

OHIO TURNPIKE COMMISSION

Resolution to Increase Executive Director's Authority Regarding the Disposal of Leachate Wastewater under Contract No. 3951

WHEREAS, on September 11, 2003, the executive director awarded a contract to **AKE Laboratory, Inc.** of Bedford, Ohio for furnishing removal, disposal and testing of slag leachate wastewater from three (3) retention locations at Commission Toll Plaza No. 173 ("Cleveland") located in Summit County under Contract No. 3951; and

WHEREAS, the original estimated contract quantity of 1,200,000 gallons or \$94,800.00 was based on the historic average of leachate wastewater collected at the above-mentioned sites, which is based primarily on the amount of precipitation at those sites; and

WHEREAS, the Commission's maintenance engineer has recently advised the director of contracts administration that the surface water runoff received during the past several months has resulted in the collection of leachate wastewater that has exceeded the estimated contract quantity; and

WHEREAS, the Commission's maintenance engineer has recommended that the subject contract amount be increased to a revised contract amount in the amount of Two Hundred Thousand (\$200,000.00) dollars, which is an increase of approximately 1,300,000 gallons from the original estimated quantity; and

WHEREAS, pursuant to the Commission's bylaws, additional purchases procured beyond 10% of the original purchasing authority granted by the Commission to the executive director require Commission approval unless, among other exceptions, the increase is a result of "circumstances that would create a life, safety or health-threatening situation;" and

WHEREAS, although this scenario could be viewed as one that could create a "life, safety or health-threatening situation," the executive director feels there is sufficient time to apprise the Commissioners of the anticipated need to exceed his contracting authority to the above-mentioned revised contract amount; and

WHEREAS, the Commission desires to delegate authority to the executive director to take action on behalf of the Commission to increase Contract No. 3951 awarded to AKE Laboratory, Inc. of Bedford, Ohio to the amount of Two Hundred Thousand (\$200,000.00) dollars, pursuant to the same terms and conditions of Contract No. 3951 as awarded on September 11, 2003.

NOW, THEREFORE, BE IT

RESOLVED that the executive director is granted authority to increase Contract No. 3951 awarded to **AKE Laboratory, Inc.** of Bedford, Ohio to the amount of Two Hundred Thousand (\$200,000.00) dollars, pursuant to the same terms and conditions of Contract No. 3951 as awarded on September 11, 2003.

(Resolution No. 25- 2004 adopted May 17, 2004)