

AMENDED AGREEMENT NO. 02CONTRACT NO. CE1200486THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between the  
County of Cuyahoga, Ohioand Independence Excavating, Inc., an Ohio Company, with principal offices located at 6720 Schaaf Road, Independence, Ohio 44131.WITNESSETH, that whereas in the performance of Contract No. CE1200486 between the above named  
parties, calling for the Cuyahoga County Area of Concern (AOC) Urban Riparian Habitat Restoration in the City of Cleveland

that it is necessary to make alterations and modifications as follows in said contract in order that the work be properly completed:

*The following quantity adjustments are based on actual field measurements and calculations. The new items were the result of unforeseen conditions and/or plan omissions.*

WHEREAS, the Contractor has agreed and by these presents does agree to perform the work necessary to complete the contract in accordance with the alterations and modifications desired by the County at the following prices for the following work, viz:

**DECREASED ITEMS**

<u>Ref. No.</u>	<u>Descriptions</u>	<u>Qty.</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total</u>
4	FENCE REMOVED, AS PER PLAN	(51.00)	LF	\$ 4.00	\$ (204.00)
7	CATCH BASIN ABANDONED, AS PER PLAN	(1.00)	EA	\$ 250.00	\$ (250.00)
11	SUBGRADE COMPACTION	(0.80)	SY	\$ 1.75	\$ (1.05)
12	PROOF ROLLING	(1.00)	HOUR	\$ 130.00	\$ (130.00)
13	SPECIAL-MISC.: REMOVAL AND DISPOSAL OF CONTAMINATED SOILS	(1.00)	CY	\$ 38.00	\$ (38.00)
20	ROCK CHANNEL PROTECTION, TYPE A WITHOUT FILTER, AS PER PLAN	(160.50)	CY	\$ 90.00	\$ (14,445.00)
24	CLASS C CONCRETE, HEADWALL	(0.03)	CY	\$ 1,800.00	\$ (48.00)
30	ASPHALT CONCRETE BASE, PG64-22, AS PER PLAN	(2.18)	CY	\$ 153.00	\$ (330.48)
33	PRIME COAT	(591.81)	GAL	\$ 4.75	\$ (2,811.10)
39	REMOVAL MISC.: SHEET PILING REMOVAL, AS PER PLAN	(133.00)	LF	\$ 89.00	\$ (11,837.00)
47	EPOXY COATED REINFORCING STEEL	(71.00)	LBS	\$ 2.00	\$ (142.00)
51	STRUCTURAL STEEL, MISC.: METAL GRATES, AS PER PLAN	(13.17)	SF	\$ 45.00	\$ (592.65)
70	PLANTING, MISC.: RAIN GARDEN PLANTS, AS PER PLAN	(1.00)	EA	\$ 4.90	\$ (4.90)
79	SPECIAL - TREE PROTECTION	(15.00)	LF	\$ 10.00	\$ (150.00)
81	SPECIAL - 8' BENCH, AS PER PLAN	(3.00)	EA	\$ 435.00	\$ (1,305.00)
92	SPECIAL-MISC.: GLRI SIGN, AS PER PLAN	(1.00)	EA	\$ 800.00	\$ (800.00)
93	SPECIAL-MISC.: WOODEN GUARDRAIL, AS PER PLAN	(852.50)	LF	\$ 18.00	\$ (10,440.00)
103	STABILIZED CRUSHED AGGREGATE	(8.03)	CY	\$ 85.00	\$ (682.55)
				\$	(44,211.73)

**NEW ITEMS**

<u>Ref. No.</u>	<u>Descriptions</u>	<u>Qty.</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total</u>
104	INSTALL 30" RCP & OUTFALL @ 23+15 LT/RT	1.00	LS	\$ 9,784.98	\$ 9,784.98
105	STABILIZATION OF SUBGRADE, 25+75 TO 27+70 LT/RT	1.00	LS	\$ 12,254.40	\$ 12,254.40
106	LIMESTONE #57 FOR RAIN GARDENS	62.00	CY	\$ 45.00	\$ 2,790.00
107	EROSION CONTROL MATS, TYPE A OR B	1,848.00	SY	\$ 1.57	\$ 2,901.36
108	GOOSE NETTING PROTECTION	1.00	LS	\$ 7,930.00	\$ 7,930.00
109	UNUSED WOODEN GUARDRAIL	41.00	EACH	\$ 98.67	\$ 4,045.47
110	ADDITIONAL CONCRETE WALK, PAVEMENT REMOVED	1.00	LS	\$ 9,000.00	\$ 9,000.00
111	DELIVERED PALLET OF FLOATING BOOM PANELS	1.00	EACH	\$ 8,653.43	\$ 8,653.43
				\$	57,359.64

**INCREASED ITEMS**

Ref. No.	Descriptions	Qty.	Unit	Unit Price	Total
23	EROSION CONTROL	1.00	LS	\$ 54,000.00	54,000.00
25	15" CONDUIT, TYPE D, AS PER PLAN	8.90	LF	\$ 50.00	445.00
27	18" CONDUIT, TYPE D, AS PER PLAN	0.60	LF	\$ 65.00	39.00
29	4" SHALLOW PIPE UNDERDRAINS W/FILTER FABRIC	150.00	LF	\$ 15.00	2,250.00
31	AGGREGATE BASE, AS PER PLAN	49.33	CY	\$ 45.00	2,219.85
35	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, PG64-22, AS PER PLAN	2.98	CY	\$ 214.00	633.44
36	5" CONCRETE WALK, AS PER PLAN	234.73	SF	\$ 9.00	2,112.57
56	TOPSOIL FURNISHED & PLACED, RAIN GARDEN SOIL, AS PER PLAN	4.45	CY	\$ 60.00	267.00
62	SEEDING MISC.: REINFORCED TURF PAVERS, AS PER PLAN	68.00	SY	\$ 18.00	1,224.00
65	DECIDUOUS SHRUB, 24" HEIGHT, AS PER PLAN	10.00	EA	\$ 44.00	440.00
76	FIELD OFFICE, TYPE B, AS PER PLAN	2.00	MOS	\$ 2,000.00	4,000.00
89	SPECIAL-MISC.: GUARDRAIL POST, AS PER PLAN	233.00	EA	\$ 60.00	13,980.00
91	SPECIAL-MISC.: INTERPRETIVE SIGNS, AS PER PLAN	1.00	EA	\$ 400.00	400.00
94	SPECIAL-MISC.: CHAIN LINK SCREEN, AS PER PLAN	56.00	LF	\$ 15.00	840.00

Total Decreased Items: -\$44,211.73

Total increased Items: \$82,860.86

Total New Plan Items: \$57,359.64

Grand Total: \$95,998.77

Therefore, \$95,998.77 is necessary to continue construction per plan intent.

it is now therefore agreed that the work shall be done by the Contractor at prices named above, and that the County shall pay for the work when completed to its satisfaction at the said prices on estimates in the same manner as for the items in the original contract.

By entering into this amendment I agree on behalf of the contracting business entity, its officers, employees, subcontractors, subgrantees, agents or assigns, to conduct this transaction by electronic means by agreeing that all documents requiring County signatures may be excepted by electronic means, and that the electronic signatures affixed by the County to said documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. I also agree on behalf of the aforementioned entities and persons, to be bound by the provisions of Chapter 304 and 1306 of the Ohio Revised Code as they pertain to electronic transactions, and to comply with the electronic signature policy of Cuyahoga County.

Nothing in this agreement shall in any way release either party from any of the obligations of the original contract.

Witness our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_

County of Cuyahoga, Ohio

By:

Edward Fitzgerald, County Executive

2014-04-07 15:23:06

Independence  
Excavating Inc.

Contractor

We, the undersigned, sureties on the above mentioned contract, do hereby consent to the alterations and modifications, and agree that said changes shall not in any manner prejudice our liability under the Bond.

TRAVELERS CASUALTY & SURETY  
COMPANY OF AMERICA

Pam J. Kennedy