved change orders)	Consultant's Fee Including the Proposed Amendment Fee as a % of the Current Cost of Construction
4	Norwood Park Senior Center	Hanno Weber & Associates (PS 900-A1) AOR	<p>This amendment represents PBC-requested additional services in the total amount of \$1,200,000 for the Architect of Record to perform additional design services to upgrade the painted finishes in the various Toilet Rooms to a ceramic tile wainscot. These design services modifications will be utilized to obtain a cost proposal from the General Contractor for this added work.</p> <p>The services presented in this amendment were not included in the original scope of the Professional Services Agreement.</p>	\$1,200,000	\$181,200.00	\$2,310,254.00	7.8%
5	CPS Elementary Schools	SMNG-A Architects (PS 1069-A1) Design Architect	<p>This amendment represents PBC-requested additional services in the amount of \$250,000.00 for the Design Architect for Elementary Schools to continue the services included in their current contract. Design services include:</p> <ol style="list-style-type: none"> <li>1. Test fits for future Elementary Schools, including both complete building replacements and building additions;</li> <li>2. Conceptual design for proposed Elementary Schools;</li> <li>3. Peer Reviews, Standards Development, and Lessons Learned documentation for all Elementary Schools.</li> </ol> <p>The services funded through this amendment are the same as services included in the original scope of the Professional Services Agreement. The term of the current contract runs through December 31, 2010.</p>	\$250,000.00	\$500,000.00	N/A	N/A
6	Operation Virtual Shield	International Business Machines Corporation (IBM) (PS 805-A1) Master Network Administrator	<p>This amendment increases the IBM contract by \$2,500,000.00 to cover the value of the Chicago Housing Authority Video Surveillance System Project, which includes the installation and training for 45 cameras at 4 Family Housing Developments.</p> <p>The services presented in this amendment are funded by the Chicago Housing Authority and were not included in IBM's Base Contract for the OEMC Operation Virtual Shield Project.</p>	\$2,500,000.00	\$43,700,000.00	N/A	N/A



One South Wacker Drive  
Chicago, IL 60606  
phone (312) 577-2310  
fax (312) 577-2370

September 18, 2008

[www.tishman.com](http://www.tishman.com)

Deborah Burton  
Director of Procurement  
Public Building Commission of Chicago  
50 West Washington Street, Room 200  
Chicago, Illinois 60602

Re: **Amendment No. 4**  
**Professional Service Agreement PS 997**  
**Owner's Representative Services for New Fire Stations Engines 18,**  
**70, 102, and 121**

Dear Ms. Burton:

Per your request, enclosed are the signed two original copies of Amendment 4 to the above referenced agreement.

Very truly yours,

**TISHMAN CONSTRUCTION CORPORATION OF ILLINOIS**

A handwritten signature in black ink, appearing to read 'Candace A. Jackson', written over the printed name.

Candace A. Jackson  
Assistant to James E. McLean  
Executive Vice President and Chief Operating Officer

/caj

Enclosure: As noted



Richard J. Daley Center  
50 W. Washington Street  
Room 200  
Chicago, Illinois 60602  
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Certified Public Accountants

Secretary  
EDGRICK C. JOHNSON

Assistant Secretary  
PATRICK J. HARNEY

October 20, 2008

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

Re: Amendment No. Four Made Part of Professional Service  
Agreement PS 997, Owner's Representative Services for New  
Fire Station Engines 18, 70, 102, and 121.

Dear Mr. McLean:

You are hereby notified that on August 12, 2008 the Board of  
Commissioners approved Amendment No. 4 made part of PS 997.

Enclosed, is the above-mentioned executed Amendment for your files.

Sincerely,

Deborah Burton  
Director of Procurement

DB/dz