

RESOLUTION 2008-573

In the Matter of Resolution to Enter Into Contract) Office of County Commissioners
2008-94 with Gerken Paving, Inc. for the) Fulton County, Ohio
Resurfacing of Chesterfield Twp Rd. N CDBG Project) June 23, 2008

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on June 23, 2008, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Joseph Short and Dean Genter

Commissioner Genter moved for the adoption of the following resolution:

WHEREAS, on May 5, 2008, the Commissioners held the Bid opening for the Resurfacing of Chesterfield Township Road N CDBG Project for the County Engineer;

WHEREAS, on May 12, 2008, the Commissioners, by **Resolution 2008-434**, Awarded the bid to the lowest and best bidder, Gerken Paving, Inc., of Napoleon, Ohio for said project;

THEREFORE BE IT RESOLVED, that the Fulton County Board of Commissioners will enter into **Contract 2008-94** with Gerken Paving, Inc., for the Resurfacing of Chesterfield Township Road N CDBG Project on behalf of the Fulton County Engineers;

BE IT FURTHER RESOLVED, that the contract shall be in an amount of **ONE HUNDRED SIXTEEN THOUSAND SEVEN HUNDRED NINETY-SIX AND 00/100 DOLLARS (\$116,796.00)**;
AND

BE IT FURTHER RESOLVED, that it is found and determined that all formal actions of this Board of County Commissioners, County of Fulton, State of Ohio concerning the adoption of this resolution were adopted in an open meeting of this Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Commissioner Short seconded the resolution and upon calling the roll, the following vote was taken:

Voting Aye thereon: <u>Paul Barnaby</u> Paul Barnaby	Voting Nay thereon: Paul Barnaby	Abstain: Paul Barnaby
<u>Joseph D. Short</u> Joseph D. Short	Joseph D. Short	Joseph D. Short
<u>Dean Genter</u> Dean Genter	Dean Genter	Dean Genter

**BOARD OF COUNTY COMMISSIONERS
FULTON COUNTY, OHIO**

Attest: Jennifer L. Connors
Jennifer L. Connors, Clerk

Copy to: Contract File, Engineer

CONTRACT NO. 2008-94

This Contract, made this 23rd day of June A.D. 2008 between the **BOARD OF FULTON COUNTY COMMISSIONERS** hereinafter call "Commissioners" and **GERKEN PAVING, INC.**, hereinafter call "Contractor".

WITNESSETH: That for and in consideration of payments hereinafter mentioned, to be made by the Commissioners, Contractor agrees to furnish all materials, equipment, tools and labor necessary to perform all the work required for **Resurfacing of Chesterfield Township Road N (C.D.B.G.)** according to the plans and specifications and to the satisfaction and acceptance of the Commissioners.

The Contractor further covenants and agrees that the following papers shall be an essential and binding part of this contract: Notice to contractors, plans and specifications, contract, contract bond, supplementary conditions, Federal labor standards, prevailing wage rates, and supplemental specifications and proposal.

In consideration of the premises the Commissioners agree to pay to Contractor the appropriate sum of one hundred sixteen thousand seven hundred ninety-six dollars and 00/100 (\$116,796.00). The actual sum to be paid, however, will be determined by the amount of work actually completed and calculated by the unit price set out in the proposal.

IN WITNESS WHEREOF, the parties have hereunto affixed their names.

BOARD OF COMMISSIONERS:

Paul Barnaby
Paul Barnaby

D C M
Dean Genter

Joseph Short
Joseph Short

CONTRACTOR:

Gerken Paving, Inc.

SR

Title Vice President

APPROVED AS TO FORM:

Roy D. Goff
Fulton County Prosecutor

Date: _____

ATTEST:

Jennifer Connors
Jennifer Connors, Clerk

Project: Resurfacing of Chesterfield Twp. Rd. N

C.D.B.G. #B-F-07-024-1

Vendor: Gerken Paving, Inc.

Vendor #: GERKE60

Contract #:

PO #:

COUNTY AUDITOR'S CERTIFICATE

It is hereby certified that the amount of (\$116,796.00) required to meet the contract, agreement, obligation, payment or expenditure, for the above, has been lawfully appropriated or authorized or directed for such purpose and is in the County Treasury or in process of collection to the credit of the 2734-1791~~5~~-5-42100 Fund free from any obligation or certification now outstanding.

Dated: 6-3-08

Nancy Yonkers (SIS)
Auditor, Fulton County, Ohio