

RESOLUTION 2014-687

In the Matter of Resolution to Enter Into) Office of County Commissioners
Contract 2014-95 with Gerken Paving, Inc.) Fulton County, Ohio
For 2014 Asphalt Resurfacing) July 24, 2014

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on July 24, 2014, 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 19, 2014 for the 2014 Asphalt Resurfacing Program on behalf of the Fulton County Engineer; and

WHEREAS, on June 24, 2014, upon the recommendation of the Fulton County Engineer, the bid was awarded to Gerken Paving, Inc. in the amount of \$944,488.00 and a contract facilitating the project has been successfully negotiated; and

WHEREAS, the Townships Swancreek & Fulton have provided certifications that their proportionate shares of the \$944,488.00 are available and reserved for the payment therein;

THEREFORE BE IT RESOLVED, that the Board of Fulton County Commissioners enters into Contract 2014-95 with Gerken Paving, Inc., for the 2014 Asphalt Resurfacing Program in the amount of \$944,488.20, 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:	Voting Nay thereon:	Abstain:
<u>Paul Barnaby</u> Paul Barnaby	Paul Barnaby	<u> </u> 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
Teri Suarez, Clerk

CONTRACT NO. 2014-95

This Contract, made this 24th day of July A.D. 2014 between the BOARD OF FULTON COUNTY COMMISSIONERS hereinafter called "Board" and GERKEN PAVING, 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

2014 Asphalt Resurfacing Project

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 30, 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 nine hundred forty-four thousand, four hundred eighty-eight dollars and 20/100 (\$944,488.20). 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.

Witness: Andrea Chulich

BOARD OF COMMISSIONERS

BY [Signature]
Bill Rife
Paul Banaby

CONTRACTOR

GERKEN PAVING, INC.

BY [Signature]
Dean R. Breese, Vice President

Contract approved ^{SAB} ~~for~~ [Signature]
By [Signature]
Fulton County Prosecutor
Date 7-21-2014

Contract:
Vendor: Gerken Paving, Inc.
Vendor #: GERKE60
Project: 2014 Asphalt Resurfacing Project

COUNTY AUDITOR'S CERTIFICATE

It is hereby certified that the amount of (771,028.20) 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 fund free from any obligation or certification now outstanding.

Dated: 07-25-2014


Brett J. Kolb - Fulton County Auditor