

RESOLUTION 2024-275

In the Matter of Resolution to Enter Into) Office of County Commissioners
Contract 2024-48 with R.G. Zachrich Construction for) Fulton County, Ohio
Bridge 10-3RS.3 Replacement Project) April 4, 2024

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on April 4, 2024, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Jeff Rupp
Joe Short
Jon Rupp

Commissioner Joe Short moved for the adoption of the following resolution:

WHEREAS, bids were received on March 21, 2024 for the Bridge 10-3RS.3 Replacement Project behalf of the Fulton County Engineer; and

WHEREAS, on March 26, 2024, upon the recommendation of the Fulton County Engineer, the bid was awarded to R.G. Zachrich Construction the amount of \$369,498.70 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 2024-48 with R.G. Zachrich, for the Bridge 10-3RS.3 Replacement Project in the amount of \$369,498.70, 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 Jon 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

Joe Short

Joe Short

Joe Short

Jon Rupp

Jon Rupp

Jon Rupp

BOARD OF COUNTY COMMISSIONERS
FULTON COUNTY, OHIO

Attest: Jessica Schuette, Clerk

CONTRACT NO. 2024-48

This Contract, made this 4th day of April A.D. 2024 between the BOARD OF FULTON COUNTY COMMISSIONERS hereinafter called "Board" and R.G. ZACHRICH CONSTRUCTION, 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 10-3RS.3 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 October 25, 2024. Liquidated damages will be deducted for work not completed by the completion date as per the Ohio Department of Transportation Standard Specifications.

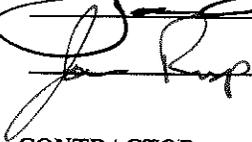
In consideration of the premises, the Board agrees to pay to Contractor the appropriate sum of three hundred sixty-nine thousand, four hundred ninety-eight dollars and 70/100 (\$369,498.70). The actual sum to be paid, however, will be determined by the amount of work actually completed and calculated by the unit price set out in the proposal.

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

BOARD OF COMMISSIONERS

BY

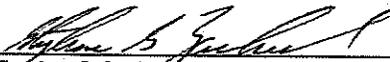




CONTRACTOR

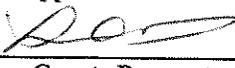
R.G. ZACHRICH CONSTRUCTION, INC.

BY


Stephen S. Zachrich, President

Attest:

Contract approved:

By 
Fulton County Prosecutor

Date 4-1-24

Vendor: R.G. Zachrich Construction, Inc.

Vendor #: RGZAC20

Project: Bridge 10-3RS.3 Replacement

COUNTY AUDITOR'S CERTIFICATE

It is hereby certified that the amount of \$369,498.70 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) fund free from any obligation or certification now outstanding.

Dated: 03-29-2024



Brett J. Kolb- Fulton County Auditor

FULTON COUNTY CONTRACT REVIEW FORM – CHECKLIST A ADDENDUM

Contractor: R.G. Zachrich Construction, Inc., 10105 Haller St., Defiance, OH 43512

Date: March 27, 2024 Contract For: Engineer - Bridge 10-3RS.3 Replacement

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
- 1, 2, 10 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: _____
- 12 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
- 13 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

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

 3/29/24
Signature and Date

Reviewed by:

Luke Jones Date: _____

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

Contractor: R.G. Zachrich Construction, Inc., 10105 Haller St., Defiance, OH 43512

Date: March 27, 2024 Contract For: Engineer - Bridge 10-3RS.3 Replacement

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: 3/6/24 and internet post Open: March 21, 2024 at 9:00 a.m.
Estimate of Costs in Specifications, RC 307.86. \$ 480,000.00
Bid within 20% of Entire Estimated Costs, RC 153.12. \$ 369,498.70

- Contract 1 3. Partial Payment to Contractor for Work Performed, RC 153.12–153.14.

- Contract 1 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: 10/25/24 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

- 1, 2, 10 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

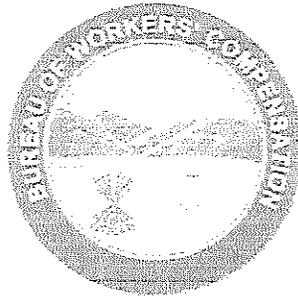
This certifies that the employer listed below participates in the Ohio State Insurance Fund as required by law. Therefore, the employer is entitled to the rights and benefits of the fund for the period specified. This certificate is only valid if premiums and assessments, including installments, are 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
00347466

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

R G ZACHRICH CONSTRUCTION INC
10105 HALLER ST
DEFIANCE OH 43512-1227



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, marihuana 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, marihuana 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.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
9/27/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

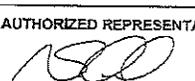
| | | | |
|--|--|--|--------------------------------------|
| PRODUCER Schauer Group, Inc. 200 Market Ave. N Suite 100 Canton, OH 44702 | CONTACT NAME: PHONE (A/C, No, Ext): (330) 453-7721 | | FAX (A/C, No): (330) 453-4911 |
| | E-MAIL ADDRESS: insure@schauergroup.com | | |
| INSURED R.G. Zachrich Construction, Inc. & Zachrich Leasing, Inc. 10105 Haller Street Defiance, OH 43512 | | INSURER(S) AFFORDING COVERAGE INSURER A: Cincinnati Insurance Companies | NAIC # 10677 |
| | | INSURER B: | |
| | | INSURER C: | |
| | | INSURER D: | |
| | | INSURER E: | |
| | | INSURER F: | |

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|---|-----------|----------|---------------|-------------------------|-------------------------|---|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: | | | EPP 0695389 | 10/1/2023 | 10/1/2024 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 |
| A | <input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY | | | EPP 0695389 | 10/1/2023 | 10/1/2024 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ |
| A | <input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$ | | | EPP 0695389 | 10/1/2023 | 10/1/2024 | EACH OCCURRENCE \$ 8,000,000 AGGREGATE \$ 8,000,000 |
| A | <input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below | | N/A | EPP 0695389 | 10/1/2023 | 10/1/2024 | PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

| | |
|---|---|
| CERTIFICATE HOLDER Fulton County Commissioners 152 S. Fulton St., Suite 270 Wauseon, OH 43567 | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE  |
|---|---|

Entity#: 338963
Filing Type: CORPORATION FOR PROFIT
Original Filing Date: 03/30/1965
Location: DEFIANCE
Business Name: R. G. ZACHRICH CONSTRUCTION, INC.

Status: Active
Exp. Date: -

Agent/Registrant Information

STEPHEN A. ZACHRICH
10105 SWITZER RD
DEFIANCE OH 43512
11/17/1993
Active

Filings

| Filing Type | Date of Filing | Document ID |
|---------------------------------------|----------------|--------------|
| DOMESTIC ARTICLES/FOR PROFIT | 03/30/1965 | B400_1661 |
| DOMESTIC CONTINUED EXISTENCE LETTER | 09/09/1993 | 000000044899 |
| DOMESTIC AGENT SUBSEQUENT APPOINTMENT | 11/17/1993 | 9331_1020 |
| DOMESTIC CONTINUED EXISTENCE | 12/08/1993 | 000000044900 |

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 27th of March, A.D. 2024

Ohio Secretary of State

[Signature]



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: **Zachrich, Stephen**
Organization: **R. G. Zachrich Construction, Inc.**
Date: **3/27/2024 10:10:00 AM**

James Deller
3/27/24

This search produced the following list of **34** possible matches:

| Name/Organization | Address |
|---|--------------------------------------|
| Jones, Stephen Todd | 16605-J Redcliff Drive |
| Sites, Stephen | 204 Lane Street |
| Sites, Stephen | 3702 Christopher Pl |
| Sites, Stephen | 3702 Christopher Place |
| Sites, Stephen | 845 Marion Pike |
| Sites, Stephen | 845 Marion Pike |
| Sites, Stephen | 845 Marion Pike |
| Bocook, Steve | |
| Connell, Steve | 8851 Cedar Hills Road |
| Crockett, Steve | 3280 Morse Rd., Suite 214 |
| Dudley, Sr. (LED Consulting), Edward | 2720 Airport Drive |
| Freeman, Steven | 213 W Como Ave |
| Haddix, Stella | |
| Industrial Hydraulics, Mr. Ron Baisden | 108 S. 2nd St. |
| Johnson, Steven | 1110 East Main Street, Apartment 611 |
| Johnson, Steven | 4027 Shaker Road |
| Jones, Stephanie | 95 B Mead Road |
| L & H Water & Storage Tank Division, Mr. E.F. Lephart | 420 Superior St. |
| Millard, Stephanie | 2120 Kemper Lane, Apartment 1 |
| Millard, Stephanie | 2120 Kemper Lane Apt. 1 |
| Millard, Stephanie | 2120 Kemper Lane Apt. 1 |
| Millard, Stephanie | 2120 Kemper Lane, Apartment 1 |
| Millard, Stephanie | 2120 Kemper Lane, Apt. 1 |
| Millard, Stephanie | 2120 Kemper Lane, Apartment 1 |
| Rheinfrank, Stephanie | 345 Delaware Dr |
| Rogers, Steven | 159 Virginia Avenue |
| Setzer, Steve | 13 Honeysuckle Lane |

| Name/Organization | Address |
|---|------------------------------------|
| Shannon, Jr., Charles | 13830 Davis Road |
| Starks, Jr., Chester | 11470 Euclid Ave. #170 |
| Starks, Jr., Chester | 11470 Euclid Avenue #170 |
| Unimicro, Inc., Mr. Benedict Uguru, President | 1463 Warrensville Center Road #106 |
| Wilson, Stephanie | 9476 SR 329 |
| Woods III, Chester | 619 Greenbriar Circle |
| Woolf, Steve | 8803 Baltimore-Phillipsburg Road |

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.

Atlantic Specialty Insurance Company

(NAIC #27154)

BUSINESS ADDRESS: 605 Highway 169 North, Suite 800, Plymouth, MN 55441.

PHONE: (952) 852-2431.

UNDERWRITING LIMITATION b/: \$80,858,000.

SURETY LICENSES c,f/: AL, AK, 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: New York.
