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Form 3324

(12-85)

WR 1

WAIVER OF RIGHTS TO FILE MECHANIC'S LIENS

ILLINOIS BELL TELEPHONE COMPANY DISTRICT MGR. RICHARD W. WASS CHICAGO, ILLINOIS 60606

This Agreement, made and entered into this 26th day of June, 1990, by and between Illinois Bell Telephone Company, an Illinois corporation, with offices at 225 West Randolph Street, Chicago, Illinois, 60606 (hereinafter called the "Owner") and Mid/Res, Inc. an Illinois Corporation with offices at 7720 North Lehigh Avenue Niles, Illinois 60648 (hereinafter called the "Contractor").

WITNESSETH

WHEREAS, the Owner and Contractor have entered into a certain agreement dated the 26th day of June, 1990 (hereinafter called the "Contract") providing for the construction, finishing and delivery by the Contractor to the Owner of the following work:

Miscellaneous mechanical, electrical and controls work located on property described as per attached Legal Description

DEPT-01 RECORDING \$15.25 187777 TRER 8567 06/29/90 10:33:00 17994 + F * 70-312507 COOK COUNTY RECORDER

and commonly known as the Humboldt Central Office building of the Owner situated at 2940 Cortland, Chicago

Illinois in accordance with general conditions, specifications and drawings; and (sig code)

Geo 1141 PN 13-36-304-035

WHEREAS, the Contract prohibits the filing of any liens against the Owner's property for any work, labor or materials furnished and requires the Contractor to execute a Waiver of all rights conferred under the statutes of the State of Illinois with respect to mechanic's liens.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged by Contractor, Contractor does now hereby fully and completely waive and release, for Contractor and Contractor's heirs, successors and assignees, and for all Contractor's subcontractors and their respective subcontractors, any and all claims of, or right to mechanic's liens under the provisions of a certain act of the State of Illinois entitled, "An Act to Revise the Law in Relation to Mechanic's Lien" approved May 18, 1903, and in force July 1, 1903, as amended from time to time thereafter, against, or with respect to the above described premises, or any portion thereof, or any improvements thereon, or with respect to the estate or interest of any person whatsoever in the said premises or improvements, or any portion thereof, or with respect to any materials, fixtures, apparatus and machinery to be furnished to the said premises or with respect to any monies or other considerations which may be due at any time hereafter from Owner to Contractor, which claim of lien might be asserted by reason of the doing, making or finishing heretofore or at any time hereafter, by Contractor or Contractor's heirs, successors, assignees, materialmen, subcontractors or sub-subcontractors, of any labor, services, material, fixtures, apparatus, machinery, improvements, repairs or alterations in connection with the above described premises or the improvements therein.

It is expressly agreed that the effect of this Waiver shall not be impaired, affected or diminished by any provision of the Contract relating to the production from time to time, of written waivers of liens, or by any other provision(s) contained therein apparently inconsistent with this Waiver.

IN WITNESS WHEREOF, the parties hereto have caused this Waiver to be executed on the day and year specified above.

CONTRACTOR: Mid/Res, Inc.

BY [Signature]

ITS UP [Signature]

ATTEST [Signature]

OWNER ILLINOIS BELL TELEPHONE COMPANY

BY [Signature]

ITS District Manager Design & Construction

OFFICIAL SEAL Edward M. O'Rourke Notary Public, State of Illinois My Commission Expires 12/31/92

TELEPHONE COMPANY'S COPY

90312507

-90-312507

1525

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PREPARED BY AND FOR:

H. E. SEIBERT
DISTRICT MGR. REAL ESTATE MGMT.
ILLINOIS BELL TELEPHONE COMPANY
225 W. RANDOLPH ST., HQ25D
CHICAGO, ILLINOIS 60606

ATTN: ANN EDWARDS

Property of Cook County Clerk's Office

ILLINOIS
NOTARY PUBLIC
STATE OF ILLINOIS
COMMISSION EXPIRES 8/27/88

ILLINOIS BELL TELEPHONE COMPANY
UNOFFICIAL COPY
 PLAT OF SURVEY
HUMBOLDT DIAL BUILDING

2940 W. CORTLAND ST. CHICAGO, ILLINOIS

SCALE: 1 INCH = 40 FT.

Area 1141.000
 Acct. 100.1

ASSESSORS' DESCRIPTION:

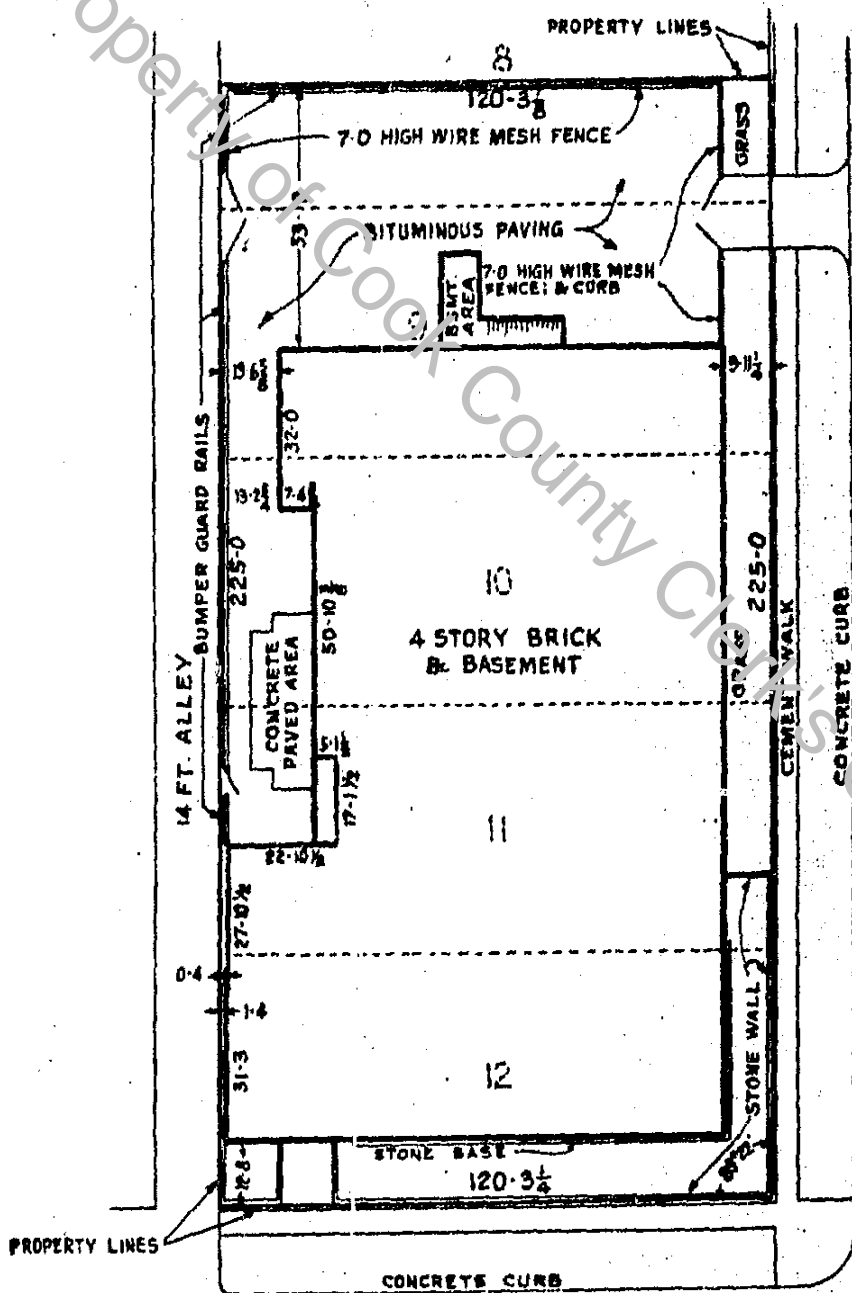
SOUTH HALF OF LOT 8 AND ALL OF LOTS 9, 10, 11 AND 12 IN
 BLOCK 4 IN HANSBROUGH AND HESS' SUBDIVISION OF THE EAST
 HALF OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 14
 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN
 IN COOK COUNTY, ILLINOIS.

LOTS 9 TO 12 INCL. PURCHASED IN 1942 UNDER EST. 245604
 SOUTH HALF OF LOT 8 PURCHASED IN 1947 UNDER EST. 47815



1-A-111

Property of Cook County Clerk's Office



AVE.

N. RICHMOND

W. CORTLAND ST.

90312507

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PREPARED BY AND RETURN TO
H. E. SEIBERT
DISTRICT MGR. REAL ESTATE MGMT.
ILLINOIS BELL TELEPHONE COMPANY
225 W. RANDOLPH ST., HQ25D
CHICAGO, ILLINOIS 60606
ATTN: ANN EDWARDS

Property of Cook County Clerk's Office

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3. Certification of Affirmative Action Program

The contractor affirms that it has developed and is maintaining an Affirmative Action Plan as required by Part 60-2 of Title 41 of the Code of Federal Regulations.

4. Certification of filing of Employers Information Reports

The contractor agrees to file annually on or before the 31st day of March complete and accurate reports on Standard Form 100 (EEO-1) or such forms as may be promulgated in its place.

5. Utilization of Minority and Women's Business Enterprises

(a) It is the policy of the Government that minority and women's business enterprises shall have the maximum practicable opportunity to participate in the performance of the contract.

(b) The contractor agrees to use his/her best effort to carry out this policy in the award of his/her subcontracts to the fullest extent consistent with the efficient performance of this contract. As used in this contract the term "minority business enterprise" means a business at least 50 percent of which is owned, controlled and operated by minority group members, or in case of publicly owned businesses, at least 51% of the stock which is owned by minority group members:

A women's business enterprise means a business which is 51% owned, controlled and operated by non-minority women group members. For the purpose of this definition, minority group members are: Blacks, Hispanics, Asian, Pacific Islander, American Indians and Alaskan Native; non-minority women group members are all women not of minority origin. Contractors may rely on written representations by subcontractors regarding their status as minority or women's business enterprises in lieu of an independent investigation.

6. Minority and Women's Business Enterprises Subcontracting Program

(a) The contractor agrees to establish and conduct a program which will enable minority and women's business enterprises (as defined in paragraph 5) to be considered fairly as subcontractors and suppliers under the contract. In this connection, the Contractor shall:

- (1) Designate a liaison officer who will administer the contractor's minority and women's business enterprises programs.
- (2) Provide adequate and timely consideration of the potentialities of known minority and women's business enterprises in all "make or buy" decisions.
- (3) Assure that known minority and women's business enterprises will have an equitable opportunity to compete for subcontracts, particularly by arranging solicitations, time for preparation of bids, quantities, specification, and delivery schedules so as to facilitate the participation of minority and women's business enterprises.

(4) Maintain records showing (i) procedures which have been adopted to comply with the policies set forth in this clause, including the establishment of a source list of minority and women's business enterprises; (ii) awards to minority and women's business enterprises on the source list (awards to women's firms listed by minority and non-minority); and (iii) specific efforts to identify and award contracts to minority and women's business enterprises.

(5) Includes the utilization of Minority and Women's Business Enterprises clause in subcontracts which offer substantial minority and women's business enterprises subcontracting opportunities.

(6) Cooperate with the Government's Contracting Officer in any studies and surveys of the Contractor's minority and women's business enterprises procedures and practices that the Contracting Officer may from time to time conduct.

(7) Submit periodic reports of subcontracting to known minority and women's business enterprises with respect to the records referred to in subparagraph (4) above, in such a form and manner and at such time (not more often than quarterly) as the Contracting Officer may prescribe.

(b) The contractor further agrees to insert, in any subcontract hereunder which may exceed \$500,000 (or in the case of WBE, \$1,000,000 in the case of contracts for the construction of any public facility and which offer substantial subcontracting possibilities), provisions which shall conform substantially to the language of this arrangement, including this paragraph (b).

7. List of Employment Openings for Veterans

In accordance with Executive Order 11701, dated January 24, 1973, and Part 60-260 of Title 41 of the Code of Federal Regulations, as may be amended from time to time, the parties incorporate herein by this reference to the regulations and contract clauses required by those provisions to be made a part of Government contracts and subcontracts.

8. Employment of the Handicapped

In accordance with Executive Order 11758, dated January 15, 1974, and Part 60-741 of Title 41 of the Code of Federal Regulations, as may be amended from time to time, the parties incorporate herein by this reference to the regulations and contract clauses required by those provisions to be made a part of Government contracts and subcontracts.

9. Equal Employment Opportunity - Illinois

In accordance with the Illinois Department of Human Rights Rules and Regulations for Public Contracts, as amended effective April 9, 1979, the parties incorporate herein by this reference the regulations and contract clauses by those provisions to be made a part of every performance subcontract.

*In addition, if contract is over \$500,000, P.L. 96-507 may require the submission of a subcontracting plan for Small and Small Disadvantaged Businesses.

PREPARED BY AND RETURN TO
H. E. SEIBERT
DISTRICT MGR. REAL ESTATE MGMT.
ILLINOIS BELL TELEPHONE COMPANY
225 W. RANDOLPH ST. 1035D
CHICAGO, ILLINOIS 60606
ATTN: ANN EDWARDS

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NON-DISCRIMINATION COMPLIANCE AGREEMENT

During the performance of this contract MID/RES, Inc. (hereafter referred to as Contractor) agrees to comply to the extent that this contract is subject to the applicable provisions of the following: Executive Order No. 11246, Executive Order No. 11625, Executive Order No. 12138, Executive Order No. 11701, Executive Order No. 11758, Section 503 of the Rehabilitation Act of 1973 as amended by PL93-516, Vietnam Era Veteran's Readjustment Assistance Act of 1974, the Illinois Equal Opportunity Act and the rules, regulations and relevant Orders of the Secretary of Labor pertaining to the Executive Orders and Statutes listed above.

Monetary amounts or contractual or purchasing relationships together with the number of the contractor's employees, determines which Executive Order provisions are applicable. The following clauses shall be considered a part of this contract and all contracts connected to exceed \$2,500 only. The following table lists these clauses:

Annual Contract Value	Clauses*								
	1	2	3	4	5	6	7	8	9
\$ 2,500 or More									X X
\$ 10,000 or More	X X				X		X X X		
\$ 50,000 or More	X X	X (1)		X (1)	X		X X X		
\$500,000 or More	X X	X (1)		X (1)	X		X X X		

(1) Applies only for businesses with 50 or more employees.

*CLAUSES

1. During the performance of this contract, the contractor agrees as follows:

(a) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officers setting forth the provisions of this non-discrimination clause.

(b) The contractor will in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

(c) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be

provided by the agency contracting officer, advising the labor union or worker's representative of the contractor's commitments under section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(d) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of rules, regulations, and relevant orders of the Secretary of Labor.

(e) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules and regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(f) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(g) The contractor will include the provisions of paragraphs (a) through (f) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 202 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in event the contractor becomes involved in or is threatened with litigation with a subcontractor or vendor as a result of such direction, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

2. Certification of Non-segregated Facilities

The contractor certifies that it does not and will not maintain any facilities it provides for its employees in a segregated manner, or permit its employees to perform their services at any location under its control, where segregated facilities are maintained; and that it will obtain a similar certification, prior to the award of any nonexempt subcontract.

90312507

RECEIVED BY VMD
JAN 21 1966
F. H. SEIBER
DISTRICT JUDGE
U.S. DISTRICT COURT
JAN 21 1966