

RESOLUTION 2014-612

In the Matter of Resolution to Enter Into)
Contract 2014-87 with Ward Construction, Inc.) Office of County Commissioners
For 2014 Seal Coat Project) July 1, 2014
Fulton County, Ohio

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on July 1, 2014, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Paul Barnaby
Perry Rupp
Bill Rufenacht

Commissioner Barnaby moved for the adoption of the following resolution:

WHEREAS, bids were received on May 22, 2014 for the 2014 Seal Coat Project on behalf of the Fulton County Engineer; and


WHEREAS, on May 27, 2014, upon the recommendation of the Fulton County Engineer, the bid was awarded to Ward Construction, Inc. in the amount of \$308,757.80 and a contract facilitating the project has been successfully negotiated; and

WHEREAS, the Townships of Chesterfield, Franklin, Fulton, Gorham & York have all provided certifications that their proportionate shares of the \$308,757.80 are available and reserved for the payment therein;

THEREFORE BE IT RESOLVED, that the Board of Fulton County Commissioners enters into Contract 2014-87 with Ward Construction, Inc. for the 2014 Seal Coat Project in the amount of \$308,757.80, 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 Rufenacht seconded the resolution and upon calling the roll, the following vote was taken:

Voting Aye thereon:	Voting Nay thereon:	Abstain:
<u>Paul Barnaby</u> Paul Barnaby	Paul Barnaby	Paul Barnaby
Perry Rupp	Perry Rupp	 Perry Rupp
<u>Bill Rufenacht</u> Bill Rufenacht	Bill Rufenacht	Bill Rufenacht

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

Attest: 
Teri Suarez, Clerk

CONTRACT NO. 2014-87

This Contract, made this 1st day of July A.D. 2014 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

2014 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 August 15, 2014. 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 eight thousand, seven hundred fifty seven dollars and 80/100 (\$308,757.80). 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.

Attest:


BOARD OF COMMISSIONERS
BY Paul Barney
Bill Ruffert

CONTRACTOR
WARD CONSTRUCTION CO.
BY Barry A. Rosebrock
Barry A. Rosebrock, Vice President

Contract approved ^{SPM} as to form:
By Paul A. Hark
Fulton County Prosecutor
Date 6-25-14