

RESOLUTION 2013 -- 591

In the Matter of Resolution to Enter Into) Office of County Commissioners
Contract 2013-61 with Ward Construction, Inc.) Fulton County, Ohio
For 2013 Seal Coat Project) July 2, 2013

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on July 2, 2013, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

Commissioner Rufenacht moved for the adoption of the following resolution:

WHEREAS, bids were received on June 11, 2013 for the 2013 Seal Coat Project on behalf of the Fulton County Engineer; and

WHEREAS, on June 13, 2013, upon the recommendation of the Fulton County Engineer, the bid was awarded to Ward Construction, Inc. in the amount of \$1,317,987.50 and a contract has been successfully negotiated therein.

THEREFORE BE IT RESOLVED, that the Board of Fulton County Commissioners enters into Contract 2013-61 with Ward Construction, Inc. for the 2013 Seal Coat Project in the amount of \$1,317,987.50, 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 Barnaby seconded the resolution and upon calling the roll, the following vote was taken:

Voting Aye thereon:

Paul Barnaby
Paul Barnaby

Perry Rupp

Bill Rufenacht
Bill Rufenacht

Voting Nay thereon:

Paul Barnaby

Perry Rupp

Bill Rufenacht

Abstain:

Paul Barnaby

Perry Rupp
Perry Rupp

Bill Rufenacht

BOARD OF COUNTY COMMISSIONERS
FULTON COUNTY, OHIO

Attest: Jennifer G. Connor
Jennifer Connors, Clerk

Cc: Auditor, Engineer

CONTRACT NO. 2013-61

This Contract, made this 2nd day of July A.D. 2013 between the BOARD OF FULTON COUNTY COMMISSIONERS hereinafter called "Board" and WARD CONSTRUCTION CO, 385 Oak Street, Leipsic, OH 45856, 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

2013 SEAL COAT PROGRAM

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 September 15, 2013. 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 one million three hundred seventeen thousand nine hundred eighty seven dollars and 50/100 (\$1,317,987.50). 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

Paul Bernsby

Bill Reprint

CONTRACTOR

WARD CONSTRUCTION CO

BY

Barry A. Rosebrock
Barry Rosebrock, Vice President

Attest:

Jennifer J. Connor

Contract approved as to form:

By

Scott A. Hark

Fulton County Prosecutor

Date

6-30-13