

STATE OF OHIO
DEPARTMENT OF ADMINISTRATIVE SERVICES
GENERAL SERVICES DIVISION
OFFICE OF PROCUREMENT SERVICES
4200 SURFACE ROAD, COLUMBUS, OH 43228-1395

AMENDMENT FOR CHANGE
AMENDMENT NO. 3

TO: OHIO ENVIRONMENTAL PROTECTION AGENCY
FROM: ROBERT BLAIR, DIRECTOR, DEPARTMENT OF ADMINISTRATIVE SERVICES
SUBJECT: CONTRACT FOR HABITAT RESTORATION - ASHTABULA RIVER, AREA OF CONCERN

Attached are pages 14 - 20 to this contract. Remove these pages from the existing contract and replace with the attached pages on the effective and/or revision date.

This amendment is issued to address a change order needed for additional work required to reduce contamination to complete the Habitat Restoration - Ashtabula River, Area of Concern and repagination starting with page 15.

All other prices, terms and conditions remain unchanged.

Questions regarding this Amendment and/or the Requirements Contract may be directed to:

Geraldine Berry, CPPB
geraldine.berry@das.ohio.gov

This Amendment, the main Requirements Contract and any additional amendments thereto are available from the DAS Web site at the following address:

<http://www.ohio.gov/procure>

Affected Contractor(s):

OAKS ID# 00000048260
R. B. Jergens Contractors, Inc.
11418 N. Dixie Drive
Vandalia, OH 45377
kevin.harshberger@rbjergens.com

CHANGE ORDER
CSP904211 - R.B JERGENS

The contractor's duties shall include:

I. SCOPE OF WORK

The project location for the additional work is the North Slip at Jack's Marine. The North Slip lies on the Ashtabula River, within the City of Ashtabula and less than 1,000 feet upstream from the current 5 ½ Slip Habitat Restoration project as depicted in Figure 1. This additional work entails placement of approximately 2,500 tons sand and 500 tons of gravel following completion of a dredging project in the North Slip.

The North Slip was partially dredged in 2007 and a six inch sand cover was placed over the remaining contaminated sediments as a buffer. U.S. EPA and Ohio EPA have conducted additional sampling and investigations at this site in 2011 and 2012 which revealed that PCB contamination remains in the sediments and poses a risk to fish and other biological communities in this area of the Ashtabula River. The sediments in the North Slip have yielded surficial PCB concentrations greater than 15 ppm.

Ohio EPA and U.S. EPA have determined that the remedy will include dredging and placement of sand/gravel cover. The dredging will occur as part of a Great Lakes Legacy Act (GLLA) project with Ohio EPA as the non-federal sponsor. The GLLA project is scheduled to begin in summer 2013. Ohio EPA partnered with U.S. ACE to develop designs and obtain all required permits to implement a dredging project (Figures 2 & 3) to remove the contamination in the slip and place the sediments in an upland containment. Unfortunately, a degree of contamination will remain following the North Slip GLLA dredging project as some sediment must remain in place along the bulkheads to maintain their structural integrity. Placement of sand will provide a buffer between resident fish and the benthic communities and the residual contamination. Future sedimentation will provide additional long-term protection.

Jacks Marine currently utilizes the North Slip for dockage by power boats and the placement of gravel over the sand in select areas within the slip will protect the sand layer from disturbance due to prop wash. Considering the proximity of the North Slip to the 5 ½ Slip Habitat Fish Shelf, placement of the sand and gravel will protect the increasing population of fish in the area from elevated PCBs and hydrocarbons. Placement of substrate materials in the North Slip will also prevent the migration of contaminated sediments from the Slip into the navigation channel and onto the newly constructed 5 ½ Slip fish shelves.

A three inch clean layer of sand will be placed across the entire North Slip and an additional three inch clean layer of sand placed across the deepest area of the dredged slip. A three inch clean layer of gravel will be placed in an area surrounding the deepest area of the dredged slip as depicted in Figure 4 and directed by the Agency's Project Representative. Sand and gravel will be placed from land utilizing a material slinger. The substrate materials and placement technique are nearly identical to those used on the 5 ½ Slip Habitat site.

Construction activities will include the following: site preparation, land clearing, and sand/gravel placement. At this time, the dredging project is scheduled for July 2013 and the sand would be placed within a few weeks following dredging. The start date for placing the sand/gravel is contingent upon completion of the dredging activities by the U.S.ACE contractor.

Ohio EPA will conduct a bathymetric survey before and after material placement.

II. DELIVERABLES.

- A. Site Preparation and Land Clearing. Prior to placement of sand/gravel, the contractor will perform site preparation and land clearing activities. These activities are necessary to allow the material slinger to access all portions of the site that will be involved in the project. Site preparation activities will occur along the North Slip banks where access to the water is expected to take place.
- B. During site preparation any trees, brush, excess vegetation, and other debris that are removed from the property must be disposed in accordance with state and federal rules and regulations.
- C. If temporary roads are needed, all stone used on the property will be removed at the conclusion of the project.
- D. The Contractor is responsible for any damages to the existing driveway and to control mud on the existing driveway and public road. The state of Ohio reserves the right to deny funding if the damages or costs associated were avoidable or were the results of negligence on the part of the Contractor.

E. Substrate Placement. The contractor must provide:

1. Sand:

- a. Provide and place sand in a layer approximately three (3) inches thick on all parts of the North Slip at Jacks Marine plus provide and place an extra three (3) thick sand layer over the deepest area of the dredged slip [total amount of sand is approximately 2,500 tons]. The sand must consist of coarse natural sand or sand manufactured from natural stone. The sand shall be the type commonly referred to as "asphalt sand" and must be approved by the Agency Project Representative.
- b. The following grain sizes meet the requirement of ODOT 703.05. Other coarse natural sands that do not contain large amounts of fines may be approved by the Agency Project Representative.

| | | | |
|-----------------------|-------|----|------|
| 3/8 inch (9.5 mm) | ----- | | 10 |
| | | | 0 |
| No. 4 (4.75 mm) | ----- | 90 | - 10 |
| | | | 0 |
| No. 8 (2.36 mm) | ----- | 65 | - 10 |
| | | | 0 |
| No. 16 (1.18 mm) | ----- | 40 | - 85 |
| No. 30 (600 μ m) | ----- | 20 | - 60 |
| No. 50 (300 μ m) | ----- | 7 | - 40 |
| No. 100 (150 μ m) | ----- | 0 | - 20 |
| No. 200 (75 μ m) | ----- | 0 | - 10 |

2. Medium (or fine)- grained Gravel:

- a. Provided gravel [1" D50 gravel (half the gravel larger than 1" and half the gravel smaller than 1") or D50 of 1" and a Dmax of 1.5" to 2"] for use as fish habitat and to protect the sand layer from the effects of prop wash. Rounded gravel will be natural and not limestone, other high carbonate stone, or any other material.
- b. Place gravel in a layer 3 inches in depth in areas as depicted in Figure 4 and directed by the Agency project Representative over the newly placed sand layer [total amount of gravel is approximately 500 tons].

III. OTHER CONTRACT REQUIREMENTS. The Contractor will be required to:

- A. Meet all State of Ohio contract requirements, as well as
- B. Any applicable deferral assurances and requirements,
- C. Safety plans for all activities, and address GLRI's reporting needs to track the progress of the project.
- D. Comply with the requirements of the USACE 401 Permit issues for this project. The permit was issued to Ohio EPA for the GLLA dredging project and covers the placement of substrate activities to be completed by the Contractor. Ohio EPA will maintain their representative on site to monitor and oversee the implementation of the project.
- E. Complete the requirements of the Quality Assurance Project Plan (QAPP) developed by Ohio EPA and to be revised by Ohio EPA to cover this additional work.
- F. Detail its familiarity and ability to provide quality service, meeting industry and government guidelines.

IV. REPORTING REQUIREMENTS. NO ADDITIONAL requirements beyond current contract. The additional work completed under the change order should be included in the final report.

V. BILLING/INVOICING. - No changes from original contract.



Figure 1. Location of North Slip at Jack's Marine and 5 1/2 Slip Peninsula

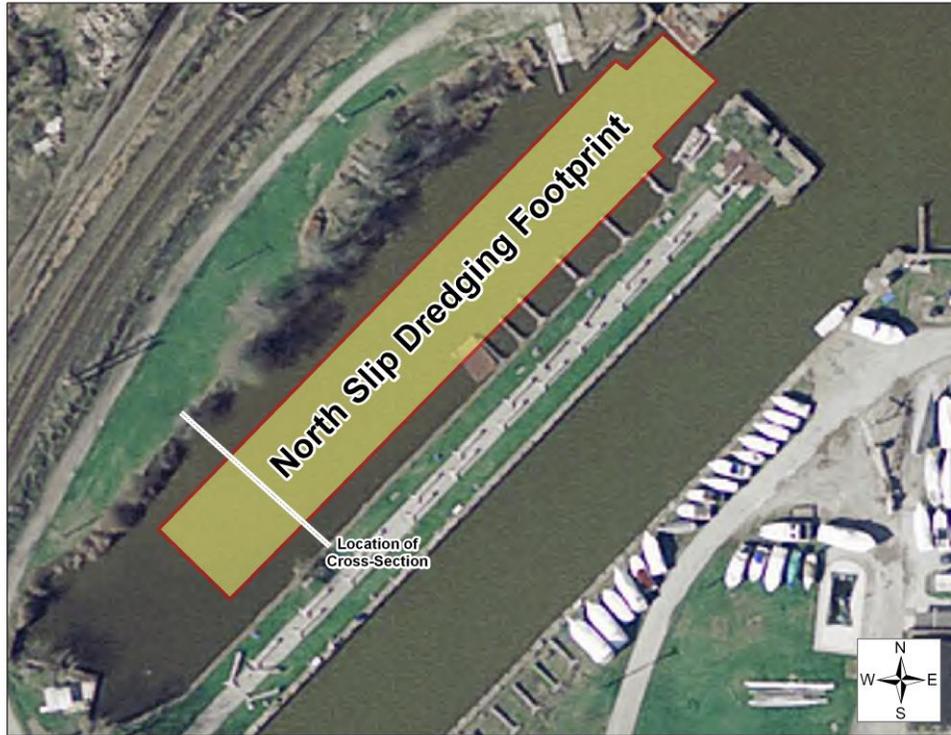


Figure 2. North Slip Dredging Footprint

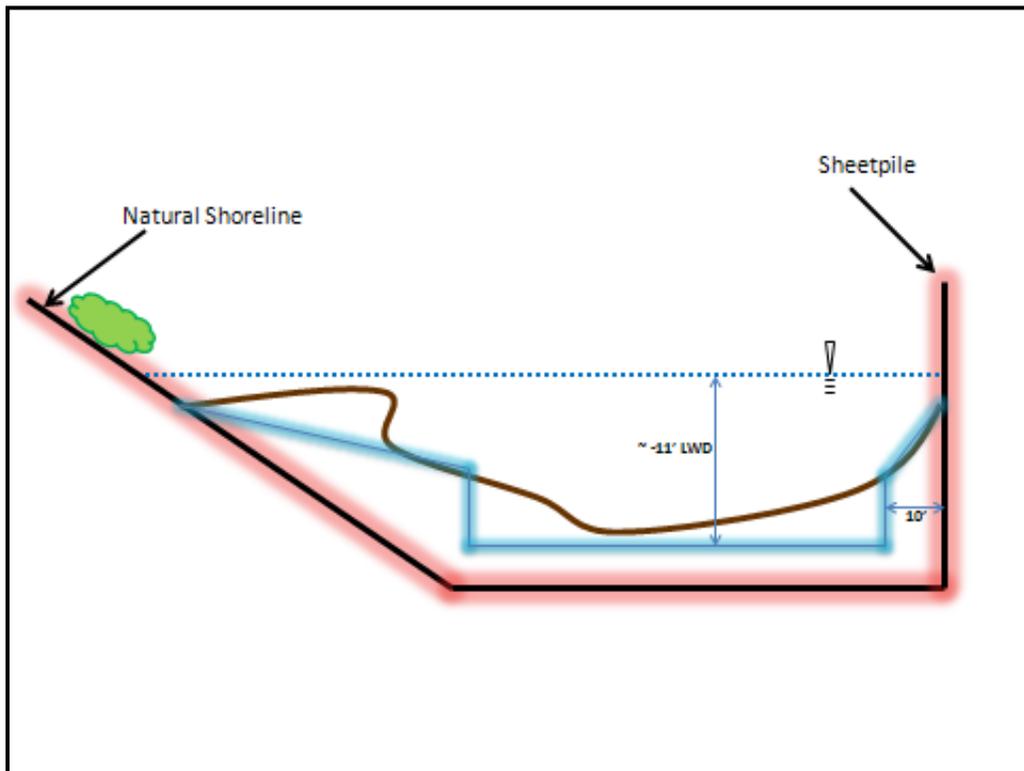


Figure 3. Dredging section

North Slip Cross-



Figure 4. Approximate footprints of aggregate placement

CONTRACTOR INDEX

CONTRACTOR AND TERMS:

OAKS ID # 0000048260

R.B. Jergens Contractors, Inc.
11418 N. Dixie Drive
Vandalia, OH 45377

Remit To Address

R.B Jergens Contractors, Inc.
P.O. Box 309
11418 N. Dixie Drive
Vandalia, OH 45377

CONTRACTOR'S CONTACT: Mr. Kevin Harshberger, P.E.

BID CONTRACT NO.: CSP904211 (06/30/14**)

TERMS: Net 30 Days

TELEPHONE: (937) 760-7676
FAX: (937) 669-5025
E-MAIL: kevin.harshberger@rbjergens.com

* repagination

**Contract renewal by mutual agreement through 06/30/14.

SUMMARY OF AMENDMENTS

| Amendment Number | Revision Date | Description |
|-------------------------|----------------------|---|
| 3 | 07/09/13 | This amendment is address a change order needed for additional work required to reduce contamination to complete the Habitat Restoration - Ashtabula River, Area of Concern and repagination starting with page 15. |
| 2 | 07/01/13 | This amendment is issued to reflect the contract renewal by mutual agreement for an additional year effective 7/01/2013 through 06/30/2014. |
| 1 | 10/28/11 | This amendment is issued to reflect changes in the Cost Summary effective with all orders on or after October 28, 2011. |

* repagination