

**BRIDGE REHABILITATION OVER RAILROAD
EAST AVENUE, OAK PARK AVENUE & HOME AVENUE
IN VICINITY OF RAILROAD MILEPOSTS DC-35.28 / 35.55 / 35.84
CHICAGO ZONE, ALTENHEIM SUBDIVISION
OAK PARK, COOK COUNTY, ILLINOIS
COMPANY OP NUMBER IL0520**

AMENDMENT NO. 1 TO CONSTRUCTION AGREEMENT

This Amendment No. 1 to Construction Agreement (this "Amendment") is made as of _____, 2020 by and between THE BALTIMORE & OHIO CHICAGO TERMINAL RAILROAD COMPANY, an Illinois corporation with its principal place of business in Jacksonville, Florida ("B&OCT"), and the VILLAGE OF OAK PARK, a body corporate and political subdivision of the State of Illinois ("AGENCY").

EXPLANATORY STATEMENT

- A. AGENCY and B&OCT entered into a Construction Agreement dated December 3, 2018 (the "Construction Agreement") covering the proposed rehabilitation of East Avenue, Oak Park Avenue & Home Avenue over B&OCT at Mileposts DC-35.28, DC-35.55 & DC-35.84 all located on the B&OCT Altenheim Subdivision in Oak Park, Cook County, Illinois (the "**Project**").
- B. AGENCY and B&OCT desire to amend the Construction Agreement to extend the termination date from December 31, 2019 to December 31, 2021 and to add the rehabilitation of Lombard Avenue at Milepost DC-34.81 to the scope of the project.

NOW, THEREFORE, in consideration of the mutual benefits accruing to the parties, the parties hereby agree to amend the Construction Agreement as follows:

1. The foregoing recitals are true and correct in every respect and incorporated herein by reference.
2. Except as expressly modified or amended by this Amendment, all terms, conditions and agreements set forth in the Construction Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by their authorized officers as of the date first written above.

VILLAGE OF OAK PARK, ILLINOIS

Witness

Cara Pavlicek – Village Manager

**THE BALTIMORE & OHIO CHICAGO
TERMINAL RAILROAD COMPANY**

Witness

Steve Armbrust - Secretary