

RESOLUTION 2024-357

In the Matter of Resolution to Enter Into ) Office of County Commissioners
Contract 2024-55 with Lake Erie Construction Co. ) Fulton County, Ohio
For the FUL CR VAR GR-FY2025 Guardrail ) May 2, 2024
Replacement Project

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on May 2, 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 April 9, 2024 for the FUL CR VAR GR-FY2025 Replacement Project on behalf of the Fulton County Engineer; and

WHEREAS, on April 16, 2024, upon the recommendation of the Fulton County Engineer, the bid was awarded to Lake Erie Construction Co, in the amount of \$523,725.00 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 2024-55 with Lake Erie Construction Co., for the FUL CR VAR GR-FY2025 Replacement Project in the amount of \$523,725.00, 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:

[Signature]
Jeff Rupp

Jeff Rupp

Jeff Rupp

[Signature]
Joe Short

Joe Short

Joe Short

[Signature]
Jon Rupp

Jon Rupp

Jon Rupp

BOARD OF COUNTY COMMISSIONERS
FULTON COUNTY, OHIO

Attest: [Signature]
Jessica Schuette, Clerk

CONTRACT NO. 2024-55

This Contract, made this 2nd day of MAY A.D. 2024 between the BOARD OF FULTON COUNTY COMMISSIONERS hereinafter called "Board" and LAKE ERIE CONSTRUCTION CO., 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

FUL CR VAR GR FY25 GUARDRAIL UPGRADE PID 112405

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 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 five hundred twenty-three thousand, seven hundred twenty-five dollars and 00/100 (\$523,725.00). 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]  
CONTRACTOR

Attest:

\_\_\_\_\_

LAKE ERIE CONSTRUCTION CO.

BY

[Signature]  
David P. Bleile, President

Contract approved as to form:

By

[Signature]  
Fulton County Prosecutor

Date

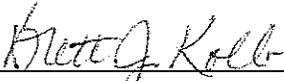
4-30-24

Vendor: Lake Erie Construction CO.  
Vendor #: LAKEE15  
Project: FUL CR VAR GR FY25 Guardrail Upgrade PID 112405

**COUNTY AUDITOR'S CERTIFICATE**

It is hereby certified that the amount of \$523,725.00 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 \$223,725.00; 4140-20143-5-41043 \$300,000.00) fund free from any obligation or certification now outstanding.

Dated: 04-30-2024

  
\_\_\_\_\_  
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

*Frank T. Onweller* 4/30/24  
Signature and Date

**Reviewed by:**

Luke Jones                      Date: 4-30-24

**FULTON COUNTY CONTRACT REVIEW FORM – CHECKLIST A ADDENDUM**

Contractor: Lake Erie Construction Co., 25 South Norwalk Rd. W., P.O. Box 777, Norwalk, OH 44857

Date: April 17, 2024 Contract For: Engineer - FUL CR VAR GR FY2025 GUARDRAIL UPGRADE

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

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

Contractor: Lake Erie Construction Co., 25 South Norwalk Rd. W., P.O. Box 777, Norwalk, OH 44857

Date: April 17, 2024 Contract For: Engineer - FUL CR VAR GR FY2025 GUARDRAIL UPGRADE

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: 3/20/24 and internet post Open: April 11, 2024 at 9:00 a.m.  
Estimate of Costs in Specifications, RC 307.86. \$ 810,000.00  
Bid within 20% of Entire Estimated Costs, RC 153.12. \$ 523,725.00
- 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: 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
- 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.

Project is partially funded with a federal grant so there will be no retainage withheld and Davis Bacon wage rates will apply.

Revision Date: 02/08/2024



**Ohio**

**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](http://www.bwc.ohio.gov), or call 1-800-644-6292.

This certificate must be conspicuously posted.

Policy number and employer  
00759530

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

LAKE ERIE CONSTRUCTION COMPANY  
PO BOX 777  
NORWALK OH 44857-0777



[www.bwc.ohio.gov](http://www.bwc.ohio.gov)  
Issued by: BWC

A handwritten signature in dark ink, appearing to read "John Love".

Administrator/CEO

You can reproduce this certificate as needed.

**Ohio BWC Drug Free Safety Program**

**Policy Number: 759530-0**  
**Company Name: Lake Erie Construction Company**  
**Construction Contractor Status: Approved**  
**Construction Contractor Status Date: 12/11/2002 12:00:00 AM**  
**Company Contact: Samantha Blodgett**  
**Company Contact Phone: (419) 668-3302**

Lake Erie Construction Company  
25 South Norwalk Road  
Norwalk, OH 44857  
PH: 419-668-3302  
FAX: 419-668-3314



**Bureau of Workers'  
Compensation**

30 W. Spring St.  
Columbus, OH 43215

### **Certificate of Ohio Workers' Compensation**

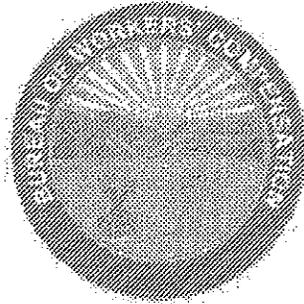
This certifies that the employer listed below participates in the Ohio State Insurance Fund as required by law. Therefore, the employer is entitled to the rights and benefits of the fund for the period specified. This certificate is only valid if premiums and assessments, including installments, are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

This certificate must be conspicuously posted.

Policy number and employer  
00759530

Period Specified Below  
07/01/2024 to 07/01/2025

LAKE ERIE CONSTRUCTION COMPANY  
PO BOX 777  
NORWALK OH 44857-0777



[www.bwc.ohio.gov](http://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.

**Entity#:** 492612  
**Filing Type:** CORPORATION FOR PROFIT  
**Original Filing Date:** 01/24/1977  
**Location:** NORWALK  
**Business Name:** LAKE ERIE CONSTRUCTION CO.  
  
**Status:** Active  
**Exp. Date:** -

### Agent/Registrant Information

MICHAEL J BLEILE  
25 S NORWALK RD  
NORWALK OH 44857  
05/29/1998  
Active

### Filings

Filing Type	Date of Filing	Document ID
DOMESTIC ARTICLES/FOR PROFIT	01/24/1977	E237_0202
DOMESTIC AGENT SUBSEQUENT APPOINTMENT	07/17/1985	F698_0313
DOMESTIC CONTINUED EXISTENCE LETTER	09/09/1993	000000113125
DOMESTIC AGENT SUBSEQUENT APPOINTMENT	01/30/1997	5829_1427
AGENT NAME/ADDRESS TAX UPDATE	04/07/1999	AGNTUPDT

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 17th of April, A.D. 2024*

*Ohio Secretary of State*

A handwritten signature in cursive script, reading "Frank LaRose".



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: **Bleile, David**  
Organization: **Lake Erie Construction Co.**  
Date: **4/17/2024 10:53:59 AM**

This search produced the following list of **19** possible matches:

Name/Organization	Address
Bozanich, David	7842 Walnut Street
Clarich, David	1178 E. Aurora Road
Coffman, David	7770 Wrightstown Road
Donadeo, David	463 Vallie Lane
Frick, David	
Gleason, David	2700 Hemphill Dr.
Gray, David	1580 State Route 56
Hoffman, David	
Mohler, David	7922 Road U
Schneider, David	20088 Center Ridge Road
Schneider, David	20088 Center Ridge Road
Smalley, David	1292 Chester Way NW
Smith, David	3791 State Route 63
Cable, Gregory R.	8800 Savage Lane
Independent Cable	2301 Stoney Run Trail
Lake, Tina	328 Wilkshire Drive
Noble County Law Library Association	300 County Court House
Vintage Coins and Cards AKA Vintage Coins and Collectibles	
Whitaker, Kwa David	2125 Superior Avenue

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.

(NAIC #42552)

BUSINESS ADDRESS: 440 LINCOLN STREET, WORCESTER, MA 01653 - 0002

PHONE: (508) 853-7200

UNDERWRITING LIMITATION b/: \$9,994,000

SURETY LICENSES c,f/: AL, AK, AZ, AR, CA, CO, CT, DE, DC, FL, GA, 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, RI, SC, SD, TN, TX, UT, VT, VA, WA, WI, WY

INCORPORATED IN: New York

## **Ohio Casualty Insurance Company (The)**

(NAIC #24074)

BUSINESS ADDRESS: 175 Berkeley Street, Boston, MA 02116

PHONE: (617) 357-9500

UNDERWRITING LIMITATION b/: \$246,650,000

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, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI, WY

INCORPORATED IN: New Hampshire

## **Ohio Farmers Insurance Company**

(NAIC #24104)

BUSINESS ADDRESS: P. O. Box 5001 , Westfield Center , OH 44251 - 5001

PHONE: (330) 887-0101

UNDERWRITING LIMITATION b/: \$263,648,000

SURETY LICENSES c,f/: AL, AZ, AR, CO, DE, DC, FL, GA, IL, IN, IA, KY, LA, MD, MA, MI, MN, MS, MO, MT, NE, NV, NJ, NM, NY, NC, ND, OH, OK, PA, RI, SC, SD, TN, TX, UT, VA, WA, WV, WI, WY

INCORPORATED IN: Ohio

## **Ohio Indemnity Company**

(NAIC #26565)

BUSINESS ADDRESS: 250 E. Broad St., 7th Floor, Columbus, OH 43215 - 0000

PHONE: (614) 228-2800

UNDERWRITING LIMITATION b/: \$6,181,000

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

INCORPORATED IN: Ohio

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