

THIS AGREEMENT WILL BE POSTED ON THE CPS WEBSITE

FIRST AMENDMENT TO THE INTEGRATED PEST MANAGEMENT SERVICES AGREEMENT

(ABC Humane Wildlife Control & Prevention, Inc. DBA Landmark Pest Management, Inc.)

This First Amendment to the Integrated Pest Management Services Agreement (“**First Amendment**”) is entered into as of the date last signed below (“**Effective Date**”) by the Board of Education of the City of Chicago, a body politic and corporate, commonly known as Chicago Public Schools, (the “**Board**” or “**CPS**”), and ABC Humane Wildlife Control & Prevention, Inc. DBA Landmark Pest Management, Inc., with its principal place of business located at 2227 Hammond Drive, Schaumburg, IL 60173 (the “**Vendor**”). The Board and Vendor may be referred to herein individually as a “**Party**” or collectively as the “**Parties**.”

RECITALS

- A. The Board and Vendor entered into that certain Integrated Pest Management Services Agreement for a term commencing on October 1, 2021 and continuing through September 30, 2023 (the “**Original Agreement**”) (authorized by Board Report No. 21-0728-PR12), with the Board having three (3) options to renew the Original Contract for a period of one (1) year each. The Original Agreement was awarded pursuant to that certain Bid Solicitation No. 21-350015 (“**Bid Solicitation**”).
- B. The Parties now desire to amend Section VIII (“**Bid Execution Page – Award Of Contract**”) of the Original Agreement to increase the maximum compensation as is set forth in further detail below. This Amendment and the Original Agreement shall be referred to herein as the “**Agreement**.”

NOW THEREFORE, in consideration of the foregoing Recitals, which are incorporated herein as though fully set forth herein, and for good and valuable consideration, the parties agree as follows:

- 1. **Definitions.** Any and all capitalized terms shall have the same meaning as defined in the Original Agreement unless otherwise defined herein.
- 2. **Amendment to Maximum Compensation Amount:** Section VIII: “Bid Execution Page” of the Agreement is hereby amended as follows:
 - 2.1 **Amended Compensation.** The total maximum compensation payable to Vendor during the Term is hereby increased from Two Million Eight Hundred Fifty-Six Thousand and 00/100 Dollars (\$2,856,000.00) to Four Million Seventy-One Thousand and 00/100 Dollars (\$4,071,000.00) (“**Amended Maximum Compensation Amount**”). This Amended Maximum Compensation Amount shall apply to the Term commencing on October 1, 2021 and continuing through September 30, 2023 pursuant to Board Report 21-0728-PR12, as amended, until and in such case as the Parties execute a First Renewal Agreement. With the exception of this change to Maximum Compensation, all other provisions in Section VIII remain unchanged.
- 3. **Entire Agreement.** Except as expressly provided in this First Amendment, all terms and conditions of the Original Agreement shall remain in full force and effect.
- 4. **Counterparts and Electronic Signature.** This First Amendment may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute but one instrument. A signature delivered by facsimile or electronic means shall be considered binding for both Parties.
- 5. **Board Approval:** This First Amendment is subject to approval by the members of the Board of Education of the City of Chicago.

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IN WITNESS WHEREOF, the Parties have entered into this First Amendment by their duly authorized representatives as of the last date written below.

BOARD OF EDUCATION OF
CITY OF CHICAGO

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ABC Humane Wildlife Control & Prevention,
Inc. DBA Landmark Pest Management, Inc.

DocuSigned by:
By: Miguel del Valle
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Miguel del Valle, President

By: Reb Fyffe
Name: Rebecca Fyffe

Title: President

Date: 11/29/2022

DocuSigned by:
Attest: Estela G. Beltran
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Estela G. Beltran, Secretary

Date: December 12, 2022 | 2:34:10 PM CST

DocuSigned by:
By: Pedro Martinez
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Pedro Martinez, Chief Executive Officer

Board Report No: 22-1207-PR4

Approved as to legal form: CO NDZ ES

DocuSigned by:
By: Joseph T. Moriarty
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Joseph T. Moriarty, General Counsel