

Cuyahoga County Executive

Edward FitzGerald

AMENDMENT TO ENVIRONMENTAL SERVICES AGREEMENT

By and Between

CUYAHOGA COUNTY

And

Pandey Environmental LLC

This Amendment to Environmental Services Agreement ("Amendment") is made by and between the COUNTY OF CUYAHOGA, OHIO, a county and political subdivision of the state of Ohio (hereinafter called "County"), on behalf of its Department of Development ("DOD"), and PANDEY ENVIRONMENTAL LLC (hereinafter called "Consultant") an Ohio Limited Liability Corporation with principal offices located at 673 Mohawk Street Suite 300 Columbus, Ohio 43206 and ancillary office located at 600 Superior Avenue Suite 1300 Cleveland, Ohio 44114 for services at the Former Asset Wire Building Site ("Facility") at 5700 Detroit Avenue, Cleveland, Ohio 44102.

WITNESSETH:

WHEREAS, the County and the Consultant entered into Contract # CE-1200127-01 dated March 12, 2012 (hereinafter the "ESA") whereby the Consultant was awarded \$6,500.00 in Brownfield Economic Development Funds for brownfield environmental site assessment services and

WHEREAS, County and the Consultant desire to change the scope of services under the ESA; and

WHEREAS, in order change the scope of services and terms to conduct a Phase II Environmental Site Assessment on this property an amendment to the ESA is necessary.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the County and the Consultant hereby agree to amend the ESA as follows:

ARTICLE I - AMENDMENTS

Section 1. **Scope of Services:** During the term of this Amendment, Consultant shall continue to provide the services described in Sections 3 and 4 of the ESA (as applicable), and any subsequent amendments previously approved by the DOD, and will provide the additional

services outlined in the Revised Services Schedule attached hereto as "Exhibit A" and incorporated herein by reference.

Section 2. **Compensation:** In consideration of the additional services to be provided by Consultant under this amendment, Section 5 of the ESA is hereby amended to increase the compensation by \$34,937, for Phase II work, thereby increasing the total contact amount to \$41,437.

Section 3. **Time and Performance:** Section 6 of the ESA will remain the same. This agreement shall end and be of no further force and effect on and after September 8th 2012.

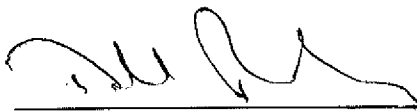
ARTICLE II – MISCELLANEOUS

Section 1. **Effective Date:** This Amendment shall become effective upon the date of its execution by the County.

Section 2. **Incorporation.** Except as herein specifically amended herein, all capitalized terms used herein shall have the same meaning as in the ESA. All terms and conditions of the ESA not amended hereby shall remain in full force and effect. In the event of a conflict between this Amendment and the ESA, this Amendment shall control.

IN WITNESS WHEREOF, the County and Consultant have each caused this Amendment to be executed the day, month and year as set for the below.

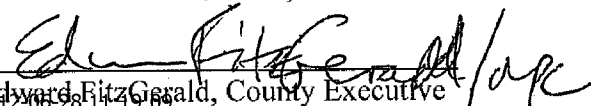
PANDEY ENVIRONMENTAL LLC

BY: 
Atul Pandey

DATE: May 29, 2012

COUNTY OF CUYAHOGA, OHIO

Edward FitzGerald, County Executive

BY: 
Edward FitzGerald, County Executive

DATE: _____

Exhibit A:

Limited VAP Phase II Proposal

5700 Detroit Avenue, Cleveland, Ohio

PANDEY

ENVIRONMENTAL, LLC

Via E-Mail Only

May 17, 2012

Janise Bayne, MBA
Program Manager: Brownfield Assessment Grants
Cuyahoga County Department of Development
Reserve Square
1701 East 12th Street, 1st Floor
Cleveland, Ohio 44114

Re: Limited VAP Phase II – 5700 Detroit Avenue; Cleveland, Ohio

Dear Ms. Bayne:

We are pleased to present this proposal for environmental consulting services. These services will involve preparation of a Limited VAP Phase II to address concerns identified in our Phase I Assessment dated April 2, 2012. This investigation is termed a “Limited” VAP Phase II because it is limited to identification of COCs and to satisfy chosen parts of the VAP Phase II rule. It is not meant to satisfy the entire VAP PII rule, which may require additional delineation and assessment beyond simply identifying the presence or absence of contamination. The investigation will be performed for property located at 5700 Detroit Avenue, PPN 003-09-066 and 003-09-086 in Cleveland, Ohio.

The Scope of Work for the Phase II Assessment is as follows:

The assessment will consist of approximately six (6) soil bores installed using direct push (GeoProbe) technology. Additionally, three (3) groundwater monitoring wells will be installed and groundwater samples will be collected from each.

Costs for the Phase II Assessment are as follows:

Analytical

Soil Samples (6) and Sub-Slab Samples (2)	\$2,900
Groundwater Samples (3 – includes one round of sampling)	\$1,200
QA/QC Samples (trip/field blanks, duplicates, atmospheric)	\$2,050
TOTAL ANALYTICAL COSTS	\$6,150

Drilling

Geoprobe (1 day, track mounted rig)	\$2,000
Monitoring Wells (three wells, flush mount covers)	\$5,500
TOTAL DRILLING COSTS	\$7,500

Labor Costs

<u>Task: Limited VAP Phase II Assessment/SAP/HASP</u>	<u>Hours</u>	<u>Cost</u>
Certified Professional (\$170/hr)	18.5	\$3,145
Project Manager (\$137/hr)	23	\$3,151
Environmental Scientist (Phase II) (\$87.50/hr)	148	\$12,950
TOTAL LABOR COSTS		\$19,246

Other Expenses

Mileage & Per Diem	\$1,166
Equipment Rental	\$675
Tubing & Miscellaneous Supplies	\$200
TOTAL OTHER EXPENSES	\$2,041

Total Cost: Phase II Assessment.....\$34,937

Please note that there may be a need for additional delineation of contamination and risk assessment beyond the current Phase II scope in order to determine compliance with standards. **We will complete the Limited VAP Phase II assessment above mentioned scope of work above for a fixed fee of \$34,937.**

Please note that the scope of work above presumes that US EPA's review of the Sampling and Analysis Plan will not result in any additional scope of work. If additional scope is requested by US EPA, this cost proposal will be revised accordingly.

The scope of work will be performed utilizing the following personnel and billing rates:

Name	Title	Responsibilities	Hourly Rate
Atul Pandey, P.E.	President / Senior Engineer	Certified Professional, Oversight and Review	\$170.00
Nate Wanner, P.G.	Project Manager	Project Management, Technical Review	\$137.00
Sally Betz	Environmental Scientist	Phase II Activities	\$87.50
Jason Martin	Environmental Geologist	Phase II Activities	\$87.50
Alex Harnocz	Environmental Scientist	Phase II Activities	\$87.50

We are pleased to have this opportunity to be of service to you. We hope that this proposal meets with your needs. Please call if you have any questions.

Respectfully Submitted,



Atul Pandey, P.E.
President

Encl. Limited Phase II Budget Spreadsheet

Copy: file

Proposal for Cuyahoga County Assessment Project

Project Name:	Former Asset Wire								
Site Location:	5700 Detroit Avenue, Cleveland, Ohio								
Date of Proposal:	5/17/2012								
Task #-	LIMITED VAP PHASE II ASSESSMENT								
Labor Charges by Classification		Units	Rate	Total Cost					
Certified Professional		18.5	\$ 170.00	\$ 3,145.00					
Project Manager		23	\$ 137.00	\$ 3,151.00					
Environmental Scientist		148	\$ 87.50	\$ 12,950.00					

EXPENSES (postage Supplies, materials etc.)									
Mileage & Per Diem	1	\$ 1,166.00	\$ 1,166.00						
Equipment Rental	1	\$ 675.00	\$ 675.00						
Tubing & Miscellaneous Supplies	1	\$ 200.00	\$ 200.00						
SUBCONTRACTORS									
Drilling	1	\$ 7,500.00	\$ 7,500.00						
Laboratory	1	\$ 6,150.00	\$ 6,150.00						
SubTotal of Task			\$ 34,937.00						
PROJECT TOTAL			\$ 34,937.00						

DBE Percentages	%/Total	\$ Amount
MBE Contractor	61%	\$ 21,287.00
WBE Contractor		

