

**PUBLIC BUILDING COMMISSION OF CHICAGO
THIRD AMENDMENT
CONTRACT NUMBER PS 1394**

THIS THIRD AMENDMENT AGREEMENT is made and entered into as of the 10th day of June, 2009, and shall be deemed and taken as forming a part of the Agreement for Environmental Phase II and Environmental Design Services for Engine Company 109 and Little Village/Marshall Square Library ("Agreement") between by and between the **PUBLIC BUILDING COMMISSION OF CHICAGO**, a municipal corporation of the State of Illinois ("Commission") and **MACTEC ENGINEERING AND CONSULTING, INC.** ("Consultant") dated October 24, 2008 with the like operation and effect as if the same were incorporated therein.

WITNESSETH:

WHEREAS, the Commission and Consultant have heretofore entered into an Agreement dated the 24th day of October, 2008, wherein the Consultant is to provide Phase II Environmental Site Assessment and Geotechnical Investigation Services for City of Chicago; and

WHEREAS, the Commission and Consultant now desire to amend the Agreement to include additional Services performed and associated compensation due to Consultant;

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. 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** is amended to include additional services required for Engine Company 109 and Little Village / Marshall Square Library to perform engineering oversight and reporting services for the proper removal of the tank by the site prep contractor. The scope for this service is detailed in Attachment A to this Amendment 3.

- 3. Schedule C Compensation of the Consultant** is revised as follows:

C.1 The Consultant shall be paid the not to exceed amount of \$5,570.00 for the additional services outlined in Item 2 of this Amendment 3.

The Not to Exceed Fee is increased to a total of \$227,216.60.

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: [Signature] Date: 6/25/09
Erin Lavin Cabonargi
Executive Director

ATTEST:

BY: [Signature] Date: 6/29/09
Edgwick O. Johnson
Secretary

CONSULTANT

MACTEC ENGINEERING AND CONSULTING, INC.

By: [Signature] Date: 6/16/09
Jeffrey S Druckman
Office Manager

AFFIX CORPORATE

SEAL, IF ANY, HERE

County of: Cook

State of: Illinois

Subscribed and sworn to before me by Jeffrey S. Druckman and _____
on behalf of Consultant this 16th day of June, 2009.

[Signature]
Notary Public

My Commission expires 5-14-11
(SEAL OF NOTARY)



Approved as to form and legality

[Signature]
Neal & Leroy, LLC

**ATTACHMENT A
ADDITIONAL SERVICES**

**Marshal Square-Little Village Library and Engine Company 109 Project
Environmental Consulting Services
Ground Penetrating Radar, Test Pits, Site Design and Construction Oversight Services**

An Underground Storage Tank (UST) was discovered during the excavation of the Test Pit Q. It is a steel tank approximately 11 feet long by 5 feet wide. The tank is estimated to have a volume of between 1,000 and 2,000-gallons and was covered with less than 6-inches of surficial cover soil. The tank was situated along the eastern property fence line and was located in the corner of eastern and northern buried wall foundations. Since the tank was located in an area formerly occupied by an Auto Parts store, it is possible that the tank had been used for the collection of used motor oil. Possible petroleum product was observed leaking into the adjacent Test Pit R excavation from the fresh brown and gray silty clay exposed beneath the foundation wall along the alley.

SCOPE OF WORK

Consultant will provide to the Commission the engineering oversight and reporting services for proper removal of the tank and closure of an incident if a release is called in to IEMA. This scope of work does not include contractor services. If requested, Consultant can contract RW Collins to conduct the tank removal and file the removal Permit Application. At this time Consultant anticipates that the tank removal activities will take 2-days to complete. During the removal of the tank and discolored tank backfill, Consultant will be present on-site with the City of Chicago Department of the Environment (DOE) inspector and the Chicago Fire Department. If a release is determined to have occurred, an incident will be called in and Consultant will recommend that the excavation be left open for one day to allow any product (if present) to drain and collect in the excavation bottom. The product can then be removed the next day along with any stained impacted soils and the excavation sampled and properly backfilled. Confirmation sampling will consist of the tank bottom sample which will be analyzed for 35 IAC Part 732 Appendix B used oil Appendix B indicator parameters, and one sample from each side wall which will be analyzed for BTEX and PNA analysis.

All laboratory analyses will be provided by STAT Analyses, the MBE used for the original analytical testing. The analytical results will be compared to TACO residential cleanup objectives and a determination will be made as to whether soil removal was complete.

Consultant will assist the Commission with the preparation and submission of the 20-day and 45-day reports. It is assumed here that the remediation will be completed within this time frame and that no further investigation and remediation will be required for the incident.

COST AND SCHEDULE

Total supplemental costs are as follows:

	Labor	Direct Expenses	TOTALS
Permitting and PM	\$520		\$ 520
Field Oversight & Sampling	\$1,280	\$1,170	\$2,450
20 Day Report Form	\$260		\$ 260
45-Day Report	\$2,340		\$ 2,340
TOTAL	\$4,400	\$1,170	\$5,570

Permitting assistance will begin upon the Commission's authorization to proceed. Consultant will coordinate contractor services at your request.

Subject: ADDENDUM #3 - PHASE II ESA / GEOTECHNICAL INVESTIGATION - FIRE ENGINE STATION 109 PS1394
Created By: garybell@cityofchicago.org
Scheduled Date:
Creation Date: 8/25/2008 10:39 AM
From: Gary Bell

Recipient	Action	Date & Time	Comment
BC: Ala Sassila (Asassila)	Transferred	8/25/2008 10:39 AM	
BC: albrechtca@cdm.com (albrechtca)	Transferred	8/25/2008 10:39 AM	
BC: Angela Timmons (Edi.sales)	Transferred	8/25/2008 10:39 AM	
BC: Annalyn Ramos (aramos)	Transferred	8/25/2008 10:39 AM	
BC: Anthony Negri (ANegri)	Transferred	8/25/2008 10:39 AM	
CC: Daisy Zambrana (PB00038)	Read	8/25/2008 10:42 AM	
BC: Daniel Caplice (dan)	Transferred	8/25/2008 10:39 AM	
BC: Dario Sanchez (dsanchez)	Transferred	8/25/2008 10:39 AM	
BC: David J. Kedrowski (dkedrowski)	Transferred	8/25/2008 10:39 AM	
CC: Deborah Burton (PB00157)	Delivered	8/25/2008 10:39 AM	
BC: Earthtech (David.Reynolds)	Transferred	8/25/2008 10:39 AM	
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To: Gary Bell (PB00168)	Read	8/25/2008 10:44 AM	
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From: Gary Bell
To: Gary Bell
CC: Burton, Deborah; LeeAnn Tomas-Foster; Leona Ketterl; Zambrana, Daisy
Date: 8/25/2008 10:39 AM
Subject: ADDENDUM #3 - PHASE II ESA / GEOTECHNICAL INVESTIGATION - FIRE ENGINE STATION 109 PS1394

ADDENDUM #3
PHASE II ESA / GEOTECHNICAL INVESTIGATION - FIRE ENGINE STATION 109 PS1394

Change No. 1

Environmental Site Assessment Phase I report link attached for your convenience.
<http://pbcchicago.com/upload/5718.pdf>

Answers to Questions received:

Question No. 1

Can the environmental samples be shifted slightly to correspond to the geotech samples, saving time and expense for drilling?

Answer: Yes, as long as they are in the locations where the RECs are identified in the Phase I Environmental Assessment.

Question No. 2

Can we get a copy of the Phase I ESA for review to determine if additional sampling may be warranted?

Answer: Yes, see attached link for Phase I ESA.

END OF ADDENDUM #3

GS. Bell
Contract Officer
Public Building Commission
Phone (312) 744-9287
Fax (312) 744-3572