

**PUBLIC BUILDING COMMISSION OF CHICAGO
FIRST AMENDMENT
CONTRACT NUMBER PS1082**

THIS FIRST AMENDMENT AGREEMENT is made and entered into as of the 19th day of November, 2007, and shall be deemed and taken as forming a part of the Agreement for Commissioning Services ("Agreement") between by and between the **PUBLIC BUILDING COMMISSION OF CHICAGO**, a municipal corporation of the State of Illinois ("Commission") and **E-Cube, Inc.** ("Consultant") dated April 10, 2007 with the like operation and effect as if the same were incorporated therein.

WITNESSETH:

WHEREAS, the Commission and Consultant have heretofore entered into an Agreement dated the 10th day of April, 2007, ("Agreement"), wherein the Consultant is to provide commissioning services for the Fleet Vehicle Maintenance Facility located at 5201 S. Western Avenue Chicago, Illinois; and

WHEREAS, the Commission and Consultant now desire to amend the Agreement to include additional Services performed and associated compensation due to Consultant;

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

Section II – Additional Services is revised to add the following services:

Consultant will perform commissioning phase services required for the Global Building Management System (GBMS) compatibility added to the project. The changes in the scope of services include the incorporation of the GBMS compatible design for the facility's building automation system based on LonWorks open protocols with Tridium Niagara AX Enterprise connectivity. The design of the system will address numerous sub systems.

3. Schedule D Compensation of the Consultant

Section C.1 Consultant's Fee is revised to include as follows:

Global Building Management System commissioning \$5,985.00

The Fee Not-to-Exceed is increased to a total of \$74,613.00.

Execution of this Amendment by the Consultant is duly authorized by the Consultant, and the signature(s) of each person signing on behalf of the Consultant have been made with the complete and full authority to commit the Consultant 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: 12-11-07
Edrick C. Johnson
Secretary

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

CONSULTANT

E-Cube, Inc.

By: *Jack Wolpert* Date: Dec 3, 2007
Jack Wolpert
President

Subscribed and sworn to me this

3rd day of December 2007.

Michelle Staighe
Notary Public

My Commission expires: 6/26/08

(Seal of Notary)

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OF CHICAGO**

BY: _____ Date: _____
Edgrick C. Johnson
Secretary

BY: _____ Date: _____
Richard M. Daley
Chairman

CONSULTANT

E-Cube, Inc.

By: _____ Date: _____
Jack Wolpert
President

Subscribed and sworn to me this

_____ day of _____ 20____.

Notary Public

My Commission expires: _____

(Seal of Notary)



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

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John E. Wilson, Ltd.
Certified Public Accountants

Secretary
EDGRICK C. JOHNSON

Assistant Secretary
JOE HARMENING

November 19, 2007

Jack Wolpert
E-Cube, Inc.
710 N. Fairbanks, Suite 7238
Chicago, IL 60611

**Re: Amendment No. One made part of the Professional
Service Agreement PS 1082, Commissioning Services for
Fleet Maintenance Facility**

Dear Mr. Wolpert:

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

**Public Building Commission of Chicago
Proposed Amendment Report to the Administrative and Operations Committee -
November 2, 2007**

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	Vehicle Maintenance Facility - (5201 S. Western)	E-Cube, Inc. (PS 1082-A1) Commissioning	This amendment represents user-requested additional services in the amount of \$5,985,000 for E-Cube, Inc. to perform commissioning phase services required for the Global Building Management System (GBMS) compatibility added to the project. The changes in the scope of services include the incorporation of the GBMS compatible design for the facility's building automation system based on LonWorks open protocols with Tridium Niagara AX Enterprise connectivity. The design of the system will address numerous sub systems. These services were not part of the consultant's original scope of services.	\$5,985,000	\$74,613,000	0.8%
2	Fire Station 121 (1724 W. 95th St.)	DLR Group (PS 595-AA) AOR	This amendment represents the following user-requested additional services in the amount of \$12,300,000 for DLR Group to perform the following: 1) Revise E121 facilities management system (FMS) specifications to comply with DGS GBMS requirements. GBMS Interface requirements for all DGS facilities was not known as the time of the design - \$8,000,000 2) Redesign of the alley between Vanderpool and Charles Avenues as follows: - Modify pavement from concrete to asphalt; - Design approximate 55 foot section in center of alley as a landscaped area; - Provide design for containment of landscape area and storm water flow. These changes were requested to eliminate the possibility of through traffic- \$4,300,000. These services were not part of the consultant's original scope of services.	\$12,300,000	\$335,315,000	4.4%
3	Belmont Cragin Area Elementary (Grand & Central)	STL Architects & Planners (PS 1106 - A1) AOR	This amendment represents an additional services request in the amount of \$54,000,000 for STL Architects. The delay of work is a result of an Owner requested change in site and building orientation, which also required STL to make revisions to the site plan and building elevations. The increase in team size for the remainder of the design schedule will allow STL to maintain the original completion date for design work. No further additional services requests from STL or its consultants in connection with the revised project duration will be submitted.	\$54,000,000	\$1,882,490,000	6.4%

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2	Fire Station 121 (1724 W. 95th St.)	DLR Group (PS 595-A4) AOR	This amendment represents the following user-requested additional services in the amount of \$12,300.00 for DLR Group to perform the following: 1) Revise E121 facilities management system (FMS) specifications to comply with DGS GBMS requirements. GBMS interface requirements for all DGS facilities was not known as the time of the design - \$8,000.00 2) Redesign of the alley between Vanderpoel and Charles Avenues as follows: - Modify pavement from concrete to asphalt; - Design approximate 55 foot section in center of alley as a landscaped area; - Provide design for containment of landscape area and storm water flow. These changes were requested to eliminate the possibility of through traffic- \$4,300.00. These services were not part of the consultant's original scope of services.	\$12,300.00	\$335,315.00	4.4%
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