

INITIAL GMP AMENDMENT
TO
AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES

This Initial GMP Amendment ("Amendment") is entered into and made effective as of this 15th day of January, 2010 (the "Effective Date"), by and between the **Public Building Commission of Chicago**, a municipal corporation organized and operating under the Constitution of the State of Illinois and having its principal office at Room 200, Richard J. Daley Center, 50 West Washington Street, Chicago, Illinois 60602 ("Commission"), and **Turner Construction Company**, a New York corporation, with offices at 55 East Monroe Street, Suite 3100, Chicago, Illinois 60603 ("Construction Manager") and hereby amends the Agreement for Construction Management Services (the "Agreement"), dated October 15, 2009, between the Commission and the Construction Manager as further set forth herein.

RECITALS

WHEREAS, the Commission, on behalf of the Chicago Board of Education, has undertaken the construction of the Ogden Replacement Elementary School at 24 West Walton Street, Chicago, Illinois, 60610 (the "Project"); and

WHEREAS, the Commission and the Construction Manager entered into that certain Agreement for Construction Management Services (the "Agreement") dated October 15, 2009 for the performance of construction management services (the "Services") for the Project;

WHEREAS, the Agreement authorized the expenditure of up to \$15,000,000.00 as the Initial Guaranteed Maximum Price ("Initial GMP") to expedite the commencement of the Services and allow for the issuance, bid and awarding of the first bid packages for the Project including foundations, earth retention, structural concrete and structural steel prior to finalization of the Project Guaranteed Maximum Price (the "Project GMP");

WHEREAS, the Commission has determined that authorization for expenditures in excess of the Initial GMP amount of \$15,000,000.00 will be required in order to allow for the continued issuance, bid and awarding of bid packages so as not to impact the Project schedule, which work may include electrical, plumbing, mechanical, fire protection, masonry, miscellaneous metals, curtain walls, rough carpentry, site utilities and waterproofing;

WHEREAS, the Administrative Operations Committee of the Board of Commissioners of the Commission approved amendment of the Initial GMP expenditure amount by \$15,000,000.00 to an amount not to exceed \$30,000,000 (the "Initial GMP Amendment") by Committee action on January 7, 2010; and

WHEREAS, the Board of Commissioners of the Commission approved the Initial GMP Amendment by Board action at its regular meeting on January 12, 2010;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Commission and Construction Manager (collectively, the "Parties"), the Parties hereby agree to amend the Agreement as follows:

AMENDMENT

ARTICLE 1 – INCORPORATION OF RECITALS

The recitals set forth above are hereby incorporated in and made a part of this Agreement.

ARTICLE 2 – INITIAL GMP AMENDMENT

The Initial GMP expenditure authorization set forth in Paragraph 4.03(b) of the Agreement is hereby amended to authorize the expenditure of up to \$30,000,000.00 as the Amended Initial GMP.

ARTICLE 3 – COMMISSION REPRESENTATIVE

The Commission Representative for the Project is Mr. John Lupinos. Please submit all Project deliverables and notices as specified in the Agreement or Exhibits to Mr. Lupinos at:

Public Building Commission of Chicago
50 West Washington, Room 200
Chicago, IL 60602

Only those notices regarding default or termination require transmittal to the Executive Director with a copy to the Neal & Leroy, LLC per Section 8.08.

ARTICLE 4 – NO OTHER CHANGES

Except as may be changed or amended by this Amendment, the terms and provisions of the Agreement remain in full force and effect.

ARTICLE 5 – COUNTERPARTS

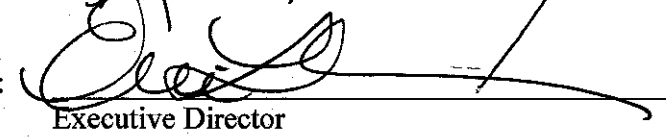
This Amendment may be executed in any number of counterparts, any of which will be deemed an original.

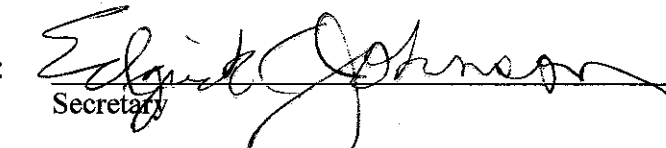
[EXECUTION PAGE FOLLOWS]

This Agreement is executed by the Parties stated below, and made effective by such execution pursuant to its terms.

PUBLIC BUILDING COMMISSION OF CHICAGO

By: 
Richard M. Daley, Chairperson

By: 
Executive Director

By: 
Secretary

Approved as to Form and Legality:

By: 
Neal & Leroy, LLC

**CONSTRUCTION MANAGER,
TURNER CONSTRUCTION COMPANY**

RAB
ML

By: 

Print Name: Stephen W. Fort

Title: Vice President, General Mgr