

Information to be included in all Legislation Modifying Contracts:

The names of all companies bidding or submitting an RFP or RFSQ for the original contract.

**The Righter Company, Inc.
Bale Contracting, Inc.
Shaw & Holter, Inc.
George J. Igel & Co., Inc.
McDaniels Construction Corp., Inc.**

The location by City and State of all companies bidding or submitting an RFP or RFSQ for the original contract.

**The Righter Company, Inc.
2424 Harrison Rd.
Columbus, OH 43204-3508**

**Bale Contracting, Inc.
1247 Stimmel Rd
Columbus, Ohio 43223**

**Shaw & Holter, Inc.
2625 Coonpath Rd N.E.
Lancaster, OH 43130**

**George J. Igel & Co., Inc.
2040 Alum Creek Dr.
Columbus, OH 43207**

McDaniels Construction Corp., Inc.
1069 Woodland Ave.
Columbus, OH 43219

The status, Majority, MBE, FBE, of all companies bidding or submitting an RFP or RFSQ for the original contract.

The bidders are as follows:

The Righter Company, Inc.	Majority
Bale Contracting, Inc.	FBE
Shaw & Holter, Inc.	Majority
George J. Igel & Co., Inc.	Majority
McDaniels Construction Corp., Inc.	MBE

The name and location of the firm awarded the original contract and the Contract Number.

The Righter Company, Inc.
2424 Harrison Rd.
Columbus, OH 43204-3508
Contract No. EA025162

A description of work performed to date as part of the contract and a full description of work to be performed during any future phasing of the contract.

To date, the work completed includes placement of nearly 9,000 Tons of rock shoreline protection. In addition, this contract called for the placing of permanent surveying monuments to mark property corners, the reseeding of disturbed areas, and the restoration of the asphalt surface of the township road used to haul materials. Also, in an agreement between the Division of Water and Genoa Township, some additional paving was done on the same road in an area not affected by the contractor. Genoa Township reimbursed the Division for this portion of the work.

An updated contract timeline to contract completion.

The Contract Timeline

Bids Open - July 10, 2002
Notice to Proceed Issued – January 30, 2003
Original Contract Completion Date – April 24, 2004
Actual Contract Completion Date – December 31, 2005

A description of any and all modifications to date including the amounts of each modification and the Contract Number associated with any modification to date. (List each modification separately)

There are no prior Modifications.

A full description of the work to be performed as part of the proposed contract modification. (Indicating the work to be a logical extension of the contract is not sufficient explanation)
This modification reflects a scope change on the haul road restoration, a balancing change-order to reflect actual vs. estimated quantities, as well as adjustments made to unit prices

as discussed below.

If the contract modification was not anticipated and explained in the original contract legislation a full explanation as to the reasons the work could not have been anticipated is required. (Changed or field conditions is not sufficient explanation. Describe in full the changed conditions that require modification of the contract scope and amount.)

The bulk of the work of this contract takes place near the normal pool elevation of the Hoover Reservoir. To complete the work as specified, the Hoover Reservoir must be close to 10 ft. below normal pool. In any given year, this will normally be the case for 1-2 months in the fall or winter. This 1-2 month time would be sufficient to complete the shoreline protection portion of this contract. The 450 day original contract duration was set to provide the contractor two of these windows to work, anticipating that at least one would workable. In this case, the Contractor was given the Notice to Proceed on January 30, 2003 and Hoover Reservoir remained too high to complete most of this work until the fall of 2005. During this time, the Contractor negotiated with a private property owner to gain access and shorten the haul road, significant materials were stockpiled and the shoreline work was partially completed. In accordance with CMSC 104.02, the high water constitutes *“unknown physical conditions at the site of unusual nature, differing materially from those ordinarily encountered and generally recognized as inherent in work of the character provided for in the contract...qualify for adjustment in time of completion and increased cost of construction.”* This modification provides redress for the Contractor for changed economic conditions due to the need to extend the contract an additional 18 months. Specifically increased fuel, labor and material prices were requested by the Contractor, these prices were reviewed and approved by the Division’s Consulting Engineer. The scope of this contract has also changed to reflect an alternate method for restoration of the haul road. This change resulted in a credit. Since Genoa Township is reimbursing the Division for a portion of this work they along with the Division’s Consulting Engineer reviewed and approved the Contractor’s proposal.

A cost summary to include the original contract amount, the cost of each modification to date (List each modification separately), the cost of the modification being requested in the legislation, the estimated cost of any future known modifications and a total estimate of the contract cost.

There are no additional phases or contract modifications.

Original Contract Amount	\$426,594.00
Cost of this Modification	\$ 97,236.07
Total Amount	\$523,830.07