

**PUBLIC BUILDING COMMISSION OF CHICAGO  
FIRST AMENDMENT  
CONTRACT NUMBER PS 1038**

**THIS FIRST AMENDMENT AGREEMENT** is made and entered into as of the 11<sup>th</sup> day of August, 2009, and shall be deemed and taken as forming a part of the Agreement for Playground Equipment and Services ("Agreement") between by and between the **PUBLIC BUILDING COMMISSION OF CHICAGO**, a municipal corporation of the State of Illinois ("Commission") and **NUTOYS LEISURE PRODUCTS, INC and LANDSCAPE STRUCTURES, INC.**, ("Provider") dated June 12, 2007 with the like operation and effect as if the same were incorporated therein.

**WITNESSETH:**

**WHEREAS**, the Commission and Provider have heretofore entered into an Agreement dated the 12th day of June, 2007, wherein the Provider is to provide Playground Equipment and Services; and

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

**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. **Article 4. Term of Performance**

The Commission is exercising its right to extend the agreement as provided under **Article 4.3 Agreement Extension Options** and extending the term of this agreement two (2) additional years.

The term of the extension is September 1, 2009 through August 31, 2011.



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

PUBLIC BUILDING COMMISSION OF CHICAGO

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

ATTEST:  
BY: Edgwick C. Johnson Date: 9-9-09  
Edgwick C. Johnson  
Secretary

PROVIDER: NUTOYS LEISURE PRODUCTS, INC.

By: Maira Staggs Date: 8/26/09  
Name Printed: Maira Staggs  
Title: President

Subscribed and sworn to me this 26 day of August 2009.

Michelle L. Walsh  
Notary Public

My Commission expires: 11/30/09



PROVIDER: LANDSCAPE STRUCTURES INC.

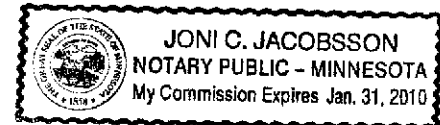
By: Fred Castanka Date: 8/27/09  
Name Printed: Fred Castanka  
Title: CFO

Subscribed and sworn to me this 27 day of Aug 2009.

Joni C. Jacobsson  
Notary Public

My Commission expires: 31 Jan 10

(Seal of Notary)



Approved as to form and legality

Anne L. Zred  
Neal & Leroy, LLC

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FIRST AMENDMENT  
CONTRACT NUMBER PS 1038**

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**PUBLIC BUILDING COMMISSION OF CHICAGO**

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

**ATTEST:**

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

**PROVIDER: NUTOYS LEISURE PRODUCTS, INC.**

By: \_\_\_\_\_ Date: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Title: \_\_\_\_\_

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

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

My Commission expires: \_\_\_\_\_ (Seal of Notary)

**PROVIDER: LANDSCAPE STRUCTURES INC.**

By: \_\_\_\_\_ Date: \_\_\_\_\_

Name Printed: \_\_\_\_\_

Title: \_\_\_\_\_

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

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

My Commission expires: \_\_\_\_\_ (Seal of Notary)

Approved as to form and legality

*Anne L. Zredl*  
\_\_\_\_\_  
Neal & Leroy, LLC



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

Chairman  
RICHARD M. DALEY  
Mayor  
City of Chicago

Executive Director  
ERIN LAVIN CABONARGI

September 09, 2009

Moria Staggs  
NuToys Leisure Products, Inc.  
915 Hillgrove  
LaGrange, IL 60525

Re: Amendment No. One Made Part of Professional Service Agreement  
PS1038, Playground Equipment and Services

Dear Moria Staggs:

You are hereby notified that on August 11, 2009 the Board of Commissioners approved Amendment No. 1 made part of PS1038.

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

Sincerely,

Deborah Burton  
Director of Procurement

DB/dz





## MEMORANDUM

**TO:** MAYOR RICHARD M. DALEY

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

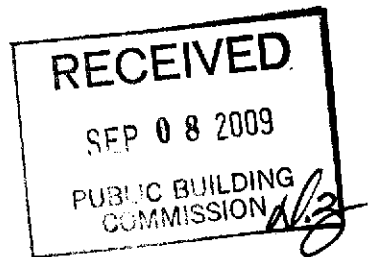
**DATE:** August 31, 2009

**RE:** Amendment One made part of Professional Service Agreement PS 1038, Landscape Structures Inc. and NuToys Leisure Products Inc. to provide Playground Equipment and Services for various projects.

This Amendment is to extend the term of the Agreement from September 1, 2009 through August 31, 2011. No dollar amount required for this Amendment. This appointment was approved at the August 11, 2009 Board of Commissioners meeting.

CC: Pat Harney

ELC/dz



9-2-3 RECD



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

Chairman  
RICHARD M. DALEY  
Mayor  
City of Chicago

Executive Director  
ERIN LAVIN CABONARGI

August 21, 2009

Moira Staggs  
NuToys Leisure Products, Inc.  
915 Hillgrove  
LaGrange, IL 60525

**Re: Amendment No. 1  
Professional Service Agreement PS 1038  
Landscape Structures Inc. and Nutoys Leisure Products, Inc.  
For Playground Equipment and Services**

Dear Moira Staggs:

Enclosed is Amendment No. 1 to the above referenced agreement. Please return all copies of the signed and notarized amendment to my attention within Five (5) 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,

A handwritten signature in black ink, appearing to read "Deborah Burton", written over a horizontal line.

Deborah Burton  
Director of Procurement

DB/dz