

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between the County of Cuyahoga, Ohio

and DIGIOIA/Suburban Excavating, L.L.C., an Ohio Limited Liability Corporation, with principal offices located at 11293 Royalton Road, North Royalton, Ohio 44133.

WITNESSETH, that whereas in the performance of Contract No. CE1000179-01,02 between the above named

parties, calling for the Grading, Draining and Paving of Bainbridge Road from S.O.M. Center Road to the Solon East Corporation in the City of Solon, it is the opinion of the County of Cuyahoga, Ohio,

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

See Attachment.

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/NON-PERFORMED PLAN ITEMS**

<u>Ref.</u> <u>No.</u>	<u>Descriptions</u>	<u>Qty.</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total</u>
9	MAILBOX REMOVED	(76.000)	EA	\$ 10.00	\$ (760.00) 1
13	FILL AND PLUG EXISTING CONDUIT	(138.000)	LF	\$ 29.00	\$ (4,002.00) 1
15	REMOVAL, MISC.; YARD LAMPS, TO BE REMOVED COMPLETE	(3.000)	EA	\$ 145.00	\$ (435.00) 1
19	ABANDON MISC; TEST TEE	(50.000)	EA	\$ 200.00	\$ (10,000.00) 1
23	PROOF ROLLING	(27.500)	HR	\$ 77.00	\$ (2,117.50) 1
35	MAILBOX	(35.000)	EA	\$ 72.00	\$ (2,520.00) 1
37	SOIL ANALYSIS TEST	(2.000)	EA	\$ 100.00	\$ (200.00) 1
46	EROSION CONTROL	(70,000.00)	EA	\$ 1.00	\$ (70,000.00) 1
51	12" CONDUIT, TYPE B, AS PER PLAN	(73.000)	LF	\$ 39.80	\$ (2,880.80) 1
53	12" CONDUIT, TYPE C, 708.01, AS PER PLAN	(207.600)	LF	\$ 31.05	\$ (6,442.88) 1
54	12" CONDUIT, TYPE C, AS PER PLAN	(15.000)	LF	\$ 29.16	\$ (437.25) 1
71	CATCH BASIN, NO. 2-2B, AS PER PLAN	(13.000)	EA	\$ 760.00	\$ (9,880.00) 1
73	INLET, SIDE DITCH, AS PER PLAN	(2.000)	EA	\$ 735.00	\$ (1,470.00) 1
74	INLET, SIDE DITCH, AS PER PLAN	(18.000)	EA	\$ 735.00	\$ (13,230.00) 1
90	6" BASE PIPE UNDERDRAINS W/FABRIC WRAP, APP	(283.000)	LF	\$ 7.40	\$ (1,946.20) 1
92	CEMENT	(722.850)	TON	\$ 100.00	\$ (72,285.00) 1
95	TEST ROLLING	(19.000)	HR	\$ 77.00	\$ (1,463.00) 1
98	ASPHALT CONCRETE BASE, PG64-22, AS PER PLAN	(563.930)	CY	\$ 105.00	\$ (59,212.85) 1
102	PRIME COAT	(451.000)	GAL	\$ 5.00	\$ (2,255.00) 1
109	9" REINFORCED CONCRETE PAVEMENT	(519.000)	SY	\$ 49.10	\$ (25,482.90) 1
117	8" WATER MAIN DUCTILE IRON PIPE	(27.000)	LF	\$ 36.00	\$ (972.00) 1
122	12" CUTTING-IN VALVE WITH VAVLE BOX COMPLETE	(2.000)	EA	\$ 4,765.00	\$ (9,510.00) 1
128	RETAP AND RECONNECT 1" WATER SERVICE CONNECTION, SHORT SIDE	(5.000)	EA	\$ 1,035.00	\$ (5,175.00) 1
128	RETAP AND RECONNECT 1" WATER SERVICE CONNECTION, LONG SIDE	(3.000)	EA	\$ 1,480.00	\$ (4,440.00) 1
130	RETAP AND RECONNECT 1 1/2" WATER SERVICE CONNECTION, LONG SIDE	(1.000)	EA	\$ 2,965.00	\$ (2,965.00) 1
131	EXTEND 1" WATER SERVICE COMPLETE	(2.000)	EA	\$ 425.00	\$ (860.00) 1
138	6" CONDUIT, 707.45, TYPE B, AS PER PLAN	(243.500)	LF	\$ 36.00	\$ (8,766.00) 2
212	TYPE A WATERPROOFING	(150.000)	SY	\$ 15.95	\$ (2,392.50) 1
219	CONDUIT, MISC; 13'X5' TYPE A AS PER PLAN	(15.000)	LF	\$ 575.00	\$ (8,625.00) 1
223	COFFERDAMS, CRIBS, AND SHEETING	(1.000)	LS	\$ 38,100.00	\$ (38,100.00) 1
225	WORK ZONE IMPACT ATTENUATOR	(4.000)	EA	\$ 2,035.00	\$ (8,140.00) 1
229	MAINTAINING TRAFFIC, MISC; TEMPORARY STEEL BRIDGE	(40.000)	EA	\$ 420.00	\$ (16,800.00) 1
242	PORTABLE CONCRETE BARRIER, 32"	(608.000)	LF	\$ 13.25	\$ (8,056.00) 1
260	WATERLINE INSTALLATION CHANGE OF CONDITIONS	(1.000)	LS	\$ 11,811.99	\$ (11,811.99) 1
261	SANITARY INSTALLATION CHANGED CONDITIONS	(1.000)	LS	\$ 52,213.80	\$ (52,213.80) 1
				\$	\$ (465,847.47)

### INCREASED PLAN ITEMS

Ref. No.	Descriptions	Qty.	Unit	Unit Price	Total
3	PAVMENT REMOVED	393.180	SY	\$ 6.75	2,654.03 1
4	WALK REMOVED	814.000	SF	\$ 0.75	610.50 1
5	CURB REMOVED	124.000	LF	\$ 0.60	74.40 1
7	PIPE REMOVED, 24" AND UNDER, AS PER PLAN	1,885.000	LF	\$ 11.35	19,124.75 1
8	GUARDRAIL REMOVED	110.000	LF	\$ 1.25	137.50 1
10	MANHOLE REMOVED	12.000	EA	\$ 220.00	2,640.00 1
11	CATCH BASIN REMOVED	4.000	EA	\$ 180.00	720.00 1
20	EXCAVATION	272.010	CY	\$ 11.00	2,992.11 1
21	EMBANKMENT, AS PER PLAN	1,121.000	CY	\$ 8.55	9,584.55 1
24	CONCRETE MASONRY	0.250	CY	\$ 1,305.00	326.25 1
28	GUARDRAIL, TYPE 5	300.000	LF	\$ 13.40	4,020.00 1
33	MAILBOX SUPPORT SYSTEM, SINGLE	64.000	EA	\$ 85.00	5,440.00 1
36	ROCK CHANNEL PROTECTION, TYPE A, 36" W/ AGGREGATE FILTER, APP	11.600	CY	\$ 268.00	3,082.00 1
47	4" CONDUIT, TYPE B, 707.33	5.000	LF	\$ 6.30	31.50 1
48	6" CONDUIT, TYPE F, FOR UNDERDRAIN OUTLETS, APP	20.00	LF	\$ 8.25	165.00 1
56	16" CONDUIT, TYPE C, APP	20.00	LF	\$ 33.25	665.00 1
79	MANHOLE ADJUSTED TO GRADE, APP	3.000	EA	\$ 430.00	1,290.00 1
80	MANHOLE RECONSTRUCTED TO GRADE, APP	4.00	EA	\$ 1,025.00	4,100.00 1
83	DRAINAGE STRUCTURE, MISC; REMOVE FRAME / GRATE INSTALL COVER	1.00	EA	\$ 365.00	365.00 1
97	PAVEMENT PLANING, ASPHALT CONCRETE	348.540	SY	\$ 5.50	1,905.97 1
100	TACK COAT	307.000	GAL	\$ 2.50	767.50 1
105	ASPHALT CONCRETE INTERMEDIATE COURSE	83.240	CY	\$ 124.00	10,321.76 1
108	ASPHALT CONCRETE SURFACE COURSE	63.050	CY	\$ 166.00	8,006.30 1
108	8" REINFORCED CONCRETE PAVEMENT, USING CLASS MS, APP	287.230	SY	\$ 43.75	12,568.31 1
110	6" NON-REINFORCED CONCRETE PAVEMENT, USING CLASS MS, APP	408.500	SY	\$ 31.50	12,869.25 1
115	VALVE BOX ADJUSTED TO GRADE	2.000	EA	\$ 120.00	240.00 1
116	SERVICE BOX ADJUSTED TO GRADE	20.000	EA	\$ 36.00	720.00 1
119	12" WATER MAIN DUCTILE IRON PIPE WITH PUSH ON JOINTS	16.330	LF	\$ 59.00	963.47 1
226	ASPHALT CONCRETE FOR MAINTAINING TRAFFIC	15.710	CY	\$ 150.00	2,356.50 1
233	WORK ZONE EDGE LINE, CLASS I, 842 PAINT	0.122	MI	\$ 475.00	57.95 1
239	PAVEMENT FOR MAINTAINING TRAFFIC, CLASS A	4,627.580	SY	\$ 23.85	110,367.78 1
259	STORMLINE INSTALLATION CHANGED CONDITIONS	1.000	LS	\$ 33,568.70	33,568.70 1
				\$	253,564.09

### NEW PLAN ITEMS

Ref. No.	Descriptions	Qty.	Unit	Unit Price	Total
276	REPLACEMENT OF GAS SERVICE. CROSSOVER TRENCH CAPS W/CONCR.	1.00	LS	\$ 31,797.32	31,797.32 1
277	EXCAVATION TO EXPOSE AND RELOCATE EXIST. GAS MAIN STA 126+00 LT	1.00	LS	\$ 410.95	410.95 1
278	REPLACEMENT OF EXISTING 6" SANITARY LATERALS PER CITY OF SOLON.	1.00	LS	\$ 128,861.55	128,861.55 2
279	INSTALLATION OF 6" SAN. LAT'S. FOR FUTURE USE PER CITY OF SOLON	1.00	LS	\$ 58,703.87	58,703.87 2
280	STORM WORK PER CITY OF SOLON	1.00	LS	\$ 9,756.12	9,756.12 2
281	TRANSFORMER WORK BY THOMPSON ELECTRIC	1.00	LS	\$ 13,270.00	13,270.00 1
282	9" NON REINFORCED CLASS C CONCRETE FOR CLOVERLY	463.17	SY	\$ 49.10	22,741.85 1
283	EXTRA SIGNAL WORK AT LIBERTY ADDED BY CITY OF SOLON	1.00	LS	\$ 61,045.18	61,045.18 2
284	SUBGRADE UNDERCUTS	1.00	LS	\$ 108,792.99	108,792.99 1
285	LOWERING OF 1" WATER SERVES DUE TO GRADE CUTS	1.00	LS	\$ 38,402.84	38,402.84 1
286	2' OFFSETS OF EXISTING 12" WATER MAIN	1.00	LS	\$ 48,188.57	48,188.57 1
287	EXPOSE AND INSULATE LOWERED 1" WATER SERVICES PER CWD	1.00	LS	\$ 4,624.17	4,624.17 1
288	EXPLORATORY EXCAVATION SOM CENTER	1.00	LS	\$ 12,389.12	12,389.12 1
289	EXTEND TEMP. PAVE. TO MAINTAIN TWO WAY TRAFFIC 133+17 - 135+77 R	1.00	LS	\$ 13,256.55	13,256.55 1
290	RE-ESTABLISH BRICK PAVERS IN WALK, N.E.SOM	1.00	LS	\$ 528.99	528.99 1
291	WORK TO RELOCATE EXISTING SIAMESE FIRE PROTECTION 13+90 RT	1.00	LS	\$ 676.20	676.20 1
292	FULL DEPTH PAVEMENT SAWING ON SOUTH LIBERTY 7+40 TO 8+50	1.00	LS	\$ 315.00	315.00 1
293	RELOCATE EXISTING WATER SERVICE BOX OUT OF CURB H.N.37500	1.00	LS	\$ 305.99	305.99 1
294	REBUILD EXISTING CATCH BASIN 72+95 RT TIE INTO NEW CB 72+85 RT	1.00	LS	\$ 1,516.81	1,516.81 1
295	SAWCUT BACK ONE BLOCK TO ACHIEVE 12% GRADE	1.00	LS	\$ 846.32	846.32 1
296	BACKFILL AND COMPACT AREA AROUND REPAIRED W.V. BY CWD	1.00	LS	\$ 973.68	973.68 1
297	REMOVAL/REPLACE OF WORK ZONE PAVE. MARKINGS 133+17 - 135+77	1.00	LS	\$ 1,642.99	1,642.99 1
298	TRAFFIC COMPACTED SURFACE, TYPE A OR B, APP	2,381.000	CY	\$ 53.28	126,812.06 1
				\$	685,658.50

NEW PLAN ITEMS @ PROJECT COST:	\$	427,291.78
NEW PLAN ITEMS @ 100% SOLON:	\$	258,366.72
DECREASED PLAN ITEMS @ PROJECT COST:	\$	(457,081.47)
DECREASED PLAN ITEMS @ 100% SOLON:	\$	(8,766.00)
INCREASED PLAN ITEMS:	\$	253,564.09
GRAND TOTAL:	\$	473,375.12

**Therefore, \$473,375.12 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 11Th day of April, 2012

Edward FitzGerald, County Executive

County of Cuyahoga, Ohio  
2012-06-05 09:49:05

By: \_\_\_\_\_  
Edward FitzGerald, County Executive

DIGIOIA-SUBURBAN EXCAVATING, LLC

Terry Monnelly PRES.

TERRY MONNELLY PRESIDENT  
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.

Great American Insurance Comp.

Laura Gacsady  
Laura Gacsady, Attorney-in-Fact