

**AMENDMENT TWO
DESIGN-BUILD SERVICES AGREEMENT
ENGINE COMPANY 115
CONTRACT NUMBER PS3020**

This Amendment to Agreement Number **PS3020** (“**Amendment**”) is entered into as of October 23, 2020 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 **Ujamaa/Trice, a Project Specific Joint Venture**, an Illinois corporation, with offices at 7744 S. Stony Island, Chicago, Illinois 60649 (“**UTJV**” or “**Design-Builder**”) and hereby amends the Agreement for Design-Build Services for the Engine Company 115 (the “**Agreement**”) dated March 19, 2019, between the Commission and the Design-Builder as further set forth herein. Collectively, PBC and UTJV or Design-Builder are referred to herein as the “**Parties**.”

RECITALS

WHEREAS, the Commission, on behalf of the City of Chicago, has undertaken the planning, design, and construction of the Engine Company 115 (the “**Project**”) located at 1024 West 119th Street, Chicago, Illinois; and

WHEREAS, the Commission requires certain design-build services (“**Services**”) described in this Agreement for the Project; and

WHEREAS, at its regular meeting on July 17, 2018, the Board of Commissioners of the Public Building Commission of Chicago (PBC Board) approved an Undertaking with Chicago Fire Department, and Department of Assets, Information and Systems (formerly known as 2FM) for the Project in the amount of \$30,000,000; and

WHEREAS, at its regular meeting on March 19, 2019, the PBC Board approved the appointment of UTJV. to be the Design-Builder for the Project; and

WHEREAS, the Commission approved an Initial Guaranteed Maximum Price (“**GMP**”) of \$10,716,936 with UTJV for the Project; and

WHEREAS, the Commission approved an Interim GMP in the amount of \$21,674,405 (including the \$10,716,936 previously approved) that is within the Project Undertaking amount that has been authorized by the PBC Board for the Project; and

WHEREAS, the Commission approved an Amendment Two GMP in the amount of \$22,345,675 (including the \$21,674,405 previously approved) that is within the Project Undertaking amount that has been authorized by the PBC Board for the Project; and

WHEREAS, the Commission and Design Builder desire to amend the Agreement to establish a GMP in the amount of **\$22,345,675**, as provided in this Amendment that is within the authorized PBC Board authority for the Project; and

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NOW THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Commission and Design-Builder, the Parties hereby agree to amend the Agreement and establish the Project GMP as follows:

AMENDMENT

ARTICLE 1 - INCORPORATION OF RECITALS

1.1 The recitals set forth are hereby incorporated in and made a part of the Agreement.

ARTICLE 3.2 - GUARANTEED MAXIMUM PRICE (GMP)

1.2 **DELETE** the form in Exhibit 5 of the Agreement "Interim Guaranteed Maximum Project Cost Form" and **REPLACE** with the revised "Amendment Two Guaranteed Maximum Project Cost Form."

Execution of this Amendment by the Design Builder is duly authorized by the Design Builder and the signature(s) of each person signing on behalf of the Design Builder have been made with the complete and full authority to committ the Design Builder to all terms and conditions of this Amendment.

All terms not definied 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.

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ENGINE COMPANY 115

Amendment Two

GUARANTEED MAXIMUM PROJECT COST PROPOSAL

Description	Cost
1. General Conditions	<u>\$1,041,605.70</u>
2. Payment and Performance Bond & Insurance	
Payment and Performance Bond	<u>\$167,777</u>
Insurance	<u>\$239,729</u>
3. Design Phase Services* (including but not limited to services and deliverables associated with the following areas: architecture; engineering; commissioning; utilities; fixtures, furniture, and equipment (FF&E); way-finding; traffic; associated permitting as required; and coordination of the entitlement (Planned Development) process.)	<u>\$1,433,659.00</u>
4. Cost of the Work* (Cost of Construction (including Utility Work within Contract Limits)+ Owner Allowances + Design-Builder's Contingency + Commission's Contingency)	
Cost of Construction*	<u>\$17,539,124.50</u>
Site Work Allowance	<u>\$100,000.00</u>
Furniture, Fixture and Equipment (FFE) Allowance	<u>\$500,000.00</u>
Design-Builder's Contingency*	<u>\$362,271.00</u>
Commission's Contingency (owner directed changes and unforeseen conditions)*	<u>\$100,001.40</u>
5. Design-Builder's Fee (percentage of the total value of Line 3 + Line 4) 4.3%	<u>\$861,507.40</u>
6. The Guaranteed Maximum Project Cost Proposal for the design and construction of Engine Company 115 will be the added values of Lines 1 + 2 + 3 + 4 + 5.	<u>\$22,345,675</u>

*Unused portions of all contingencies and allowances will be returned to the Project's Budget

Contact Name: Jimmy Akintonde

Firm Name: Ujamaa/Trice, a Project Specific Joint Venture

Signature: _____

Date: _____

10/24/2020

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IN WITNESS WHEREOF, the parties hereto have agreed and executed this Amendment 2.

ATTEST:

**PUBLIC BUILDING COMMISSION
OF CHICAGO**

BY: *Lori E. Lightfoot*
Mayor Lori E. Lightfoot
Chairman

BY: *Cariya Sanchez*
Secretary

Date: _____

DESIGN-BUILDER

Ujamaa/Trice, a Project Specific Joint Venture

By: *[Signature]*
President or Approved Signatory

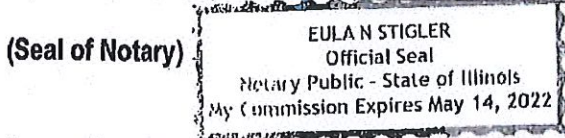
Date: 10/24/2020

Subscribed and sworn to me this

14th day of October 2020

Eula N Stigler
Notary Public Signature

My Commission expires: 5/14/22



Approved as to form and legality

Anne L. Zredd Date: 11-9-2020
Neal & Leroy, LLC