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[Copies hereof furnished 4/1/53 to Mr. Cole,  
chief engineer, and consulting engineer (2),  
and chairman.]

### OHIO TURNPIKE COMMISSION

Resolution No. 75-1953 Authorizing Supplemental Contracts to Modify Engineering Agreements of the Contracting Engineers

WHEREAS the Commission has entered into contracts with each of its contracting engineers, which contracts bear the general title "Engineering Agreement";

WHEREAS said engineering agreements contain provisions whereby additional fees are payable for the making of parcel maps in excess of 10% of the parcels included in the right of way within the design section;

WHEREAS said engineering agreements further provide that such fees shall not be payable unless a demand in writing, supported by an itemized accounting, is submitted for such fees within 15 days following the performance of the work on account of which they are due;

WHEREAS the time limitation in said provision has proved to be impractical of operation in some instances, and it seems likely that it may prove to be impractical in further instances which may arise; and

WHEREAS the Commission has been advised by its chief engineer, consulting engineer, and general counsel that they consider it desirable and necessary that provision be made for those instances in which such impracticality has appeared and that said engineering agreements be modified with respect to said time limitation;

NOW, THEREFORE, BE IT

RESOLVED that the chairman or chief engineer, or either of them, be, and hereby are, authorized to enter into supplemental contracts with any or all of the contracting engineers modifying the aforesaid time limitation for the submission of claims for additional fees contained in §6 of the respective engineering agreements;

FURTHER RESOLVED that said modification may provide for the elimination of a specific period of time for the submission of such claims or for an increase in the length of such period insofar as such 15-day period is now applicable to claims for additional fees for property surveys and parcel maps, and may further provide for changes in the form in which such claims are required to be submitted.

FURTHER RESOLVED that such supplemental contracts may be prospective or retroactive in their effect on any claim; and

FURTHER RESOLVED that any such supplemental contracts shall be subject to the approval of the Commission's general counsel and its consulting engineer.

Adoption moved by Lenzell

Motion Seconded by M. Kay

Voting Yes: all

Voting No: \_\_\_\_\_

(VWS absent)