

**SECOND AMENDMENT
JOB ORDER CONTRACTING FACILITIES RENOVATION AND
SITE WORK DEVELOPMENT SERVICES
CONTRACT NUMBER C1549B**

THIS SECOND AMENDMENT to Contract Number C1549B, is entered into effective November 10, 2015, between and by the **Public Building Commission of Chicago** (Commission), a municipal corporation within the State of Illinois and having its principal office at Room 200, Richard J. Daley Center, 50 W. Washington Street, and **McDonagh Demolition, Inc.** (Contractor), an Illinois corporation, with offices at **1269 W. LeMoynes Street, Chicago, IL 60642**, dated February 13, 2013 with the like operation and effect as if the same were incorporated therein.

WITNESSETH:

WHEREAS, the Commission and Contractor have heretofore entered into an Agreement dated the 13th day of February 2013, wherein the Contractor is to provide Job Order Contracting Facilities Renovation and Site Work Development Services for Various Sites for the Commission; and

WHEREAS, the Commission and Contractor now desire to amend the Agreement to modify the terms/conditions, extend the term of the agreement, add additional services, and/or modify the compensation due to Contractor;

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. Contract Terms & Conditions

INSERT SECTION II. J BID SAFE

The Commission reserves the right to utilize Bid Safe in the issuance of task orders. The Commission will make the determination if a particular project will be directed to Contractor or if Contractor will be required to bid (and compete) on the project through the Bid Safe. When utilizing Bid Safe, award of a Task Order will be issued to the firm with the lowest bid.

INSERT SECTION II. K. SCHEDULE

At the time of any bid request, the Commission will identify whether use of a P6 or general construction schedule will be required.

INSERT SECTION III. J. MBE and WBE Commitments

Contractor will be required to submit a Minority-owned Business Entity/Woman-owned Business Entity (MBE/WBE) plan on all task orders, regardless of dollar value, issued to the Contractor by the Commission. Compliance goals will still be reviewed cumulatively. At the time end of this Agreement, all appropriate calculations for MBE, WBE, and EEO provisions will be made.

INSERT SECTION III. K. Local Business Subcontracting Participation and Community Hiring

The Commission will provide a Community for use on all task orders. The Commission expressly reserves the right to include a project-specific Community Map to each task order based on complexity/size/location of project.

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CLARIFY SECTION V. Bid Form 2 Basis of Award (Award Criteria)

Contractor consents and agrees that in the event it fails to meet the requirements noted below (as submitted in the original bid), which includes minority and female journeyworkers, apprentices, and laborers; City of Chicago residency requirements; and community hiring, then liquidated damages will be assessed, in accordance with the contract at the contract termination.

Minority Journeyworker Hours =	<u>50%</u>	Female Journeyworker Hours=	<u>10%</u>
Minority Apprentice Hours =	<u>50%</u>	Female Apprentice Hours =	<u>10%</u>
Minority Laborer Hours=	<u>50%</u>	Female Laborer Hours=	<u>10%</u>

City Residency=	<u>50%</u> (of total labor hours worked)
Community Hiring=	<u>7.5%</u> (as required by Task Order)

At the request of the Contractor, the PBC will provide regular updates as it relates to the aforementioned goals to ensure Contractor is successful at meeting the goals it set at the time of bid submission.

2. Term of Agreement

The term of this agreement is hereby extended through February 13, 2017. Contractor agrees to continue providing Job Order Contracting Services, per written Task Order, to the Commission.

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

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

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ATTEST:

PUBLIC BUILDING COMMISSION
OF CHICAGO

BY: Rahm Emanuel
Mayor Rahm Emanuel
Chairman

Date: _____

BY: Lori Ann Lypson
Lori Ann Lypson
Secretary

Date: 3/8/16

Contractor: McDonagh Demolition, Inc.

GC → By: [Signature]
President or Approved Signatory

Date: 2-10-2016

Subscribed and sworn to me this

10th day of FEB 2016.

[Signature]
Notary Public



My Commission expires: 8-17-19

(Seal of Notary)

Approved as to form and legality:

Anne L. Zredd
Neal & Leroy, LLC

Date: 2-22-2016