

AN AMENDMENT TO AN INDEPENDENT CONTRACTOR AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND MISFITS CONSTRUCTION COMPANY FOR THE FABRICATION AND INSTALLATION OF SIGNS FOR VARIOUS PAY-BY-PLATE PARKING AREAS WITHIN THE VILLAGE OF OAK PARK TO REVISE THE PROJECT SCOPE AND REDUCE THE NOT TO EXCEED AMOUNT FROM \$45,000.00 TO \$39,859.00

THIS AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT (hereinafter referred to as the "Amendment") between the Village of Oak Park, an Illinois home rule municipal corporation, and Misfits Construction Company, an Illinois corporation, is entered into this 5 day of December 2022 (collectively referred to as the "Parties").

RECITALS

WHEREAS, the Parties entered into an Independent Contractor Agreement dated October 18, 2022 ("Agreement"); and

WHEREAS, the Parties seek to amend the Agreement to revise the scope of work and reduce the not-to-exceed amount, pursuant to the Contractor's change order dated November 11, 2022; and

WHEREAS, the Parties seek to amend Section 2 of the Agreement pursuant to this Amendment to reduce the not-to-exceed amount; and

NOW, THEREFORE, in consideration of the foregoing, and the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the Parties, the Parties hereto agree as follows:

1. **RECITALS INCORPORATED.** The above recitals are incorporated herein as though fully set forth.

2. **AMENDMENT TO AGREEMENT.** Section 2 of the Agreement is amended by adding the underlined language and deleting the overstricken language as follows:

The Contractor shall perform the Project in accordance with its Proposal for a price not to exceed ~~\$45,000.00~~ \$39,859.00 ("Contract Price").

3. **OTHER PROVISIONS OF THE CONTRACT TO REMAIN IN EFFECT.** All other terms and conditions of the Agreement shall remain in full force and effect.

4. **EFFECTIVE DATE.** This Amendment to the Agreement shall be deemed dated and become effective on the date of its execution by the Village Manager of the Village of Oak Park.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK –
SIGNATURE PAGE FOLLOWS]**

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to the Agreement to be signed by their duly authorized representatives on the day and date first written above.

VILLAGE OF OAK PARK

MISFITS CONSTRUCTION COMPANY


By: Kevin J. Jackson
Its: Village Manager


By: John Thomas
Its: President

Dated: December 5, 2022

Dated: December 09, 2022

ATTEST

ATTEST

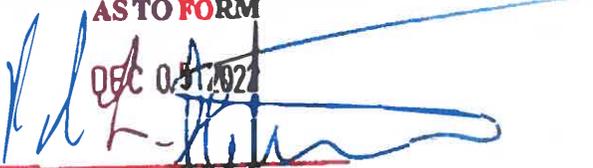

By: Christina M. Waters
Its: Village Clerk


By: Gerardo Esparza
Its: Witness

Date: 12/5, 2022

Date: December 09, 2022

**REVIEWED AND APPROVED
AS TO FORM**


DEC 05 2022
LAW DEPARTMENT

Misfits Construction Company

333 South Wabash Avenue, Suite 2700, Chicago, IL 60604 | Phone : (312) 420-5041 | Facsimile : (206) 339-3613

November 11, 2022

L-02

Sean Keane
Parking & Mobility Services Manager
Development Customer Services
Village of Oak Park
123 Madison Street
Oak Park, IL 60302

RE: Fabrication and Installation of Signs for Pay-By-Plate Parking Areas
Bid Number: 22-102

SUBJECT: Revised Not to Exceed Proposal

Dear Mr. Keane:

Misfits Construction Company is proposing to supply posts and hardware and install the owner furnished signs for the Pay-By-Plate Parking Areas project.

Per our discussions, Misfits Construction Company proposes the following the scope of work.

- Locate, Mark, Call, and Verify JULIE's for 67 sign locations
 - o 36 signs mounted to concrete areas
 - o 31 signs driven into dirt areas
- Installation of Signs on existing utility poles
 - o Install 107 Sign Assemblies
 - o Signs furnished by Owner
 - o Misfits will furnish the following hardware:
 - 3/4" x 0.020" Stainless Steel Banding with Buckles
 - Flared Leg Strapping Brackets with Bolt and Washer
- Installation of Signs on 1-3/4" Square Posts with Cement Bases mounted to Concrete areas
 - o Install 36 Sign Assemblies
 - o Signs furnished by Owner
 - o Cement Bases with wedge anchors furnished by Owner
 - o Misfits shall furnish the following posts with hardware:
 - 1-3/4"x1-3/4"x10' Post, 14 Gauge, Green Powder Coated
 - 3" Bolts with nut and washers
- Installation of Signs on 1-3/4" Square Posts with 2" Square Bases driven into Dirt areas
 - o Install 31 Sign Assemblies
 - o Signs furnished by Owner

- Misfits shall furnish the following posts with hardware:
 - 2"x2"x04' Base Sleeve, 12 Gauge
 - 3" Bolt with nut and washers
 - 1-3/4"x1-3/4"x10' Post, 14 Gauge, Green Powder Coated
 - 3" Bolts with nut and washers

Since the signs are being furnished by the Owner, Misfits requests to add a unit price for furnishing the mounting material to the existing utility poles of \$30.00 per a sign.

We propose a not to exceed proposal as follows with the bid unit prices

JULIES

8 CH x \$ 300.00 per Crew Hour = \$ 2,400.00

Furnish Mounting Material

107 Signs x \$ 30.00 per sign = \$ 3,210.00

Furnish Telescoping Steel Sign Support

794 LF x \$ 8.50 per linear foot = \$ 6,749.00

Cost of Installation

80 CH x \$ 300.00 per Crew Hour = \$ 24,000.00

Mobilization

1 EA x \$ 3,500.00 = \$ 3,500.00

Total Not to Exceed Cost of \$ 39,859.00

We anticipate the scope of work to be completed in 2022 weather permitting. The proposal is based on working Monday to Friday 7 am to 3:30 pm. Please let me know if you have any question or concerns.

Sincerely,



John Thomas
Estimator

Misfit Construction Company

Enclosure: None

Cc: File