

**RESOLUTION NO. 2005-7**

**A RESOLUTION AUTHORIZING THE NEGOTIATION, RESOLUTION, AND PAYMENT OF OUTSTANDING INVOICES FOR WORK UNDERTAKEN AT THE 3603 EAST KEMPER ROAD PROPERTY BY HULL & ASSOCIATES AND ITS SUBCONTRACTORS FOR THE REMEDIATION OF ENVIRONMENTAL CONTAMINATION.**

WHEREAS, the Port of Greater Cincinnati Development Authority (the "Port Authority") pursuant to resolutions of this Board has previously undertaken the purchase and remediation of environmental contamination at a property located at 3603 East Kemper Road ( 'Kemper Road Project') and has also pursuant to resolution of this Board sold that property and

WHEREAS, the contractor for the Kemper Road Project, Hull & Associates, Inc., asserts that additional amounts are due to it and to its subcontractors for work on the remediation of that property in an additional amount not to exceed \$175000;

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

Section 1. The President of the Port Authority and anyone or more members of the Board of Directors of the Port Authority are authorized to review, negotiate and resolve any and all disputed invoices for work conducted at the 3603 East Kemper Road project site by Hull & Associates, Inc. or its subcontractors (including invoices for amounts in excess of compensation limits in Port Authority contracts) but in no event to exceed the payment by the Port Authority of an additional \$175,000. That officer and anyone or more Board members are also authorized to execute any documents necessary to evidence the resolution of all questions of work and payment.

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 8, 2005

Yeas: 13

\_\_\_\_\_  
Chairperson

Nays: 0

Attest: \_\_\_\_\_  
Secretary