

**SECOND AMENDMENT
PHASE II ENVIRONMENTAL SITE ASSESSMENT
BRIGHTON PARK II AREA ELEMENTARY SCHOOL
PROJECT NO.: 05100
CONTRACT NUMBER PS 1419**

THIS SECOND AMENDMENT AGREEMENT is made and entered into as of the 4th day of March, 2010, and shall be deemed and taken as forming a part of the Agreement for Phase II Environmental Site Assessment Services for Brighton Park II Area Elementary School ("Agreement by and between the **PUBLIC BUILDING COMMISSION OF CHICAGO**, a municipal corporation of the State of Illinois ("Commission") and **CIVIL AND ENVIRONMENTAL CONSULTANTS, INC.** ("Consultant") dated October 20, 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 the 20th day of October 20, 2008, wherein the Consultant is to provide Phase II Environmental Site Assessment Services for the Board of Education for 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 Brighton Park II Area Elementary School to perform Phase II Environmental Site Assessment 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 **\$13,850.00** for the additional services outlined in Attachment B of this Amendment 2.

The Not to Exceed Fee is increased to a total of **\$241,719.92**.

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 and full force and effect except as modified in this Amendment.

(Signature Page follows)

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

PUBLIC BUILDING COMMISSION
OF CHICAGO

BY: [Signature]
Erin Lavin Cabonargi
Executive Director

Date: 3/25/10

ATTEST:

BY: [Signature]
Edrick C. Johnson
Secretary

Date: 3/26/10

CIVIL AND ENVIRONMENTAL CONSULTANTS, INC.

By: [Signature]
VICE President

Date: 3/18/10

AFFIX CORPORATE

SEAL, IF ANY, HERE

County of: DuPage

State of: Illinois

Subscribed and sworn to before me by John J Yates and _____
on behalf of Consultant this 18th day of March, 2010.

[Signature]
Notary Public

My Commission expires:

(SEAL OF NOTARY)

Approved as to form and legality

[Signature]
Neal & Leroy, LLC

Date: 3-22-10

**ATTACHMENT A
SCOPE OF WORK**

**PHASE II ENVIRONMENTAL SITE ASSESSMENT
BRIGHTON PARK II AREA ELEMENTARY SCHOOL
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The Scope of Services includes but is not limited to:

1. Phase I Environmental Site Assessment at former railroad spur at south of property;
2. Waste characterization for 48th Street widening: Rockwell Avenue extension and cul-de-sac.
3. Phase II Environmental Site Assessment at former railroad spur at South of property.

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**ATTACHMENT B
SCHEDULE OF COST
PHASE II ENVIRONMENTAL SITE ASSESSMENT
BRIGHTON PARK II AREA ELEMENTARY SCHOOL
PROJECT NO.: 05100
CONTRACT NUMBER PS 1419**

The Commission shall pay the Consultant for the satisfactory performance of the Services a **Not to Exceed Fee ("Fee") of \$13,850.00** for all work included in Attachment A.