

**PUBLIC BUILDING COMMISSION OF CHICAGO
SECOND AMENDMENT
CONTRACT NUMBER PS658**

THIS SECOND AMENDMENT AGREEMENT is made and entered into as of the 21st day of December, 2007, and is part of the contract for Architect of Record Services ("Agreement") between by and between the **PUBLIC BUILDING COMMISSION OF CHICAGO**, a municipal corporation of the State of Illinois ("Commission") and **Fox and Fox Architects and Engineers**, ("Architect") dated May 13, 2003 with the like operation and effect as if the same were incorporated therein.

WITNESS:

WHEREAS, the Commission and Architect have previously entered into an Contract dated the 13th day of May, 2003, ("Agreement"), wherein the Architect is to provide Architect of Record services; and

WHEREAS, the Commission and Architect now desire to amend the Agreement to include additional services to the Scope of Services;

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 A**

Scope of Services A. 2 – Design Development is revised to add the following services:

- A.2.6 Architect will modify the project design by realigning the alley to avoid demolition of retaining wall and removal of the retained spoils. Redesign also eliminates 9 unnecessary parking spaces on the west side of the facility while adding several spaces on the north side. Revisions to demolition, dimension and grading plans, electrical service and site fences is also required.

3. Schedule C Compensation of the Architect

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

C.1.3 The Architect shall be paid the amount of \$5,420.00 for the additional services outlines in Item 2 of this Amendment 2. The Fixed Fee is increased to \$324,617.00.

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

ATTEST:

PUBLIC BUILDING COMMISSION
OF CHICAGO

BY: *Edgwick C. Johnson*
Edgwick C. Johnson
Secretary

Date: 8/27/08

BY: *Richard M. Daley*
Richard M. Daley
Chairman

Date: _____

ARCHITECT

Fox and Fox Architects and Engineers

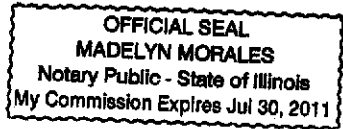
By: *[Signature]*
John Jay Fox III
President - Partner

Date: 8/04/08

Subscribed and sworn to me this
4th day of August 2008.

Madelyn Morales
Notary Public

My Commission expires: 7/30/11



(Seal of Notary)



Richard J. Daley Center
50 W. Washington Street
Room 200
Chicago, Illinois 60602
(312) 744-3090
Fax: (312) 744-8005
www.pbcchicago.com

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Certified Public Accountants

Secretary
EDGRICK C. JOHNSON

Assistant Secretary
PATRICK J. HARNEY

August 1, 2008

John Jay Fox, III
Fox & Fox Architects and Engineers
8 South Michigan Avenue, Suite 310
Chicago, IL 60603

Re: Amendment No. Two made part of the Professional Service Agreement PS 658, Architect of Record Services for Fire Station Engine 102

Dear Mr. Fox, III:

Enclosed is Amendment Two to the captioned Agreement. Please return both copies of the signed and notarized amendment to my attention within ten (10) days from the date of this letter.

An incomplete execution page may delay final execution of the Amendment and processing of invoices. Upon acceptance of the amendment by the Public Building Commission, a fully executed copy will be returned to you.

Sincerely,

Miguel Fernandez
Contract Officer

MF/dz

2 COPIES ATTACHED
SIGN & DATE & NOTARIZED



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August 1, 2008

John Jay Fox, III
Fox & Fox Architects and Engineers
8 South Michigan Avenue, Suite 310
Chicago, IL 60603

**Re: Amendment No. Two made part of the Professional Service
Agreement PS 658, Architect of Record Services for Fire Station
Engine 102**

Dear Mr. Fox, III:

Enclosed is Amendment Two to the captioned Agreement. Please return both copies of the signed and notarized amendment to my attention within ten (10) days from the date of this letter.

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Sincerely,

Miguel Fernandez
Contract Officer

MF/dz



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Assistant Treasurer
JOHN E. WILSON
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Certified Public Accountants

Secretary
EDGRICK C. JOHNSON

Assistant Secretary
PATRICK J. HARNEY

June 30, 2008

John Jay Fox, III
Fox & Fox Architects and Engineers
8 South Michigan Avenue, Suite 310
Chicago, IL 60603

Re: Amendment No. Two made part of the Professional Service Agreement PS 658, Architect of Record Services for Fire Station Engine 102

Dear Mr. Fox, III:

Enclosed is Amendment One to the captioned Agreement. Please return both copies of the signed and notarized amendment to my attention within ten (10) days from the date of this letter.

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Sincerely,

Miguel Fernandez
Contract Officer

MF/dz



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Assistant Treasurer
JOHN E. WILSON
John E. Wilson, Ltd.
Certified Public Accountants

Secretary
EDGRICK C. JOHNSON

Assistant Secretary
PATRICK J. HARNEY

December 21, 2007

John Jay Fox, III
Fox & Fox Architects
8 S. Michigan Avenue, Suite 2008 310
Chicago, IL 60603

Re: **Amendment No. Two made part of the Professional
Service Agreement PS 658, Architect of Record Services
for Fire Station Engine 102**

Dear Mr. Fox:

Enclosed is Amendment Two to the captioned Agreement. Please return both copies of the signed and notarized amendment to my attention at your earliest convenience. Upon acceptance of the amendment by the PBC, a fully executed copy will be returned to you.

Sincerely,

Deborah Burton
Director of Procurement

DB/dz

**PUBLIC BUILDING COMMISSION OF CHICAGO
SECOND AMENDMENT
CONTRACT NUMBER PS658**

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WITNESS:

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WHEREAS, the Commission and Architect now desire to amend the Agreement to include additional services to the Scope of Services;

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 A**

Scope of Services A. 2 – Design Development is revised to add the following services:

A.2.6 Architect will modify the project design by realigning the alley to avoid demolition of retaining wall and removal of the retained spoils. Redesign also eliminates 9 unnecessary parking spaces on the west side of the facility while adding several spaces on the north side. Revisions to demolition, dimension and grading plans, electrical service and site fences is also required.

3. Schedule C Compensation of the Architect

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

C.1.3 The Architect shall be paid the amount of \$5,420.00 for the additional services outlines in Item 2 of this Amendment 2. The Fixed Fee is increased to \$324,617.00.

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

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

ATTEST:

**PUBLIC BUILDING COMMISSION
OF CHICAGO**

BY: _____ Date: _____
Edgrick C. Johnson
Secretary

BY: _____ Date: _____
Richard M. Daley
Chairman

ARCHITECT

Fox and Fox Architects and Engineers

By: _____ Date: _____
John Jay Fox III
President - Partner

Subscribed and sworn to me this
_____ day of _____ 20____.

Notary Public

My Commission expires: _____

(Seal of Notary)

**Public Building Commission of Chicago
Proposed Amendment Report to the Administrative and Operations Committee -
November 29, 2007**

Amendment	Project	Consultant	Reason for the Proposed Amendment	Amount of the Proposed Amendment	Consultant's Fee including the Proposed Amendment Fee	Consultant's Fee including the Proposed Amendment Fee as a % of the Current Cost of Construction
1	Fire Station 102 (7340 N. Clark)	Fox & Fox Architects (PS 658 - A2) AOR	This amendment represents PBC-requested additional services in the amount of \$5,420.00 for which the architect will modify the project design by realigning the alley to avoid demolition of retaining wall and removal of the retained spoils. Redesign also eliminates 9 unnecessary parking spaces on the west side of the facility while adding several spaces on the north side. Revisions to demolition, dimension and grading plans, electrical service and site fences will also be required. These changes will result in significant construction cost savings. (Credit change order under negotiation with General Contractor.) These services were not included in the original scope of the Professional Services Agreement.	\$5,420.00	\$324,617.00	3.7%
2	Fire Station 70 (6030 N. Clark)	Bauer Latoza Studio (PS 814 - A3) AOR	This amendment represents PBC requested additional services in the amount of \$2,630.00 for the consultant to revise the contract plan and specifications for the domestic solar water heating system to incorporate changes required to conform to the standard design developed for all Engine Companies. The changes include, but are not limited to, a reduction in the number of panels, the addition of a thermally controlled mixing valve, modifications to the heat exchanger, and piping revisions. The as-bid design included more panels than are required to meet hot water requirements and did not include all components and piping for the system to function in an optimal manner. These services were not included in the original scope of the Professional Services Agreement.	\$2,630.00	\$263,313.00	2.8%
3	Vehicle Maintenance Facility (5201 S. Western)	TENG (PS 1022 - A2) AOR	This amendment represents PBC-requested additional services for the consultant to incorporate design documents for the Global Building Management System (GBMS) compatibility into the Vehicle Maintenance Facility Project. The changes in the scope of services include the incorporation of the GBMS compatible design for the facility's Building Automation System based on Lon Works open protocols with Tridium Niagara AX Enterprise Connectivity. The design of the system will address numerous sub systems including Control and Monitoring of Roof-Top HVAC Units, Heat Recovery Make-up Air Units, Gas Fired Unit Heaters, Infrared Heaters, Exhaust Fans, and Interior Lighting. The system will also only monitor the following: Motor Fume Exhaust System, Door Access System, Security Camera System, Fire Protection System, Fire Alarm System, Electrical Usage, Natural Gas Usage, Domestic Water Usage, Sump Pump, Emergency Generator, and Landscape Irrigation Pump. These services were not included in the original scope of the Professional Services Agreement.	\$36,000.00	\$987,530.00	6.9%

**Public Building Commission of Chicago
Proposed Amendment Report to the Administrative and Operations Committee -
November 29, 2007**

Amendment	Project	Consultant	Reason for the Proposed Amendment	Amount of the Proposed Amendment	Consultant's Fee including the Proposed Amendment Fee	Consultant's Fee including the Proposed Amendment Fee as a % of the Current Cost of Construction
4	Program Management Office (PMO)	Parsons Commercial Technology Group, Inc. (PS 976 - A2) Consultant	<p>This amendment establishes the maximum amount to be paid to the PMO for services to be provided during the calendar year 2008. The 2008 Maximum Compensation amount of \$16,050,462.00 has been negotiated based on a Work and Cost Outlay Plan (WCOP) that includes \$4,638,071.00 for Core Staff Costs (including Reimbursables), \$10,912,391.00 for Project Management Staff Costs, and \$500,000.00 for Specialty Subconsultants.</p> <p>The PMO's Core Staff costs account for 29% of the overall budget and are based on a requirement for 16 staff positions (FTEs) – an increase of 4 above the 12 staff included in the 2007 WCOP. Project Management Staff costs account for 68% of the PMO budget and are based on a staffing requirement of 46 staff positions (FTEs) – an increase of 29 above the 17 staff included in the 2007 WCOP. The PBC/PMO Master Schedule and the WCOP anticipates that 30 projects will be in design during 2008 and 32 projects will be under construction. Project Management staff costs for a total of 43 project have been budgeted in the 2008 WCOP. Core Staff costs are funded out of the PBC's Administrative Budget. Project Management costs are included in and funded out of each project budget.</p> <p>The 2007 Maximum Compensation amount was \$8,800,333.00, which, when added to the 2008 Maximum Compensation, will result in a total Maximum Compensation of \$24,850,795.00 payable to the PMO as earned during the two year period ending December 31, 2008.</p>	\$16,050,462.00	\$24,850,795.00	N/A