

**RESOLUTION 2022-184**

In the Matter of Resolution to Enter Into ) Office of County Commissioners  
Contract 2022-39 with Miller Brothers Construction ) Fulton County, Ohio  
For the Bridge 2A.4 Replacement Project ) March 17, 2022

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on March 17, 2022, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Jon Rupp  
Jeff Rupp  
Joe Short

Commissioner Jeff Rupp moved for the adoption of the following resolution:

**WHEREAS**, bids were received on March 8, 2022 for the Bridge 2A.4 Replacement Project behalf of the Fulton County Engineer; and

**WHEREAS**, on March 10, 2021, upon the recommendation of the Fulton County Engineer, the bid was awarded to Miller Brothers Construction. in the amount of \$207,978.56 and a contract facilitating the project has been successfully negotiated; and

**THEREFORE BE IT RESOLVED**, that the Board of Fulton County Commissioners enters into Contract 2022-39 with Miller Brothers Construction, for the Bridge 2A.4 Replacement Project in the amount of \$207,978.56, subject to the terms and conditions therein; 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 Joe Short seconded the resolution and upon calling the roll, the following vote was taken:

**Voting Aye thereon:**

**Voting Nay thereon:**

**Abstain:**

Jon Rupp  
Jon Rupp

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Jon Rupp

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Jon Rupp

Jeff Rupp  
Jeff Rupp

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Jeff Rupp

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Jeff Rupp

Joe Short  
Joe Short

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Joe Short

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Joe Short

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

Attest: Jessica Schuette  
Jessica Schuette, Clerk

CONTRACT NO. 2022-39

This Contract, made this 17<sup>th</sup> day of March A.D. 2022 between the BOARD OF FULTON COUNTY COMMISSIONERS hereinafter called "Board" and MILLER BROS. CONST., INC., hereinafter called "Contractor".

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

**BRIDGE 2A.4 REPLACEMENT**

According to the plans and specifications and to the satisfaction and acceptance of the Board, as well as complying with all applicable federal, state, and local laws in the conduct of work performed hereunder.

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.

Partial payments shall be made in accordance with the Ohio Revised Code. The Contractor shall submit a schedule of the work completed to the Engineer for approval. Payments shall be at the rate of 92% of the acceptable work completed until the project is 50% completed. After the project is 50% complete payments shall be made at the rate of 100% of the amount of acceptable work completed.

All work shall be completed in its entirety and equipment removed by July 15, 2022. Liquidated damages will be deducted for work not completed by the completion date as per the Ohio Department of Transportation Standard Specifications.

In consideration of the premises, the Board agrees to pay to Contractor the appropriate sum of two hundred seven thousand, nine hundred seventy-eight dollars and 56/100 (\$207,978.56). 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

BY [Signature]  
[Signature]  
[Signature]

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

CONTRACTOR

MILLER BROS. CONST., INC.

BY [Signature]  
Bradley D. Miller, President

Contract approved:  
By [Signature]  
Fulton County Prosecutor

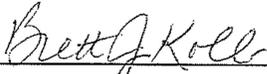
Date 3/14/22

Vendor: Miller Bros. Const., Inc.  
Vendor #: MILLE19  
Project: Bridge 2A.4 Replacement

**COUNTY AUDITOR'S CERTIFICATE**

It is hereby certified that the amount of \$207,978.56 required to meet the contract, agreement, obligation, payment of 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 GTMV (2420-14143-5-75000 \$207,978.56) fund free from any obligation or certification now outstanding.

Dated: 03-10-2022



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Brett J. Kolb- Fulton County Auditor