

**PUBLIC BUILDING COMMISSION OF CHICAGO  
SECOND AMENDMENT  
CONTRACT NUMBER PS1007**

**THIS SECOND AMENDMENT AGREEMENT** is made and entered into as of the 16<sup>th</sup> day of October, 2008, and is part of the contract for Job Order Contracting Consulting Services ("Agreement") between by and between the **PUBLIC BUILDING COMMISSION OF CHICAGO**, a municipal corporation of the State of Illinois ("Commission") and **The Gordian Group, Inc.**, ("Consultant") dated September 12, 2006 with the like operation and effect as if the same were incorporated therein.

**WITNESS:**

**WHEREAS**, the Commission and Consultant have previously entered into an Contract dated the 12<sup>th</sup> day of September, 2006, ("Agreement"), wherein the Consultant is to provide Job Order Consulting Services ("JOC"); and

**WHEREAS**, the Commission and Consultant now desire to amend the Agreement to revise the fee schedule as outlined in Schedule C Compensation of Consultant;

**NOW THEREFORE**, in consideration of the provisions and conditions set forth in the Agreement and this amendment, the parties mutually agree to amend the Agreement as here after stated.

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 C - Compensation of Consultant**

**Section C.1 Consultant Fee is revised to add the following:**

C.1.1B Effective September 1, 2008 the following fee schedule will take effect:  
The Commission shall pay the Consultant the following fees:

<b>Project Size</b>	<b>Fee</b>
Less than \$300,000	11%
\$300,000 - \$1,000,000	9%

\$1,000,000- \$5,000,000	7%
Greater than \$5,000,000	5%

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.

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

PUBLIC BUILDING COMMISSION  
OF CHICAGO

BY: Richard M. Daley Date: \_\_\_\_\_  
Richard M. Daley  
Chairman

ATTEST:  
BY: Edrick C. Johnson Date: 11-26-08  
Edrick C. Johnson  
Secretary

CONSULTANT

The Gordian Group, Inc.

By: David L. Mahler Date: 10/24/08  
David L. Mahler  
~~Secretary~~ Vice President of Finance

Subscribed and sworn to me this

24<sup>th</sup> day of October 2008.

Mona R. Kramer  
Notary Public

My Commission expires: My Commission Expires  
April 1, 2014

(Seal of Notary)



**THE  
GORDIAN  
GROUP®**

October 1, 2008

Mr. Paul Spiels  
Chief Operating Officer  
Public Building Commission  
50 West Washington, Suite 200  
Chicago, IL 20206

Re: PBC Revised Fee Proposal

Dear Paul:

This letter is submitted to you to confirm your recent conversation with Jon Van Daveer regarding The Gordian Group's (TGG) fee structure. A few recent projects awarded to TGG are larger than what we had anticipated when we reduced our fee in September 2007. Therefore, effective September 1, 2008, we propose reducing the fee from 7% to 5% for projects with a construction value greater than \$5,000,000.

The 5% fee is comprised of the following three distinct components:

- The JOC System License Fee is 1.5%
- The Scope Development and Procurement Fee is 1.5%
- The Construction Management Fee is 2%

We appreciate your confidence in TGG and will continue to provide the very best JOC services possible. Please let me know if our proposed fee reduction is acceptable to the PBC.

Sincerely,

David L. Mahler  
Vice President of Finance



Richard J. Daley Center  
50 W. Washington Street  
Room 200  
Chicago, Illinois 60602  
(312) 744-3090  
Fax: (312) 744-8005  
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John E. Wilson, Ltd.  
Certified Public Accountants

Secretary  
EDGRICK C. JOHNSON

Assistant Secretary  
PATRICK J. HARNEY

December 1, 2008

David L. Mahler  
The Gordian Group  
140 Bridges, Road, Suite E  
Mauldin, SC 29662

Re: **Amendment No. 2**  
**Professional Service Agreement PS 1007**  
**Job Order Consulting Services**

Dear Mr. Mahler:

You are hereby notified that the above-mentioned Amendment, made part of Professional Service Agreement PS 1007 has been fully executed. Enclosed, is the executed Amendment for your files.

Sincerely,

Deborah Burton  
Director of Procurement

DB/dz