

R E S O L U T I O N 2008-540

In the Matter of Resolution to Enter Into Contract) Office of County Commissioners
2008-73 with Anderzack-Pitzen Construction, Inc.) Fulton County, Ohio
for the Reconstruction of County Road J Project) June 12, 2008

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on June 12, 2008, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Commissioners Paul Barnaby, Joseph Short and Dean Genter

Commissioner Barnaby moved for the adoption of the following resolution:

WHEREAS, on May 29, 2008, the Commissioners held the Bid opening for the Reconstruction of County Road J Project for the County Engineer; and

WHEREAS, on June 2, 2008, the Commissioners, by **Resolution 2008-497**, Awarded the bid to the lowest and best bidder, Anderzack-Pitzen Construction, Inc., of Metamora, Ohio for said project;

BE IT RESOLVED, that the Fulton County Board of Commissioners will enter into **Contract 2008-73** with Anderzack-Pitzen Construction, Inc. for the Reconstruction of County Road J Project on behalf of the Fulton County Engineers;

BE IT FURTHER RESOLVED, that the contract shall be in an amount of THREE HUNDRED SIXTY EIGHT THOUSAND EIGHT HUNDRED SEVENTY SEVEN AND 80/100 DOLLARS (\$368,877.80); 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 Genter seconded the resolution and upon calling the roll, the following vote was taken:

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

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

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

Copy to: Contract File, Engineer

CONTRACT NO. 2008-13

This Contract, made this 12th day of JUNE A.D. 2008 between the BOARD OF FULTON COUNTY COMMISSIONERS hereinafter called "Commissioners" and Anderzack-Pitzen Construction, Inc., 424 E. Main St., Metamora, OH 43540, hereinafter called "Contractor".

WITNESSETH: That for and in consideration of payments hereinafter mentioned, to be made by Commissioners, Contractor agrees to furnish all materials, equipment, tools and labor necessary to perform all the work required for

RECONSTRUCTION OF FULTON COUNTY ROAD J BETWEEN STATE ROUTE 109 & ROAD 8-1

According to the plans and specifications and to the satisfaction and acceptance of 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, and proposal.

In consideration of the premises the Commissioners agree to pay to Contractor the appropriate sum of three hundred sixty-eight thousand eight hundred seventy-seven dollars and 80/100 (\$368,877.80). 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.

Attest: Jennifer Connor

BOARD OF COMMISSIONERS

BY Paul Bernaby
[Signature]

CONTRACTOR

Anderzack-Pitzen Construction, Inc.

BY [Signature]
Jim Pitzen, Vice President

Contract approved as to form:

By [Signature]
Fulton County Prosecutor

Date _____

COUNTY AUDITOR'S CERTIFICATE

It is hereby certified that the amount (\$368,877.80) 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 GT&MV Fund (2420-14143-5-43000) free from any obligation or certification now outstanding.

Dated:

VENDOR # ANDER99

Nancy Yackee, Auditor, Fulton County, Ohio

NOTICE OF COMMENCEMENT OF A PUBLIC IMPROVEMENT PURSUANT TO
OHIO REVISED CODE 1311.252

State of Ohio)
) SS:
County of Fulton)

Vond T. Hall (the "Affiant"), being duly sworn says that:

1. Affiant is the Fulton County Administrator, located at 152 South Fulton Street, Suite 270, Wauseon, Ohio (the "Public Authority").
2. The Public Authority will be commencing a public improvement identified as follows:

Reconstruction of Fulton County Road J
3. The following lists the name, address and trade of each of the principal contractors working on this public improvement:

Anderzack-Pitzen Construction, Inc.
424 East Main Street
Metamora, OH 43540

Trade: **Road Work**

Date of First Executed Contract: **6-12-2008**

4. The following lists the names and addresses of the sureties for all of those principal contractors:


Name of Surety: *Ohio Farmers Insurance Company*
740 Commerce Drive, Suite A
Perrysburg, OH 43551

Agent: *Hylant Group*
811 Madison Avenue
Toledo, OH 43604

For the purpose of serving an affidavit pursuant to Revised Code 1311.26, service may be made upon the following representative of the Public Authority:

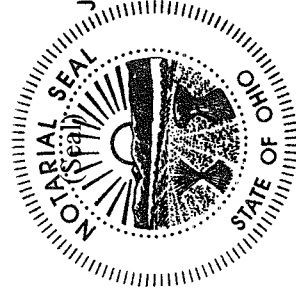
Vond T. Hall, County Administrator
152 S. Fulton St., Suite 270, Wauseon, OH 43567-3309

FURTHER AFFIANT SAYETH NAUGHT.

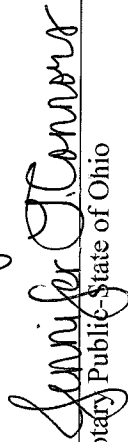


Affiant's Signature

SWORN TO BEFORE ME and subscribed in my presence this 12th day of June, 2008.



JENNIFER L. CONNORS
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
June 13, 2012



Notary Public - State of Ohio