

	home site map help ECMS	  ROLAND L. RODE
---	--	--

LEGAL DOCUMENT

Agreement: E00014	Project Specific	Active
Name: Schantz Road Bridge Replacement		Selection Process: Normal Initiating Org: Engineering District 5-0
 Supplement: 8	Normal	Executed
Description:	account for necessary archaeological field work and laboratory work that has exceeded the work included in the original scope of work submitted for the Phase III archaeological data recovery of the SR 3012, Section 01B, Schantz Road Realignment Project	

Project Specific Agreement E00014 Supplement # 8

Engineering District 5-0
Initiating Organization

\$178,892.17
Supplemental Agreement Cost

CECO Associates, Inc. 23-1900703
Consultant - FID

Cost Plus Fixed Fee
Method(s) of Payment

THIS SUPPLEMENTAL AGREEMENT, made and entered into on 03/20/2012, at Harrisburg, Pennsylvania, between the Commonwealth of Pennsylvania, acting through its Department of Transportation, by the Secretary, ("Department"), and CECO Associates, Inc., a Corporation of CONSULTANTS, registered as such in the Commonwealth of Pennsylvania, their heirs, executors, administrators, successors, or assigns, ("CONSULTANT").

WITNESSETH:

WHEREAS, the Department and the Consultant, under date of 10/23/2003, entered into an Agreement, designated in the Department's files as No. E00014, wherein the Consultant agreed to perform all work and services, and furnish all equipment and materials not otherwise provided, for Part 1 - preliminary engineering, environmental studies, Part 2 - final design, and Part 3 - shop drawing review and consultation during construction on S.R. 3012, Section 01B, Schantz Road bridge replacement, in Lehigh County; and

WHEREAS, the Department and the Consultant, under date of 06/27/2005 entered into Supplement Agreement 1 to to include for Part 1, additional archeology/geomorphology including background research, Phase II field studies, lab analyses, and reports as well as additional historic structures studies and resolution of adverse effects; and

This Agreement was reassigned on 08/15/2005, Reassignment Agreement 430012.

WHEREAS, the Department and the Consultant, under date of 01/20/2010 entered into Supplement Agreement 2 to include additional archeology work under Part 2 of the agreement. This work covers the archeology recovery effort (Phase III) required to meet the project's MOA. The supplement includes the Phase I Supplemental Survey of the Wetland Mitigation Easement for Archeological Resources and Phase III Archeology Data Recovery Investigations; and

WHEREAS, the Department and the Consultant, under date of 05/10/2010 entered into Supplement Agreement 3 to complete the ecological services for the project will be provided By Ecological Associate and detailed presence/inferred absence studies for the Eastern Spadefoot be conducted between April 15 andSeptember 15, 2010 (weather dependent) by them for a maximum total of 120 trapping days.Also additional funding will be provided to upgraded task of structure / Core Boring; and

WHEREAS, the Department and the Consultant, under date of 06/23/2010 entered into Supplement Agreement 4 to increase the funding required for RoadwayBorings and Structure Borings due to the lowest bid amount being submitted greater than what was estimated; and

WHEREAS, the Department and the Consultant, under date of 06/03/2011 entered into Supplement Agreement 5 to increase the level of effort required for completion of Part 2, Final Design of this project due to unforeseen work associated with various tasks; and

WHEREAS, the Department and the Consultant, under date of 09/12/2011 entered into Supplement Agreement 6 to No cost transfer supplement; and

WHEREAS, the Department and the Consultant, under date of 12/09/2011 entered into Supplement Agreement 7 to add the funds necessary to cover the costs associated with an overhead adjustment for McCormick Taylor, Inc. for the period of 1/1/10 to 12/31/10; and

WHEREAS, the Department and the Consultant desire to supplement the Agreement to account for necessary archaeological field work and laboratory work that has exceeded the work included in the original scope of work submitted for the Phase III archaeological data recovery of the SR 3012, Section 01B, Schantz Road Realignment Project;

Now, THEREFORE, the parties hereto, for and in consideration of the foregoing premises and mutual promises, hereinafter contained, with the intention of being legally bound thereby, agree as follows:

1. Terms, Conditions and Provisions

- a. The Consultant agrees to comply with and to provide the required work and services in accordance with the provisions listed below, which are incorporated into this AGREEMENT by reference, as though physically attached.
 - i. **Commonwealth Contractor Responsibility Provisions, dated October 25, 2010**
 - ii. **Consultant Integrity Provisions, dated October 7, 2010**
 - iii. **Commonwealth Nondiscrimination Clause for Consultant Agreements, dated July 30, 2010**
 - iv. **Federal Nondiscrimination and Equal Employment Opportunity Clauses, dated January 1976**
 - v. **Offset Provision for Commonwealth Contracts, dated October 25, 2010**
 - vi. **Pennsylvania Election Code, dated February 22, 2001**
 - vii. **Publication 442, Bureau of Design Specifications for Consultant Agreements, dated August 4, 2010**
 - viii. **Provisions Concerning the Americans With Disabilities Act, dated January 2001**

- b. By signing this Agreement, the Consultant certifies their compliance with the following requirements:
 - i. **Consultant's Certification of Non-Collusion, dated February 1990**
 - ii. **Certification Regarding Debarment, Suspension and Other Responsibility Matters, dated August 1990**
 - iii. **Certificate of Restrictions on Lobbying, dated August 6, 1990**
 - iv. **Consultant's Acceptance of PA Workmen's Compensation Act, dated August 1999**

- c. By signing this Agreement, the Department certifies their compliance with the following requirement:
 - i. **Department's Certificate of Non-Collusion, dated January 1999**

- d. The Consultant agrees to comply with and to provide the required work and services in accordance with the **Department's Standard Agreement Special Requirements, dated April 26, 2001** and the following standard method of payment special provisions: **Method of Payment - Cost Plus Fixed Fee, dated May 1, 2009**, which have been made available to the Consultant in electronic or paper form, and the Consultant's **Technical Proposal**, and **Price Proposal**, which are incorporated into this Agreement by reference.

e. That the maximum cost of each part of this supplement is as follows:

<u>Part</u>	<u>Current Cost</u>	<u>Supplemental Adjustment</u>	<u>New Part Total</u>
2	1,075,082.78	178,892.17	1,253,974.95

f. That the maximum cost of this Agreement is as follows:

<u>Current Cost</u>	<u>Supplemental Adjustment</u>	<u>New Agreement Cost</u>
1,647,100.66	178,892.17	1,825,992.83

- g. That the time of completion for each Part shall be the termination date of this Agreement or as shown below, whichever occurs first:

Part 2 - 02/28/2013 .

- h. That the Department approved invoice template has been amended and will be available to the Consultant effective the execution date of this Supplemental Agreement.

- i. That all other terms and conditions of the Agreement, which are not changed by this Supplemental Agreement, remain in full force and effect.

Document Status: Executed
Negotiator: Harter, Michele L.

Attachments		
Name	Created By	Created On
<i>No records found.</i>		

Workflow			
Status	Name	Disposition	Date/Time
Draft	Matthew C Kasunick/PennDOT	Submit	03/15/2012 09:46:55 AM
Consultant Review	John J Pocius P.E./PennDOT BP-000081 - Vice President	Approve	03/15/2012 09:54:21 AM
Deputy Secretary Review	R. Wayne Willey/PennDOT	Approve	03/16/2012 02:45:29 PM
Chief Counsel Review	Michael H Kline/PennDOT	Approve	03/19/2012 03:59:39 PM
Comptroller Review	Brenda A Zorbaugh/PennDOT	Approve	03/20/2012 01:51:19 PM
CAD Chief Approval	J. Michael Long/PennDOT	Execute	03/20/2012 03:14:51 PM

Audit Information			
Created By	Created On	Modified By	Modified On
Matthew C Kasunick/PennDOT	03/14/2012 02:36:23 PM	J. Michael Long/PennDOT	03/20/2012 03:14:51 PM

You are currently logged in as **Roland L. Rode**.

Session size: 0.1k

Copyright © 2009 Pennsylvania Department of Transportation. All Rights Reserved.
[PennDOT Privacy Policy](#)

Official ECMS Date/Time