

RESOLUTION 2024-256

In the Matter of Resolution Entering Agreement) Office of County Commissioners
2024-44 with Oglesby Construction for the) Fulton County, Ohio
FUL CR VAR PM FY24 Pavement Marking Program) March 28, 2024
On Behalf of Engineer

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on March 28, 2024, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Jeff Rupp
Jon Rupp

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

WHEREAS, on March 19, 2024 on the recommendation of the Fulton County Engineer, the bid for the FUL CR VAR PM FY24 Pavement Marking Program was awarded to Oglesby Construction, Inc. in the amount of \$164,438.52 and a contract has been offered for execution;

THEREFORE, BE IT RESOLVED, the Fulton County Board of Commissioners hereby enters into agreement 2024-44 with Oglesby Construction Inc. in the amount of \$164,438.52 for the FUL CR VAR PM FY24 Pavement Marking Program on behalf of the Fulton County Engineer; 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 Jeff Rupp seconded the resolution and upon calling the roll, the following vote was taken:

Voting Aye thereon:

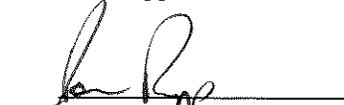
Voting Nay thereon:

Abstain:


Jeff Rupp

Jeff Rupp

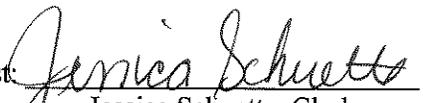
Jeff Rupp


Jon Rupp

Jon Rupp

Jon Rupp

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

Attest: 
Jessica Schuette, Clerk

CONTRACT NO. 2024-44

This Contract, made this 28th day of March A.D. 2024 between the BOARD OF FULTON COUNTY COMMISSIONERS hereinafter called "Board" and OGLESBY CONSTRUCTION, INC., hereinafter called "Contractor".

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

FUL CR VAR PM FY24 PID 118952 PAVEMENT MARKING

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 will be made as appropriate throughout the duration of the project. The Contractor shall submit a schedule of the work completed to the Engineer for approval. Payments shall be at the rate of 100% of the amount of acceptable work completed. Retainage will not be withheld.

All work shall be completed in its entirety and equipment removed by September 27, 2024. 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 hundred sixty-four thousand, four hundred thirty-eight dollars and 52/100 (\$164,438.52). 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]

Attest:

[Signature]

CONTRACTOR

Oglesby Construction Inc

BY

[Signature]
Anthony R. Whitacre, Secretary Treasurer

Contract approved:

By [Signature]
Fulton County Prosecutor

Date 3-26-24

11000 Toledo Rd Norwalk OH 44857

Vendor: Oglesby Construction Inc.

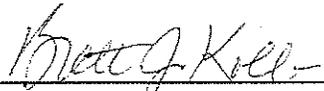
Vendor #: OGLES50

Project: FUL CR VAR PM FY24 PID 118952 Pavement Marking

COUNTY AUDITOR'S CERTIFICATE

It is hereby certified that the amount of \$164,438.52 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 (2420-14143-5-43000 \$14,438.52; 4140-20143-5-41042 \$150,000.00) fund free from any obligation or certification now outstanding.

Dated: 03-25-2024



Brett J. Kolb- Fulton County Auditor

FULTON COUNTY CONTRACT REVIEW FORM

TO: Luke Jones

FROM: Frank T. Onweller, P.E., P.S.

RE: Contract Review

Contract Type:

New Amendment to: _____

Please review the following contract(s) for:

Form Only – Compliance Addendum A Attached

Content Only – Draft Material, Seeking Advice or Grant Agreement

Content and Form – Public Improvement – Compliance Addendum A & B Attached

Content and Form – Board of Commissioners Lease Agreement

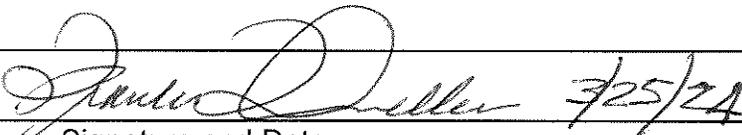
Content and Form – Official Bonds

Reviewed by:

Vond T. Hall Date: _____

Notes and/or Special Attention To:

Please execute ¹ originals and return to: Jessica Schuette


Signature and Date 3/25/24

Reviewed by:

Luke Jones Date: 3-26-24

FULTON COUNTY CONTRACT REVIEW FORM – CHECKLIST A ADDENDUM

Contractor: Oglesby Construction, Inc., 1600 Toledo Rd., Norwalk, OH 44857

Date: March 19, 2024 Contract For: Engineer - FUL CR VAR PM FY24 PID 118952 (Pavement Marking)

Contract Page(s)
If Applicable

- 1. **Hold Harmless/Indemnification Clause, RC 5705.41.**
 None (Preferred) Compliant with OAG 2005-007
- 2. **Certificate of Available Funds (Auditor's Certificate), RC 5705.41.**
 (Includes Unit Basis Estimate)
 Acceptable Exception: _____
- 3. **W-9 Form.**
 On File Department to obtain - forthcoming
- A2, A3, C5 4. **Anti-Discrimination/Equal Opportunity Affidavit/Clause, RC 125.111.**
 (Not needed for State Purchasing Program)
 Provided Department to obtain - forthcoming
- 5. **Competitive Bidding, RC 307.86-307.92. (Over \$75,000.)**
 Completed Exception, RC 307.86: _____
- C7 6. **Delinquent Personal Property Tax Affidavit, RC 5719.042.**
 (If competitively bid)
 Provided Not applicable
- 7. **Prevailing Wage Applies, RC 4115.03.**
 (If Cost Over –after 09/29/13: \$250,000 New Construction/\$75,000 Reconstruction/Remodel).
 Yes Not applicable
- C8 8. **Unresolved Findings for Recovery (State Auditor), RC 9.24. (Over \$25,000.)**
 Completed Not applicable
- 9. **Registered in the State of Ohio to do business, RC 1703.01 & .03.**
 Completed
- 10. **OPERS Independent Contractor Form (PEDACKN).**
 (For companies with four (4) employees or less –or- the name of sole independent contractor who will perform service for the County.)
 Provided Department to obtain if necessary Not applicable
- 11. **Proof of Liability Insurance, Certificate of Coverage and Limits.**
 Provided Department to obtain if necessary
- 12. **Workers Compensation Certificate.**
 Provided Department to obtain if necessary

Revision Date: 02/08/2024

**FULTON COUNTY CONTRACT REVIEW FORM – CHECKLIST B ADDENDUM
PUBLIC IMPROVEMENT**
(To Be Used in Combination with Checklist A Addendum)

Contractor: Oglesby Construction, Inc., 1600 Toledo Rd., Norwalk, OH 44857

Date: March 19, 2024 Contract For: Engineer - FUL CR VAR PM FY24 PID 118952 (Pavement Marking)

Contract Page(s)
If Applicable

- 1. Domestic Steel Usage with Use of State Capital Funds, RC 153.011.
 Not applicable

- 2. Award Bid, RC 307.86. Over \$75,000.
Within 60 days, RC 153.12. Ads: 2/21/24 and internet post Open: March 14, 2024 at 9:00 a.m.
Estimate of Costs in Specifications, RC 307.86. \$ 155,800.00
Bid within 20% of Entire Estimated Costs, RC 153.12. \$ 164,438.52

- N/A 3. Partial Payment to Contractor for Work Performed, RC 153.12–153.14.

- N/A 4. Retainage and Escrow, RC 153.13 & .14.

- 5. Asbestos Evaluation if Supported in Whole or in part by the State, RC 153.15.
 Not applicable

- Contract 1 6. Completion Deadline and Liquidated Damages (Forfeiture Clause), RC 153.19.
Complete by: 9/27/24 Damages: per ODOT Standard Specifications

- 7. Contracts Separated by Trades, RC 153.50.
IF: Buildings/Structures Costs is over \$50,000.00, RC 153.52;
Estimated Cost for Branch/Class of Work is Over \$5,000.00.
 Not applicable

- Provided 8. Surety Bonds: RC 153.54 & .57, 9.311 & .32, 307.88(B) & .39.
(Not required if under \$25,000 or just materials)
 Not applicable

- A2, A3, C5 9. Anti-Discrimination Clause and Forfeiture for Breach, RC 153.59-153.60.

Comments:

Numbers shown in the farthest left column correspond to page numbers in the Bid Proposal.

Revision Date: 02/08/2024



Bureau of Workers' Compensation

30 W. Spring St.
Columbus, OH 43215

Certificate of Ohio Workers' Compensation

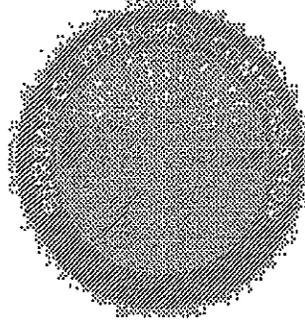
This certifies that the employer listed below participates in the Ohio State Insurance Fund as required by law. Therefore, the employer is entitled to the rights and benefits of the fund for the period specified. This certificate is only valid if premiums and assessments, including installments, are paid by the applicable due date. To verify coverage, visit www.bwc.ohio.gov, or call 1-800-644-6292.

This certificate must be conspicuously posted.

Policy number and employer
00690421

Period Specified Below
07/01/2023 to 07/01/2024

OGLESBY CONSTRUCTION INC
1600 US HIGHWAY 20 W
NORWALK OH 44857-9549



www.bwc.ohio.gov
Issued by: BWC

Administrator/CEO

You can reproduce this certificate as needed.

Ohio Bureau of Workers' Compensation

Required Posting

Section 4123.54 of the Ohio Revised Code requires notice of rebuttable presumption. Rebuttable presumption means an employee may dispute or prove untrue the presumption (or belief) that alcohol, marijuana or a controlled substance not prescribed by the employee's physician is the proximate cause (main reason) of the work-related injury.

The burden of proof is on the employee to prove the presence of alcohol, marijuana or a controlled substance was not the proximate cause of the work-related injury. An employee who tests positive or refuses to submit to chemical testing may be disqualified for compensation and benefits under the Workers' Compensation Act.



Bureau of Workers' Compensation

You must post this language with the Certificate of Ohio Workers' Compensation.

Entity#: 507331
 Filing Type: CORPORATION FOR PROFIT
 Original Filing Date: 11/17/1977
 Location: NORWALK
 Business Name: OGLESBY CONSTRUCTION, INC.
 Status: Active
 Exp. Date: -

Agent/Registrant Information

MASON P OGLESBY
 1600 TOLEDO ROAD
 NORWALK OH 44857
 05/29/1998
 Active

Filings

Filing Type	Date of Filing	Document ID
DOMESTIC ARTICLES/FOR PROFIT	11/17/1977	E343_1458
DOMESTIC/AMENDED RESTATED ARTICLES	11/21/1984	F570_0006
DOMESTIC/AMENDMENT TO ARTICLES	12/28/1989	G779_1614
DOMESTIC CONTINUED EXISTENCE LETTER	09/09/1993	000000392178
DOMESTIC CONTINUED EXISTENCE	02/01/1994	000000392179
AGENT NAME/ADDRESS TAX UPDATE	01/08/1999	AGNTUPDT
AGENT NAME/ADDRESS TAX UPDATE	02/01/1999	AGNTUPDT
AGENT NAME/ADDRESS TAX UPDATE	04/07/1999	AGNTUPDT
MERGER/DOMESTIC	05/18/2001	200114200664
TRADE NAME/ORIGINAL FILING	05/18/2001	200114200666
DOMESTIC/AMENDMENT TO ARTICLES	12/28/2001	200200201802

Prior Business Names

Prior Business Name	Effective Date
OGLESBY & HUG, INC.	11/21/1984

UNITED STATES OF AMERICA
STATE OF OHIO
OFFICE OF SECRETARY OF STATE

I, Frank LaRose, Secretary of State of the State of Ohio, do hereby certify that this is a list of all records approved on this business entity and in the custody of the Secretary of State.



Witness my hand and the seal of the Secretary of State at Columbus, Ohio this 19th of March, A.D. 2024

Ohio Secretary of State





Office of Auditor of State
88 East Broad Street
Post Office Box 1140
Columbus, OH 43216-1140

Auditor of State - Unresolved Findings for Recovery Certified Search

(614) 466-4514
(800) 282-0370

I have searched The Auditor of State's unresolved findings for recovery database using the following criteria:

Contractor's Information:

Name: **Whitacre, Anthony**
Organization: **Oglesby Construction, Inc.**
Date: **3/19/2024 10:28:01 AM**

This search produced the following list of **14** possible matches:

Name/Organization	Address
Amato, Jr., Anthony	510 Annarose Run
Caggiati, Anthony	7748 Arthur Avenue
Fiorilli, Anthony	734 Tuscany Drive
Gentile, Anthony	2900 Bailey St NW
Mickey, Anthony	P.O. Box 183
Quebodeaux, Anthony	P.O. Box 57
Quebodeaux, Anthony	P.O. Box 57
Birdsong, Antoinette	3519 Wilmar Circle
Ogletree, Ann	3283 Bear Run Road
Smith, Antonio	3475 Mason Village Court
Whitaker, Kwa David	2125 Superior Avenue
White, Deidre	1830 Burnette Ave.
Whitlatch, Deborah	770 Ash Street
Whitson, Eric	504 N. Wintergarden

The above list represents possible matches for the search criteria you entered. Please note that pursuant to ORC 9.24, only the person (which includes an organization) actually named in the finding for recovery is prohibited from being awarded a contract.

If the person you are searching for appears on this list, it means that the person has one or more findings for recovery and is prohibited from being awarded a contract described in ORC 9.24, unless one of the exceptions in that section apply.

If the person you are searching for does not appear on this list, an initialed copy of this page can serve as documentation of your compliance with ORC 9.24(E).

Please note that pursuant to ORC 9.24, it is the responsibility of the public office to verify that a person to whom it plans to award a contract does not appear in the Auditor of State's database. The Auditor of State's office is not responsible for inaccurate search results caused by user error or other circumstances beyond the Auditor of State's control.

Travelers Casualty and Surety Company of America

(NAIC #31194)

BUSINESS ADDRESS: ONE TOWER SQUARE, HARTFORD, CT 06183.

PHONE: (860) 277-0111.

UNDERWRITING LIMITATION b/: \$224,944,000.

SURETY LICENSES c,f/: AL, AK, AS, AZ, AR, CA, CO, CT, DE, DC, FL, GA, GU, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, ND, OH, OK, OR, PA, PR, RI, SC, SD, TN, TX, UT, VT, VA, VI, WA, WV, WI, WY.

INCORPORATED IN: Connecticut.