

**FIRST AMENDMENT
ENVIRONMENTAL PHASE II OVERSIGHT MANAGEMENT
AVONDALE IRVING PARK ELEMENTARY SCHOOL
PROJECT NO.: 05080
CONTRACT NUMBER PS 1510**

THIS FIRST AMENDMENT AGREEMENT is made and entered into as of the 26th day of February, 2010, and shall be deemed and taken as forming a part of the Agreement for Environmental Phase II Oversight Management for Avondale Irving Park Elementary School ("Agreement by and between the **PUBLIC BUILDING COMMISSION OF CHICAGO**, a municipal corporation of the State of Illinois ("Commission") and **MACTEC ENGINEERING AND CONSULTING, INC.** ("Consultant") dated March 10, 2009 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 March, 2009, wherein the Consultant is to provide Environmental Phase II Oversight Management 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 Avondale Irving Park Elementary School to perform Environmental Phase II Oversight Management. The scope for this service is detailed in Attachment A to this Amendment 1.

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

C.1 The Consultant shall be paid the not to exceed amount of **\$17,500.00** for the additional services outlined in Attachment B of this Amendment 1.

The Not to Exceed Fee is increased to a total of **\$75,550.00**.

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.

The terms of the Agreement remain in 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. 1.

**PUBLIC BUILDING COMMISSION
OF CHICAGO**

BY: [Signature]
Erin Lavin Cabonargi
Executive Director

Date: 3/10/10

ATTEST:

BY: [Signature]
Edrick C. Johnson
Secretary

Date: 3/10/10

MACTEC ENGINEERING AND CONSULTING, INC.

By: [Signature]
President

Date: 3/4/10

AFFIX CORPORATE

SEAL, IF ANY, HERE

County of: Cook

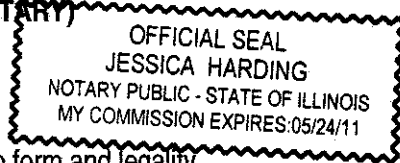
State of: Illinois

Subscribed and sworn to before me by Jeffrey Druetman and _____
on behalf of Consultant this 4th day of March, 2010.

[Signature]
Notary Public

My Commission expires: 5/24/11

(SEAL OF NOTARY)



Approved as to form and legality

[Signature]
Neal & Leroy, LLC

Date: 3-8-10

**ATTACHMENT A
SCOPE OF WORK
FIRST AMENDMENT
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The Scope of Services includes but is not limited to:

1. The oversight of soil / stone importation, and of soil excavation and export;
2. The analytical review of landscape soil and any other materials to be imported;
3. The closeout summary, and;
4. Support for response regarding Subtitle D Landfill dispute.

ATTACHMENT B
SCHEDULE OF COST
FIRST AMENDMENT
ENVIRONMENTAL PHASE II OVERSIGHT MANAGEMENT
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The Commission shall pay the Consultant for the satisfactory performance of the Services a **Not to Exceed Fee ("Fee") of \$17,500.00** for all work included in Attachment A.

Service Category		Total Fee
Oversight		7,680.00
Review of Additional Analytical		2,000.00
Closeout Summary		5,320.00
Support for response regarding Subtitle D Landfill		2,500.00
Total Not To Exceed Amendment 1 Costs		\$ 17,500.00

INCUMBENCY CERTIFICATE

I, Kendall H. Sherrill, being the duly elected and acting Secretary of MACTEC Engineering and Consulting, Inc. ("MACTEC") hereby certify that Jeffrey S. Druckman is a duly and acting Vice President of MACTEC and, pursuant to the authority inherent in the office of Vice President as set forth in the Bylaws of MACTEC, has the authority, on behalf of MACTEC, to sign Amendment No. 1 of the Environmental Phase II Oversight Management project for the Avondale/Irving Park Area Elementary School, Vicinity of Milwaukee and Avers, of Chicago, Illinois.

Dated March 4, 2010



MACTEC Engineering and Consulting, Inc.

By: Kendall H. Sherrill
Secretary