

**SECOND AMENDMENT
CONSTRUCTION MATERIAL TESTING SERVICES
IRENE HERNANDEZ MIDDLE SCHOOL (FORMERLY KNOWN AS SOUTHWEST AREA MIDDLE SCHOOL)
PROJECT NO.: 05060
CONTRACT NUMBER PS 1295**

THIS SECOND AMENDMENT AGREEMENT is made and entered into as of the 9th day of August, 2010, and shall be deemed and taken as forming a part of the Agreement for Construction Material Testing Services for Irene Hernandez Middle School (formerly known as SouthWest Area Middle School) ("Agreement by and between the **PUBLIC BUILDING COMMISSION OF CHICAGO**, a municipal corporation of the State of Illinois ("Commission") and **K & S ENGINEERS, INC.** ("Consultant") dated May 21, 2008 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 May 21, 2008, wherein the Consultant is to provide Construction Material Testing Services for the Board of Education of the City of Chicago; 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 is amended to include additional services required for Irene Hernandez Middle School to perform Construction Material Testing Services. The scope for this service is detailed in Attachment A to this Amendment 2.

3. Schedule C Compensation of the Consultant is revised as follows:

C.1 The Consultant shall be paid the not to exceed amount of **\$791.36** for the additional services outlined in Attachment B of this Amendment 2.

The Not to Exceed Fee is increased to a total of **\$150,778.79**.

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.

The terms of the Agreement remain in full force and effect except as modified in this Amendment.

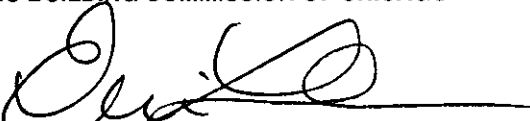
(Signature Page follows)

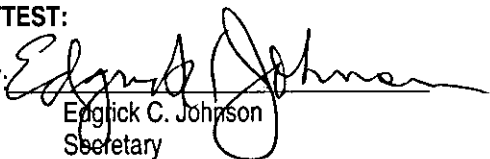
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EXECUTION PAGE

IN WITNESS WHEREOF, the parties hereto have agreed and executed this Amendment No. 2.

PUBLIC BUILDING COMMISSION OF CHICAGO

BY:  Date: 8/18/10
Erin Lavin Cabonargi
Executive Director

ATTEST:
BY:  Date: 8-19-10
Edglick C. Johnson
Secretary

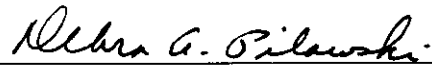
K & S ENGINEERS, INC.
By:  Date: 8/9/10
President

**AFFIX CORPORATE
SEAL, IF ANY, HERE**

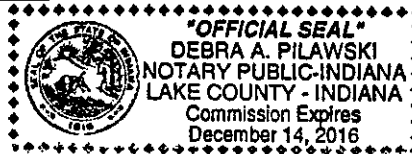
County of: Lake

State of: Indiana

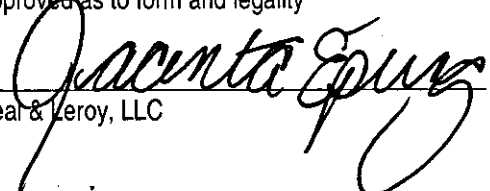
Subscribed and sworn to before me by Dibakar Sundi and _____
on behalf of Consultant this 9th day of Aug., 20 10.


Notary Public

My Commission expires: 12/14/2016
(SEAL OF NOTARY)



Approved as to form and legality

 Date: 8/17/10
Neal & Leroy, LLC

**ATTACHMENT A
SCOPE OF WORK**

**CONSTRUCTION MATERIAL TESTING SERVICES
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The Scope of Services includes but is not limited to the following tasks:

- Compaction testing of new fill;
- Concrete tests;
- Sampling, mortar and grout sampling; and
- Density tests for hot mix asphalt.

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**ATTACHMENT B
SCHEDULE OF COST
CONSTRUCTION MATERIAL TESTING SERVICES
IRENE HERNANDEZ MIDDLE SCHOOL (FORMERLY KNOWN AS SOUTHWEST AREA MIDDLE SCHOOL)
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The Commission shall pay the Consultant for the satisfactory performance of the Services a **Not to Exceed Fee** ("Fee") of **\$791.36** for all work included in Attachment A.