

RESOLUTION NO. 2003 – 15

RESOLUTION AUTHORIZING AGREEMENT BETWEEN SCS ENGINEERS AND THE PORT OF GREATER CINCINNATI DEVELOPMENT AUTHORITY.

WHEREAS, as part of the operation of the Port of Greater Cincinnati Development Authority (“Port Authority”), this Board has determined it is necessary to retain professional environmental services for various aspects of the operations of the Port Authority; and

WHEREAS, as part of the Port Authority mission to perform economic development activities, this Board has determined that professional services in connection with economic development related activities by the Port Authority, at the request of and in conjunction with the City of Cincinnati, at the former Center Hill Landfill is necessary; and

WHEREAS, the Port Authority and the City of Cincinnati have agreed to work cooperatively in connection with the economic development and related environmental activities at the Center Hill Landfill, including the obtaining of funding from the State of Ohio, and the engagement of professional environmental services acceptable to the City of Cincinnati; and

WHEREAS, Stearns, Conrad and Schmidt Consulting Engineers, Inc., dba SCS Engineers (“SCS Engineers”) represents and covenants that it has the requisite personnel, competence, skill and physical resources to perform services described in its 2003 proposal for Phase II environmental site assessment services (“Proposal”), for the Port Authority in connection with redevelopment activities at the former Center Hill Landfill; and

WHEREAS, SCS Engineers previously entered into an Environmental Consultant Contract, dated August 6, 2002, with the Port Authority to provide environmental services (specifically services to conduct a Phase I environmental site assessment for the former Center Hill Landfill) (“2002 Contract”), a copy of which 2002 Contract is on file with this Board;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Port of Greater Cincinnati Development Authority as follows:

Section 1. The Chairperson or his designee is hereby authorized for and in the name of the Port Authority and on its behalf to execute a written agreement with SCS Engineers for the professional environmental services set forth in the Proposal in an amount not to exceed \$349,500, after approval of the form of said agreement by General Counsel to the Port Authority, and provided that said agreement’s terms are not substantially adverse to the Port Authority and which are permitted by Sections 4582.21 through 4582.99 of the Ohio Revised Code, and further provided that said agreement’s terms are approved by the officer executing the agreement. The approval of said agreement and that such agreement is not substantially adverse to the Port Authority shall be conclusively evidenced by the execution of said agreement by the Chairperson or his designee.

Section 2. This Board finds and determines that all formal actions of this Board and any of its committees concerning and relating to the adoption of this resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with the law.

Section 3. This resolution shall be in full force and effect upon its adoption.

Adopted: September 11, 2003

Yeas: 15

Nays: 0

Abstentions: 0

Chairperson

Attest: _____
Secretary