

### Public Building Commission of Chicago Contractor Payment Information

Project: Valley Forge Park and Fieldhouse

Contract Number: 1493

General Contractor: Leopardo Companies

Payment Application: 005

Amount Paid: \$302,923.70

Date of Payment to General Contractor: 5/13/2010

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 posting of this information is provided for in the PBC's Standard Terms and Conditions For Construction Contracts Section 16.09 entitled, Prompt Payment To Subcontractors. 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 application, you should contact the general contractor

#### **PUBLIC BUILDING COMMISSION OF CHICAGO**

#### **EXHIBIT S**

CERTIFICATE OF ARCHITECT - ENGINEER

| Project:                     | Valley Forge Park and I  | eldhouse  |  |
|------------------------------|--|---|--|
| In accorda Revenue E         |  | ago adopted by the Public Building Commission of Chicago on ag to the \$ ding Commission of Chicago for the financing of this project (and all terms used   | herein shall have the same meaning as in said Resolution), I hereby certify to |
|                              |  | 1. Obligations in the amounts stated herein have been incurred by the Commission against the Construction Account and has not been paid; and  | n and that each item thereof is a proper charge                                |
|                              |  | 2. No amount hereby approved for payment upon any contract will, when added contract, exceed 90% of current estimates approved by the Architect - Engineer upon any contract Price (said retained funds being payable as set forth in | antil the aggregate amount of payments withheld                                |
| THE CON                      | TRACTOR  | Leopardo Companies, Inc.  |  |
| FOR is now ent               | itled to the sum of  | Valley Forge Park and Fieldhouse<br>\$302,923.70  |  |
| ADDITIO<br>DEDUCT<br>NET ADD |  | \$3,859,318.00<br>\$0.00<br>\$0.00<br>\$0.00<br>\$3,859,318.00  |  |
|                              | MOUNT EARNED   | 40,000,000  | \$811,239.00   |
| TOTAL R                      | ETENTION   |   | \$81,125.30  |
| not to exce<br>b) Liens ar   | e Withheld @ 10% of Total A<br>eed 5% of Contract Price<br>and Other Withholding<br>ted Damages Withheld | \$81,125.30<br>\$0.00<br>\$0.00   |  |
| TOTAL P                      | AID TO DATE (Include this  | ayment)   | \$730,113.70   |
| LESS: AM                     | OUNT PREVIOUSLY PAIL   |   | \$427,190.00   |
| AMOUNT                       | DUE THIS PAYMENT   |   | \$302,923.70   |
| Brett E                      |  |   | Date: <u>03/25/2010</u>  |

March 25, 2010

Date:

#### **EXHIBIT A**

#### CONTRACTOR'S SWORN STATEMENT AND AFFIDAVIT FOR PARTIAL PAYMENT (1 of 4)

| STATE OF Illinois | }    |
|-------------------|------|
|                   | } SS |
| COUNTY OF Cook    | }    |

The affiant, being first duly sworn on oath, deposes and says that he/she is **Controller**, of **Leopardo Companies**, Inc., an **Illinois** corporation, and duly authorized to make this Affidavit in behalf of said corporation, and for him/herself 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. **1493** dated the **3rd day of September**, **2009**, for (describe nature of work)

#### **General Contracting**

for (designate Project and Location)

#### Valley Forge Park and Fieldhouse

#### 7001 W 59th Street, Chicago, Illinois 60626

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

#### Three hundred two thousand nine hundred twenty three and 70/100

#### \$302,923.70

under the terms of said Contract;

- 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:

| NAME<br>and<br>ADDRESS   | TYPE<br>OF<br>WORK      | TOTAL<br>CONTRACT<br>(INCLUDE<br>C.O.'s) | TOTAL<br>WORK<br>COMPLETE | LESS<br>RETENTION<br>(INCLUDE<br>CURRENT) | LESS<br>NET<br>PREVIOUSLY<br>PAID | NET<br>DUE<br>THIS<br>PERIOD | BALANCE<br>TO<br>BECOME<br>DUE |
|--|-------------------------|--|---------------------------|---|-----------------------------------|------------------------------|--------------------------------|
| Roy Zenere Trucking &<br>Excavating, Inc,<br>317 East Margaret Street,<br>Thornton, Illinois 60476 | Earthwork               | 93,500.40                                | 67,428.40                 | 6,743.00                                  | 60,685.40                         | 0.00                         | 32,815.00                      |
| To Be Let  | Asphalt Paving          | 4,477.00                                 | 0.00                      | 0.00                                      | 0.00                              | 0.00                         | 4,477.00                       |
| Arc Underground, Inc.,<br>2114 W. Thomas St.,<br>Chicago, Illinois 60622                           | Sewer & Water           | 117,000.00                               | 12,000.00                 | 1,200.00                                  | 10,800.00                         | 0.00                         | 106,200.00                     |
| Pan Oceanic Inc,   | Site Furnishings        | 13,920.00                                | 0.00                      | 0.00                                      | 0.00                              | 0.00                         | 13,920.00                      |
| Atrium, Inc,<br>17113 Davey Rd.,<br>Lemont, Illinois 60439   | Landscaping             | 76,000.00                                | 2,200.00                  | 220.00                                    | 1,980.00                          | 0.00                         | 74,020.00                      |
| Fence Connection Inc,  | Fences & Gates          | 6,326.00                                 | 0.00                      | 0.00                                      | 0.00                              | 0.00                         | 6,326.00                       |
| O'Connor Contractors Inc,<br>4190 W. 123rd Street,<br>Alsip, Illinois 60803                        | Concrete Placement      | 158,573.00                               | 87,032.00                 | 8,703.00                                  | 78,329.00                         | 0.00                         | 80,244.00                      |
| Midwest Masonry, Inc.,<br>1335 Wilhelm Road, Suite<br>A,<br>Mundelein, Illinois 60060              | Masonry<br>Work-General | 422,564.00                               | 120,904.00                | 12,090.00                                 | 4,950.00                          | 103,864.00                   | 313,750.00                     |
| The Cleveland Marble<br>Mosaic Co,<br>4595 Hinckley Ind. Pkwy,<br>Cleveland, Ohio 44109            | Stone Facing            | 39,500.00                                | 24,000.00                 | 2,400.00                                  | 2,700.00                          | 18,900.00                    | 17,900.00                      |
| Carlo Steel Corporation,<br>3100 East 87th Street,<br>Chicago, Illinois 60617                      | Structural Steel        | 300,000.00                               | 102,853.00                | 10,285.30                                 | 48,623.00                         | 43,944.70                    | 207,432.30                     |

#### **EXHIBIT A**

#### CONTRACTOR'S SWORN STATEMENT AND AFFIDAVIT FOR PARTIAL PAYMENT (2 of 4)

| NAME<br>and<br>ADDRESS  | TYPE<br>OF<br>WORK                | TOTAL CONTRACT (INCLUDE C.O.'s) | TOTAL<br>WORK<br>COMPLETE | LESS RETENTION (INCLUDE CURRENT) | LESS<br>NET<br>PREVIOUSLY<br>PAID | NET<br>DUE<br>THIS<br>PERIOD | BALANCE<br>TO<br>BECOME<br>DUE |
|---|-----------------------------------|---------------------------------|---------------------------|----------------------------------|-----------------------------------|------------------------------|--------------------------------|
| Alliance Drywall &<br>Acoustical, Inc.,<br>1080 Tower Lane,<br>Bensenville, Illinois 60106                      | Rough Carpentry                   | 45,398.00                       | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 45,398.00                      |
| Ameriscan Designs, Inc.,<br>4147 W. Ogden Ave,<br>Chicago, Illinois 60126                                       | Architectural<br>Woodwork/Trim    | 80,745.00                       | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 80,745.00                      |
| Kremer & Davis,<br>132 Osborne Road,<br>Fridley, Minnesota 55432  | Air Barriers                      | 12,500.00                       | 3,750.00                  | 375.00                           | 0.00                              | 3,375.00                     | 9,125.00                       |
| Spray Insulations,<br>7831 North Nagle Ave,<br>Morton Grove, Illinois<br>60053                                  | Spray Fireproofing                | 12,500.00                       | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 12,500.00                      |
| To Be Let   | Closed Cell Foam<br>Insulation    | 6,000.00                        | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 6,000.00                       |
| Kole Construction<br>Company, Inc.,<br>1235 Naperville Drive,<br>Romeoville, Illinois 60446                     | EIFS Systems                      | 8,000.00                        | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 8,000.00                       |
| Sullivan Roofing, Inc.,<br>60 East State Pkwy,<br>Schaumburg, Illinois<br>60173                                 | Membrane Roofing                  | 194,040.00                      | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 194,040.00                     |
| Streich Corporation,<br>8230 86th Court,<br>Justice, Illinois 60458   | Caulking & Sealants               | 11,889.00                       | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 11,889.00                      |
| American Building<br>Services, LLC d/b/a M-D<br>Building Material,<br>953 Setom Ct,<br>Wheeling, Illinois 60090 | Metal Doors &<br>Frames           | 41,500.00                       | 8,975.00                  | 898.00                           | 8,077.00                          | 0.00                         | 33,423.00                      |
| Builders Chicago<br>Corporation,<br>11921 Smith Drive,<br>Huntley, Illinois 60142                               | Coiling Doors                     | 7,300.00                        | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 7,300.00                       |
| Accurate Glass,<br>814 S Kay Ave,<br>Addison, Illinois 60101  | Aluminum Entrance<br>& Storefront | 398,000.00                      | 130,000.00                | 13,000.00                        | 27,000.00                         | 90,000.00                    | 281,000.00                     |
|   | Metal Stud &<br>Drywall           | 103,750.00                      | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 103,750.00                     |
| The City Cottage Group,   | Ceramic Tile                      | 46,000.00                       | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 46,000.00                      |
| To Be Let   | Rubber Flooring                   | 27,000.00                       | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 27,000.00                      |
| To Be Let   | Wood Flooring                     | 32,000.00                       | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 32,000.00                      |
| Kingston Tile & Carpet,<br>14559 waverly ave,<br>midlothian, Illinois 60445                                     | Carpet                            | 2,849.00                        | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 2,849.00                       |
| To Be Let   | Painting & Wallcovering           | 32,000.00                       | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 32,000.00                      |
| Prestige Distribution Inc.,<br>3320 Commercial<br>Avenue,<br>Northbrook, Illinois 60062                         | Toilet<br>Partition/Compartme     | nt 11,500.00                    | 1,500.00                  | 150.00                           | 1,350.00                          | 0.00                         | 10,150.00                      |
| To Be Let   | Specialties                       | 13,319.00                       | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 13,319.00                      |
| To Be Let   | Metal Wall Louvers                | 1,529.00                        | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 1,529.00                       |
| To Be Let   | Building Signage                  | 2,897.00                        | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 2,897.00                       |
| To Be Let   | Gym Equipment                     | 21,280.00                       | 0.00                      | 0.00                             | 0.00                              | 0.00                         | 21,280.00                      |
| K.O.R. Plumbing<br>Contractors Inc,<br>153 Covington Drive,<br>Bloomingdale, Illinois<br>60108                  | Plumbing                          | 101,973.00                      | 20,973.00                 | 2,097.00                         | 18,876.00                         | 0.00                         | 83,097.00                      |

## EXHIBIT A CONTRACTOR'S SWORN STATEMENT AND AFFIDAVIT FOR PARTIAL PAYMENT (3 of 4)

| NAME<br>and<br>ADDRESS   | TYPE<br>OF<br>WORK          | TOTAL<br>CONTRACT<br>(INCLUDE<br>C.O.'s) | TOTAL<br>WORK<br>COMPLETE | LESS<br>RETENTION<br>(INCLUDE<br>CURRENT) | LESS<br>NET<br>PREVIOUSLY<br>PAID | NET<br>DUE<br>THIS<br>PERIOD | BALANCE<br>TO<br>BECOME<br>DUE |
|--|-----------------------------|--|---------------------------|---|-----------------------------------|------------------------------|--------------------------------|
| All Chicago Inc.,<br>4100 W . Belmont,<br>Chicago, Illinois 60641                                    | H.V.A.C.                    | 242,456.00                               | 0.00                      | 0.00                                      | 0.00                              | 0.00                         | 242,456.00                     |
| Advantage Electric &<br>Technologies,<br>12621 S. Laramie Ave.,<br>Alsip, Illinois 60803             | Electrical-Building         | 305,000.00                               | 18,032.00                 | 1,803.00                                  | 9,119.00                          | 7,110.00                     | 288,771.00                     |
| Leopardo Companies,<br>Inc.,<br>5200 Prairie Stone<br>Parkway,<br>Hoffman Estates, Illinois<br>60192 | General Contracting         | 496,265.88                               | 104,211.00                | 10,421.00                                 | 58,060.00                         | 35,730.00                    | 402,475.88                     |
| Leopardo Companies,<br>Inc.,<br>5200 Prairie Stone<br>Parkway,<br>Hoffman Estates, Illinois<br>60192 | Mobilization                | 107,381.00                               | 107,381.00                | 10,738.00                                 | 96,643.00                         | 0.00                         | 10,738.00                      |
| To Be Let  | Sitework Allowance          | 119,131.60                               | 0.00                      | 0.00                                      | 0.00                              | 0.00                         | 119,131.60                     |
| Leopardo Companies,<br>Inc.,<br>5200 Prairie Stone<br>Parkway,<br>Hoffman Estates, Illinois<br>60192 | Commission's<br>Contingency | 143,254.12                               | 0.00                      | 0.00                                      | 0.00                              | 0.00                         | 143,254.12                     |

#### **EXHIBIT A**

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

| AMOUNT OF ORIGINAL CONTRACT | \$3,859,318.00 | TOTAL AMOUNT REQUESTED      | \$811,239.00   |
|-----------------------------|----------------|-----------------------------|----------------|
| EXTRAS TO CONTRACT          | \$0.00         | LESS 10.00% RETAINED        | \$81,125.30    |
| TOTAL CONTRACT AND EXTRAS   | \$3,859,318.00 | NET AMOUNT EARNED           | \$730,113.70   |
| CREDITS TO CONTRACT         | \$0.00         | AMOUNT OF PREVIOUS PAYMENTS | \$427,190.00   |
| ADJUSTED CONTRACT PRICE     | \$3,859,318.00 | AMOUNT DUE THIS PAYMENT     | \$302,923.70   |
|                             |                | BALANCE TO COMPLETE         | \$3,129,204.30 |

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.

#### 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,
- that the amount of the payments applied for are justified.
- That the Waivers of Lien and submitted herewith by affiant for 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
- that if any lien remains unsatisfied after all payments are made, the Contractor will 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.

# Joseph Oetter (To be signed by the President or a Vice President) Joseph Oetter (Typed name of above signature) Subscribed and sworn to before me this 25th day of March, 2010 Susan Pelc Notary Public

Notary State: Illinois

Notary County: DuPage

My Commission expires: 08/25/2012