

Public Building Commission of Chicago Contractor Payment Information

Project: Emergency Medical Services (EMS) Addition

Contract #: C1611

Contractor: Path Construction Company

Payment Application: #5

Amount Paid: \$ 1,214,018.86

Date of Payment to Contractor: 6/4/25

The posting of all or any portion of a Contractor's payment application on the PBC's website is done solely for the purpose of providing information to subcontractors with respect the amount the Contractor has requested as payment for its subcontractors on the posted portion of the payment application. The PBC makes no representations or warranties with respect to any of the information provided by Contractors on the Contractors' payment applications. If you are a subcontractor and have any questions regarding the information on a posted payment, you should contact the Contractor.

PUBLIC BUILDING COMMISSION OF CHICAGO EXHIBIT S CERTIFICATE OF ARCHITECT - ENGINEER

DATE:	3/1/2025			
PROJECT:	Emergency Medical Service	es (EMS) Addition		_
Pay Application For the Period Contract No.:	d: 2/1/2025	to <u>2/28/2025</u>		
Bonds issued I	with Resolution No, ado by the Public Building Commission), I hereby certify to the Commis	on of Chicago for the financing	•	on,relating to the \$Revenue terms used herein shall have the same meaning as in
1	. Obligations in the amounts stat Construction Account and has		by the Commission ar	nd that each item thereof is a proper charge against the
2	. No amount hereby approved for	r payment upon any contract oved by the Architect - Engine	er until the aggregate a	amounts previously paid upon such contract, exceed amount of payments withheld equals 5% of the Contract
THE CONTR	ACTOR: Path Cor	struction Company		
FOR: Pub	lic Building Commission of	Chicago		
		Is now entitle	ed to the sum of:	\$1,214,018.86
ORIGINAL C	ONTRACTOR PRICE	\$30,922,000.	.00	
ADDITIONS		\$0.	.00	
DEDUCTION	s	\$0.	.00	
NET ADDITIO	ON OR DEDUCTION	\$0.	.00	
ADJUSTED (CONTRACT PRICE	\$30,922,000.	.00	
TOTAL AMO	UNT EARNED			\$3,102,204.85
TOTAL RET				\$310,220.49
but	erve Withheld @ 10% of Tota Not to Exceed 5% of Contract is and Other Withholding	•	\$ 310,220.49 \$ -	- -
c) Liqu	idated Damages Withheld		\$ -	<u>.</u>
TOTAL PAID	TO DATE (Include this Pay	ment)		\$2,791,984.36
LESS: AMOU	INT PREVIOUSLY PAID			\$1,577,965.50
AMOUNT DU	E THIS PAYMENT			\$1,214,018.86

Architect Engineer:

4/1/2025

signature, date

APPLICATION AND CERTIFICATE FOR PAYMENT

PROJECT:

TO OWNER:

EXHIBIT A - G702

APPLICATION NO.:

5

Distribution to:

Public Building Commission of Chicago	Public Building Commission Emergency	Health Services Addition	APPLICATION DATE:	March 1, 2025				
Richard J Daley Center, Suite 200 Chicago, IL 60602	PBC Contract No.: C1611 701 N Kilbourn Ave, Chicago, IL 60624	ı	PERIOD FROM: PERIOD TO:	February 1, 2025 February 28, 2025	XOWNER XARCHITECT			
FROM CONTRACTOR: Path Construction Company 125 E. Algonquin Rd. Arlington Heights, IL 60005 CONTRACT FOR: EMERGENCY MEDICAL SERVICE (EMS) ADDITION; CO	VIA ARCHITECT: AECOM Services of Illinois, Inc. 303 E. Wacker Dr, Suite 1400 Chicago, IL 60610 ONTRACT # C1611		PROJECT NO: CONTRACT DATE: De(Co	CONTRACTOR				
CONTRACTOR'S APPLICATION FOR PApplication is made for payment, as shown below, in connection with the continuation Sheet Document G703 is attached.		_	plication for Payment has bee		edge, infor-mation and belief the nce with the Contract Documents,			
ORIGINAL CONTRACT SUM	\$30,922,000.00							
. Net Change by Change Orders	\$0.00	CONTRACTOR:						
. CONTRACT SUM TO DATE (Line 1 + 2)	\$30,922,000.00	BY:	Chillip Circult		DATE: March 7, 2025			
. TOTAL COMPLETED & STORED TO DATE	\$ 3,102,204.85	State of: Illinois County of Cook						
. RETAINAGE: a. 10% of Completed Work (From Schedule of Values) b. 10% of Stored Material (From Schedule of Values)	•	Subscribed and sworn to me thist th day of Notary Public:	o before ofMarch	2025	SCOTT MCCRACKAN Official Seal Notary Public - State of Illinois My Commission Expires Apr 20, 2027			
Total Retainage (Line 5a + 5b or total from Schedule of Values)	\$310,220.49	My Commission expires: 4	1/20/2027					
. TOTAL EARNED LESS RETAINAGE(Line 4 less Line 5 Total)	\$ 2,791,984.36	ARCHITECT'S	CERTIFICATE FO	R PAYMENT				
LESS PREVIOUS CERTIFICATES FOR PAYMENT(Line 6 from prior Certificate)	\$1,577,965.50	In Accordance with the Contract Documents, based on on-site observation and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's Knowledge, information and belief the Work has progressed as indicated, the quality of the Work is on accordance with the Contract						
. CURRENT PAYMENT DUE	\$ 1,214,018.86	Documents, and the Cont	tractor is entitled to payment	of the AMOUNT CERT	TIFIED.			
). BALANCE TO FINISH, INCLUDING RETAINAGE		AMOUNT CERTIFIED			\$1,214,018.86			
(Line 3 less line 6) \$28,130,015.64		ARCHITECT: AECOM Servi	ices of Illinois, Inc.					
CHANGE ORDER SUMMARY ADDITIONS	DEDUCTIONS	BY:		D.	ATE: 4/1/2025			
Total changes approved in sorevious months by Owner \$0.00	\$0.00	This Certificate is not neg	gotiable The AMOUNT CF	RTIFIFD is navable only	y to the Contractor named herein.			
Total approved this Month \$0.00	0	Issuance, payment and ac		- ·	thts of the Owner or Contractor			
Totals \$0.00 Net Changes by Change Order \$0.00	\$0.00	under this Contract.						

PUBLIC BUILDING COMMISSION OF CHICAGO **EXHIBIT A**

CONTRACTOR'S SWORN STATEMENT AND AFFIDAVIT FOR PARTIAL PAYMENT (1 of)

Project Name: Emergency Medical Services (EMS) Addition Contractor: Path Construction Company

PBC Project #: **07215**

Job Location: 701 N Kilbourn Ave, Chicago, IL 60624

Owner: Public Building Commission of Chicago APPLICATION FOR PAYMENT # 5

STATE OF ILLINOIS } SS

COUNTY OF COOK }

The affiant, being first duly sworn on oath, deposes and says that he/she is Scott McCrackan, of Path Construction Company, an Illinois corporation, and duly authorized to make this Affidavit in behalf of said corporation, and individually; that he/she is well acquainted with the facts herein set forth and that said corporation is the Contractor with the PUBLIC BUILDING COMMISSION OF CHICAGO, Owner, under Contract No. C1611 dated the day 9 of December, 2024, for the following project:

that the following statements are made for the purpose of procuring a partial payment of

1,214,018.85

under the terms of said Contract;

Period To:

2/28/2025

That the work for which payment is requested has been completed, free and clear of any and all claims, liens, charges, and expenses of any kind or nature whatsoever, and in full compliance with the contract documents and the requirements of said Owner under them. That for the purposes of said contract, the following persons have been contracted with, and have furnished or prepared materials, equipment, supplies, and services for, and having done labor on said improvement. That the respective amounts set forth opposite their names is the full amount of money due and to become due to each of them respectively. That this statement is a full, true, and complete statement of all such persons and of the full amount now due and the amount heretofore paid to each of them for such labor, materials, equipment, supplies, and services, furnished or prepared by each of them to or on account of said work, as stated:

								Wo	ork Completed]			
	Subcontractor Name	Type of Work	Original contract amount	PBC Change Orders	GC Change Orders	Adjusted Contract Amount	% Complete	Previous	Current	Total to date	Retainage	Net previous billed	Net amount due	Remaining to bill
1.00	Path Construction	General Contracting	\$ 3,350,825.00	s -	\$ -	\$ 3,350,825.00	15%	\$ 342,482.86	\$ 151,934.82	\$ 494,417.68	\$ 49,441.77	\$ 308,234.57	\$136,741.34	\$ 2,905,849.09
2.00	Abitua Sewer, Water	Building Plumbing	\$ 960,000.00		\$ -	\$ 960,000.00	3%	\$ 29,200.00	,	\$ 29,200.00	\$ 2,920.00		\$0.00	
	Ü	Ŭ			•	,		•			·	•		
3.00		Structural Steel Masonry & Air	\$ 1,800,000.00		-	\$ 1,800,000.00	18%	\$ -	\$ 318,900.00	\$ 318,900.00	\$ 31,890.00	\$ -	\$287,010.00	
<u>4.00</u> 5.00	ArMax Builders Briar Patch	Barrier Landscaping	\$ 177,000.00 \$ 63,000.00	-	\$ - \$ -	\$ 177,000.00 \$ 63,000.00	0% 0%	\$ - \$ -		\$ - \$ -	\$ -	\$ - \$ -	\$0.00 \$0.00	
		, ,				,		*		Ψ	Ψ			
6.00	Candor Electric Chicago Area	Electrical	\$ 4,646,000.00	\$ -	\$ -	\$ 4,646,000.00	6%	\$ 80,500.00	\$ 177,383.86	\$ 257,883.86	\$ 25,788.39	\$ 72,450.00	\$159,645.47	\$ 4,413,904.53
7.00	Plumbing	Site Utility	\$ 305,000.00	\$ -	\$ -	\$ 305,000.00	13%	\$ 24,000.00	\$ 15,000.00	\$ 39,000.00	\$ 3,900.00	\$ 21,600.00	\$13,500.00	\$ 269,900.00
9.00	DLZ	Surveying	\$ 21,700.00	\$ -	\$ -	\$ 21,700.00	15%	\$ 3,200.00		\$ 3,200.00	\$ 320.00	\$ 2,880.00	\$0.00	\$ 18,820.00
10.00	Doetsch Contractors	Excavation	\$ 537,000.00	\$ -	\$ 49,506.00	\$ 586,506.00	13%	\$ 26,800.00	\$ 49,506.00	\$ 76,306.00	\$ 7,630.60	\$ 24,120.00	\$44,555.40	\$ 517,830.60
11.00	ECS	SWPPP	\$ 3,500.00	\$ -	\$ -	\$ 3,500.00	100%	\$ 3,500.00		\$ 3,500.00	\$ 350.00	\$ 3,150.00	\$0.00	\$ 350.00
12.00	FE Moran	Fire Supression	\$ 183,500.00	\$ -	\$ -	\$ 183,500.00	8%	\$ 15,500.00		\$ 15,500.00	\$ 1,550.00	\$ 13,950.00	\$0.00	\$ 169,550.00
13.00	G&L Associates	Metal Panels	\$ 1,444,531.00	\$ -	\$ -	\$ 1,444,531.00	4%	\$ 29,161.30	\$ 24,995.40	\$ 54,156.70	\$ 5,415.67	\$ 26,245.17	\$22,495.86	\$ 1,395,789.97
14.00	JF Carpentry	Carpentry	\$ 2,234,000.00	\$ -	\$ -	\$ 2,234,000.00	2%	\$ 37,090.00		\$ 37,090.00	\$ 3,709.00	\$ 33,381.00	\$0.00	\$ 2,200,619.00
15.00	KONE Elevator	Elevator	\$ 113,000.00	\$ -	\$ -	\$ 113,000.00	0%	\$ -		\$ -	\$ -	\$ -	\$0.00	\$ 113,000.00
16.00	Metalmaster Roofmaster	Roofing	\$ 485,000.00	\$ -	\$ -	\$ 485,000.00	8%	\$ 36,644.20		\$ 36,644.20	\$ 3,664.42	\$ 32,979.78	\$0.00	\$ 452,020.22
17.00	Northern Glass	Storefronts & Glazing	\$ 600,000.00	\$ -	\$ -	\$ 600,000.00	0%	\$ -		\$ -	\$ -	\$ -	\$0.00	\$ 600,000.00
18.00	Omega Construction	Building Concrete	\$ 1,600,000.00	\$ -	\$ 20,000.00	\$ 1,620,000.00	7%	\$ -	\$ 109,000.00	\$ 109,000.00	\$ 10,900.00	\$ -	\$98,100.00	\$ 1,521,900.00
19.00	Oosterbaan Painting	Painting	\$ 217,000.00	\$ -	\$ -	\$ 217,000.00	0%	\$ -		\$ -	\$ -	\$ -	\$0.00	\$ 217,000.00
20.00	Premier Mechanical	Mechanical	\$ 5,628,900.00	\$ -	\$ -	\$ 5,628,900.00	2%	\$ 104,250.00	\$ -	\$ 104,250.00	\$ 10,425.00	\$ 93,825.00	\$0.00	\$ 5,535,075.00
21.00	Stalworth Underground	Caissons	\$ 640,000.00	\$ -	\$ -	\$ 640,000.00	92%	\$ 130,000.00	\$ 459,000.00	\$ 589,000.00	\$ 58,900.00	\$ 117,000.00	\$413,100.00	\$ 109,900.00
22.00	Terra Demolition	Selective Demoltion	\$ 26,884.00		\$ -	\$ 26,884.00		\$ -		\$ -	\$ -	\$ -	\$0.00	
23.00	Federal Rent-A- Fence	Fencing	\$ 25,000.00	\$ -	\$ -	\$ 25,000.00		\$ 17,500.00		\$ 17,500.00	\$ 1,750.00	\$ 15,750.00	\$0.00	
24.00		Metal Lockers	\$ 133,965.00		\$ -	\$ 133,965.00		\$ -		\$ -	\$ -	\$ -	\$0.00	
25.00	Path Construction	Folding Panels	\$ 180,000.00		\$ -	\$ 180,000.00		\$ -		\$ -	\$ -	\$ -	\$0.00	
26.00		Roller Window Shades	\$ 20,000.00		\$ -	\$ 20,000.00		\$ -		\$ -	\$ -	\$ -	\$0.00	
						·		Ψ		•	*	•		
27.00	Path Construction	Flooring	\$ 433,500.00	-	-	\$ 433,500.00	0%	-		-	-	\$ -	\$0.00	\$ 433,500.00

PUBLIC BUILDING COMMISSION OF CHICAGO EXHIBIT A

Contractor: Path Construction Company

CONTRACTOR'S SWORN STATEMENT AND AFFIDAVIT FOR PARTIAL PAYMENT (1 of)

Project Name: Emergency Medical Services (EMS) Addition

PBC Project #: **07215**

Job Location: 701 N Kilbourn Ave, Chicago, IL 60624

Owner: Public Building Commission of Chicago

APPLICATION FOR PAYMENT # 5

STATE OF ILLINOIS } SS COUNTY OF COOK }

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that the following statements are made for the purpose of procuring a partial payment of

1,214,018.85

-----Work Completed-----

under the terms of said Contract;

Period To:

2/28/2025

That the work for which payment is requested has been completed, free and clear of any and all claims, liens, charges, and expenses of any kind or nature whatsoever, and in full compliance with the contract documents and the requirements of said Owner under them. That for the purposes of said contract, the following persons have been contracted with, and have furnished or prepared materials, equipment, supplies, and services for, and having done labor on said improvement. That the respective amounts set forth opposite their names is the full amount of money due and to become due to each of them respectively. That this statement is a full, true, and complete statement of all such persons and of the full amount now due and the amount heretofore paid to each of them for such labor, materials, equipment, supplies, and services, furnished or prepared by each of them to or on account of said work, as stated:

												ork Completed								
	Subcontractor Name	Type of Work	O	riginal contract amount	PBC Change Orders	G	C Change Orders	А	Adjusted Contract Amount	% Complete	Previous		Current	Total to date	R	etainage	Net previous billed	Net amount due	Re	emaining to bill
28.00	Path Construction	Asphalt Paving	\$	10,000.00	¢ .	\$	_	\$	10,000.00	0%	¢ _			\$ -	¢	_	\$ -	\$0.00	\$	10,000.00
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29.00	Path Construction	Concrete Paving Metal Fence	\$	270,000.00	\$ -	\$	-	\$	270,000.00	0%	\$ -			\$ -	\$	-	\$ -	\$0.00	\$	270,000.00
30.00	Path Construction	Screening	\$	40,000.00	\$ -	\$	-	\$	40,000.00	0%	\$ -			\$ -	\$	-	\$ -	\$0.00	\$	40,000.00
31.00	Path Construction	Bituminous Dampproofing	\$	18,000.00	\$ -	\$	-	\$	18,000.00	0%	\$ -			\$ -	\$	-	\$ -	\$0.00	\$	18,000.00
32.00	Path Construction	Acoustic Spray	\$	160,000.00	\$ -	\$	_	\$	160,000.00	0%	\$ -			\$ -	\$		\$ -	\$0.00	\$	160,000.00
33.00	Path Construction	Applied Fire Protection	•	130,000.00	\$ -	•		¢	130,000.00	0%	\$ -			©	¢		¢	\$0.00		130,000.00
		Foamed-in-Place	Φ	·	Φ -	Φ	-	Φ						-	Φ	-	\$ -			·
34.00	Path Construction	Insulation Penetration	\$	8,000.00	\$ -	\$	-	\$	8,000.00	0%	\$ -			\$ -	\$	-	\$ -	\$0.00	\$	8,000.00
35.00	Path Construction	Firestopping	\$	8,000.00	\$ -	\$	-	\$	8,000.00	0%	\$ -			\$ -	\$	-	\$ -	\$0.00	\$	8,000.00
36.00	Path Construction	Overhead Coiling Doors	\$	20,000.00	\$ -	\$	-	\$	20,000.00	0%	\$ -			\$ -	\$	-	\$ -	\$0.00	\$	20,000.00
37.00	Path Construction	Casework	\$	95,000.00	\$ -	\$		\$	95,000.00	0%	\$ -			\$ -	\$	_	\$ -	\$0.00	\$	95,000.00
	TRADE CONTRACT	OR COSTS	\$	26,588,305.00	\$ -	\$	69,506.00	\$	26,657,811.00	8%	\$ 879,828.36	\$	1,305,720.08	\$ 2,185,548.44	\$	218,554.85	\$ 791,845.52	\$ 1,175,148.07		24,690,817.41
CONT		NOTO																		
CONT	INGENCIES/ALLOWA	Contractor's																		
	Path Construction	Contigency Site Work	\$	825,000.00	\$ -	\$	-	\$	825,000.00	0%	\$ -	\$	-	\$ -	\$	-	\$ -	\$ -	\$	825,000.00
	Path Construction	Allowance	\$	125,000.00	\$ -	\$	-	\$	125,000.00	0%	\$ -	\$	-	\$ -	\$	-	\$ -	\$ -	\$	125,000.00
	Path Construction	Camera Allowance	\$	110,000.00	\$ -	\$	-	\$	110,000.00	0%	\$ -	\$	-	\$ -	\$	-	\$ -	\$ -	\$	110,000.00
	Path Construction	FF&E Allowance	\$	1,250,000.00	\$ -	\$	_	\$	1,250,000.00	0%	\$ -	\$	_	\$ -	\$		\$ -	\$ -	\$	1,250,000.00
	Path Construction	Rolling Gate Allowance	\$	150,000.00		\$		\$	150,000.00	0%	\$ -	\$	_	\$ -	\$	_	\$ -	\$ -	\$	150,000.00
SUBTOTAL	CONTINGENCIES/AL	OWANCES	¢	2,460,000.00		•		¢	2,460,000.00	0%	s -	¢	-	\$ -	¢	_	\$ -		\$	2,460,000.00
SOBIOTAL	CONTINGENCIES/AL	LOWARDLO	ΙΨ	2,400,000.00	Ψ -	Ψ	-	Ψ	2,400,000.00	0 78	-	Ψ	-	<u>-</u>	Ψ	-	Ф -	Ф -	Ψ	2,400,000.00
SUE	STOTAL COST OF WO)RK	\$	29,048,305.00	\$ -	\$	69,506.00	\$	29,117,811.00	8%	\$ 879,828.36	\$	1,305,720.08	\$ 2,185,548.44	\$	218,554.85	\$ 791,845.52	\$ 1,175,148.07	\$	27,150,817.41
	INSURANCE/BOND	T																		
	Path Construction	Insurance	\$	401,986.00	\$ -	\$	-	\$	401,986.00	100%	\$ 401,986.00			\$ 401,986.00	\$	40,198.60	\$ 361,787.40	\$0.00	\$	40,198.60
	Path Construction	Bond	\$	401,986.00	\$ -	\$	-	\$	401,986.00	100%	\$ 401,986.00			\$ 401,986.00	\$	40,198.60	\$ 361,787.40	\$0.00	\$	40,198.60
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SUB	TOTAL INSURANCE/B	OND	\$	803,972.00	\$ -	\$	-	\$	803,972.00	100%	\$ 803,972.00	\$	-	\$ 803,972.00	\$	80,397.20	\$ 723,574.80	\$ -	\$	80,397.20

PUBLIC BUILDING COMMISSION OF CHICAGO EXHIBIT A

Contractor: Path Construction Company

CONTRACTOR'S SWORN STATEMENT AND AFFIDAVIT FOR PARTIAL PAYMENT (1 of)

Project Name: Emergency Medical Services (EMS) Addition

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								Wo	rk Completed					
	Subcontractor Name	Type of Work	Original contract amount	PBC Change Orders	GC Change Orders	Adjusted Contract Amount	% Complete	Previous	Current	Total to date	Retainage	Net previous billed	Net amount due	Remaining to bill
	GENERAL CONDITIONS													
		General Conditions	\$ 1,043,723.00	\$ -	\$ (69,506.00)	\$ 974,217.00	11%	\$ 64,294.65	\$ 41,889.76	\$ 106,184.41	\$ 10,618.44	\$ 57,865.19	\$37,700.78	\$ 878,651.03
8.00	dbHMS	LEED Consulting	\$ 26,000.00	\$ -	\$ -	\$ 26,000.00	25%	\$ 5,200.00	\$ 1,300.00	\$ 6,500.00	\$ 650.00	\$ 4,680.00	\$1,170.00	\$ 20,150.00
SUBTO	TAL GENERAL COND	ITIONS	\$ 1,069,723.00	\$ -	\$ (69,506.00)	\$ 1,000,217.00	11%	\$ 69,494.65	\$ 43,189.76	\$ 112,684.41	\$ 11,268.44	\$ 62,545.19	\$ 38,870.78	\$ 898,801.03
	TOTAL		\$ 30,922,000.00	\$ -	\$ -	\$ 30,922,000.00	10%	\$ 1,753,295.01	\$ 1,348,909.84	\$ 3,102,204.85	\$ 310,220.49	\$ 1,577,965.51	\$ 1,214,018.85	\$ 28,130,015.64

PUBLIC BUILDING COMMISSION OF CHICAGO

EXHIBIT A

CONTRACTOR'S SWORN STATEMENT AND AFFIDAVIT FOR PARTIAL PAYMENT (4 of 4)

AMOUNT OF ORIGINAL CONTRACT	\$30,922,000.00	TOTAL AMOUNT REQUESTED	\$3,102,204.85
EXTRAS TO CONTRACT	\$0.00	LESS 10% RETAINED	\$310,220.49
TOTAL CONTRACT AND EXTRAS	\$30,922,000.00	NET AMOUNT EARNED	\$2,791,984.36
CREDITS TO CONTRACT	\$0.00	AMOUNT OF PREVIOUS PAYMENTS	\$1,577,965.50
ADJUSTED CONTRACT PRICE	\$30,922,000.00	AMOUNT DUE THIS PAYMENT	\$1,214,018.86
		BALANCE TO COMPLETE	\$29,707,981.14

Contractor certifies that to the best of its knowledge, information and belief, the work is in accordance with the Contract Documents; that suppliers of materials, services, labor and all Subcontractors (including all significant sublevels thereof) are being currently paid, and that the amount of the payments applied for are justified. These provisions should not be construed as conferring any rights hereunder for the benefit of Subcontractors, suppliers, workers or employees, nor as enlarging or altering the application or effect of existing lien laws.

That the Waivers of Lien and submitted herewith by affiant and each of the aforesaid persons, are true, correct, and genuine; that each and every Waiver of Lien was delivered unconditionally; that there is no claim either legal or equitable to defeat the validity of any of said Waivers of Lien; that said Waivers of Lien include such Waivers of Lien from all Subcontractors, suppliers of material or other agents acting on behalf of affiant in connection with the work or arising out of the Work; and that so far as affiant has knowledge or information, the said Waivers of Lien include all the labor and material for which a claim could be made and for which a lien could be filed.

That neither the partial payment nor any part thereof has been assigned.

That said Contractor herein expressly affirms that should it at any time appear that any illegal or excess payments have been made to said Contractor by or on behalf of the PUBLIC BUILDING COMMISSION OF CHICAGO, the said Contractor will repay on demand to the PUBLIC BUILDING COMMISSION OF CHICAGO the amount or amounts so paid; and if any lien remains unsatisfied after all payments are made, the Contractor shall refund to the PUBLIC BUILDING COMMISSION OF CHICAGO all moneys that the latter may be compelled to pay in discharging such a lien including all costs and a reasonable attorney's fee.