

RESOLUTION 2014-715

In the Matter of Resolution to Enter Into)
Contract 2014-101 with RG Zachrich Construction,) Office of County Commissioners
Inc. For Replacement of Bridge 5-2HJ.0 Project) Fulton County, Ohio
August 5, 2014

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on August 5, 2014, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Perry Rupp
Bill Rufenacht

Commissioner Rupp moved for the adoption of the following resolution:

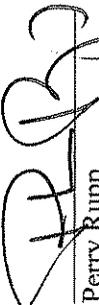
WHEREAS, bids were received on July 15, 2014 for the 2014 Replacement of Bridge 5-2HJ.0 Project on behalf of the Fulton County Engineer; and

WHEREAS, on July 17, 2014, upon the recommendation of the Fulton County Engineer, the bid was awarded to RG Zachrich Construction, Inc. in the amount of \$262,626.08 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 2014-101 with RG Zachrich Construction, Inc., for the 2014 Replacement of Bridge 5-2HJ.0 in the amount of **\$262,626.08**, 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:
 Perry Rupp	_____	Perry Rupp
 Bill Rufenacht	_____	Bill Rufenacht

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

Attest: 
Teri Suarez, Clerk

CONTRACT NO. 2014-101

This Contract, made this 5th day of August A.D. 2014 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

REPLACEMENT OF BRIDGE 5-2HJ.0

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.

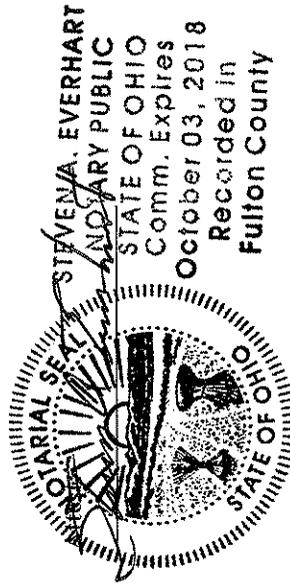
The Contractor further covenants and agrees that the following papers shall be an essential and binding part of this contract: Notice to contractors, plans and specifications, contract, contract bond, and proposal.

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 14, 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 two hundred sixty-two thousand six hundred twenty-six dollars and 08/100 (\$262,626.08). 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.



Contract approved:

By A. H. Whitman
Fulton County Prosecutor (Assistant)

Date 7-30-14

BOARD OF COMMISSIONERS

BY

Bill P. P. P.

CONTRACTOR

R.G. ZACHRICH CONSTRUCTION, INC.

BY

Stephen S. Zachrich
Stephen S. Zachrich, Vice President

NON-DISCRIMINATION AFFIDAVIT

(This affidavit must be executed for the bid to be considered)

State of OHIO

) ss.

County of DeFiance

Stephen S. Zaczewicz being first duly sworn, deposes and says that he/she is

Name

Vice President of R.G. Zaczewicz Construction, Inc. the party

Title

Company

that made the foregoing proposal or bid; that such party does not and shall not discriminate against any employee or applicant for employment because of race, creed, sex, disability or military status as defined in section 4112.01 of the Ohio Revised Code, or color as is described and prohibited by Section 153.59 and/or 125.111 of the Ohio Revised Code. Furthermore, if awarded the contract under this proposal or bid, said party shall indemnify and hold harmless the Fulton County Board of Commissioners for any violations of Section 153.59 or 125.111 of the Ohio Revised Code made by any contractor, subcontractor or any person who works on behalf of the party relating to the ensuing contract.

[Signature]
Signature

Stephen S. Zaczewicz
Affiant

R.G. Zaczewicz Construction, Inc.
Company

10105 Harcey St
Address

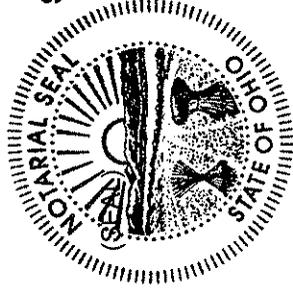
DeFiance, Ohio 43512
City/State/Zip Code

Sworn to and subscribed before me this 15 day of July, 2014.

[Signature]

Notary Public

Fulton County, Ohio.



STEVEN A. EVERHART
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
October 03, 2018
Recorded in
Fulton County

My Commission Expires

Oct 3, 2014

NON-COLLUSION AFFIDAVIT
(This affidavit must be executed for the bid to be considered)

State of Ohio

) ss.

County of DeLancey

I, Stephen S. Zacharek, Vice President
(Name of party signing affidavit) (Title)

being duly sworn, do depose and say:
that R.E. Zacharek Construction, Inc.
(Insert name of Individual, Co-partnership, or Corporation)

its agent, officers or employees have not directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this proposal.

[Signature]
(Signature)

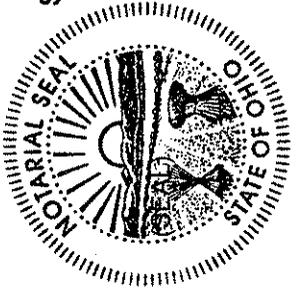
Vice President
(Title)

Sworn to and subscribed before me this 15 day of July, 2014.

[Signature]

Notary Public

Fulton County, Ohio.



STEVEN A. EVERHART
NOTARY PUBLIC
STATE OF OHIO
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Oct 3, 2018

NO FINDINGS FOR RECOVERY AFFIDAVIT

(O.R.C. Section 9.24)

(This affidavit must be executed for the bid to be considered)

THIS FORM MUST BE COMPLETED IN ITS ENTIRETY AND NOTARIZED

I Stephen S. Zachariah, Vice President, R.G. Zachariah Construction, Inc.
(NAME) (TITLE) (NAME OF COMPANY)

affirm that at the time that I submitted the bid for Bid # 5-241.0 Replacement
(BID TITLE)

to the Board of Fulton County Commissioners on July 15, 2014 that
(DATE)

R.G. Zachariah Construction Inc. HAS (HAS NO) unresolved finding for recovery from
(NAME OF COMPANY) (CIRCLE ONE)

the State Auditor per Ohio Revised Code 9.24.

(If there is a unresolved finding for recovery from the State Auditor, please complete the following section)

The amount of unresolved finding for recovery due the State Auditor is

0 - and unpaid penalties and interest are 0 -
(AMOUNT) (AMOUNT)

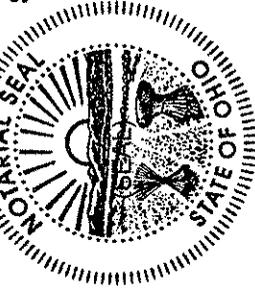
[Signature]
(SIGNATURE)

R.G. Zachariah Construction, Inc.
(COMPANY)

July 15, 2014
(DATE)

Sworn to and subscribed before me this 15 day of July 2014.

[Signature]
Notary Public



STEVEN A. EVERHART
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
October 03, 2018
Recorded in
Fulton County

Fulton County, Ohio.

My Commission Expires
October 3, 2018

Contract:

Vendor: R.G. Zachrich Construction, Inc.

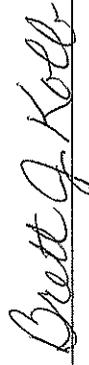
Vendor #: RGZAC20

Project: Replacement of Bridge 5-2HJ.0

COUNTY AUDITOR'S CERTIFICATE

It is hereby certified that the amount of (262,626.08) 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 (2420-14143-5-75009, \$131,313.04; 4140-20143-5-41014 \$131,313.04; 4140-15143-4-52008) fund free from any obligation or certification now outstanding.

Dated: *07-30-2014*



Brett J. Kolb- Fulton County Auditor

[Print this report](#)

Corporation Details

Corporation Details																
Entity Number	338963															
Business Name	R. G. ZACHRICH CONSTRUCTION, INC.															
Filing Type	CORPORATION FOR PROFIT															
Status	Active															
Original Filing Date	03/30/1965															
Expiry Date																
Location: DEFIANCE	County: DEFIANCE State: OHIO															
Agent / Registrant Information																
STEPHEN A. ZACHRICH 10105 SWITZER RD DEFIANCE, OH 43512 Effective Date: 11/17/1993 Contact Status: Active																
Incorporator Information																
R G ZACHRICH JOHN E ZIMMERMAN JOHN W WEANER																
Share Information																
	<table border="1"> <thead> <tr> <th>Type</th> <th>Par Value</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>NO PAR COMMON</td> <td>0.00</td> <td>250</td> </tr> </tbody> </table>	Type	Par Value	Total	NO PAR COMMON	0.00	250									
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Findings for Recovery Search

Individual or Company: Last Name, First Name

Gov't Entity Name:

Date Certified:

Finding Status:

- [View statute regarding the Findings for Recovery Database](#)
- [Auditor of State Bulletin 2003-009](#)
- [Auditor of State Bulletin 2004-006](#)
- [Information on how to resolve your finding for recovery](#)
- [Download Findings for Recovery List](#)

**** There were no matching records found. ***

Please broaden your search criteria.

* Findings for Recovery with joint and several liability
You may click on the  for additional finding information.

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*** There were no matching records found. ***
 Please broaden your search criteria.

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 You may click on the  for additional finding information.

INTEROFFICE MEMORANDUM

TO: VOND HALL
FROM: TERI SUAREZ
SUBJECT: REPLACEMENT OF BRIDGE 5-2HJ.0
DATE: JULY 28, 2014
CC:

Attached please find the contract with RG Zachrich for the Replacement of Bridge 5-2HJ.0 project.

Please begin the review process.

FULTON COUNTY CONTRACT REVIEW FORM

TO: Scott A. Haselman, Jon H. Whitmore

FROM: Laura L. Howell

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: 07/28/2014

Notes and/or Special Attention To:

Please execute _____ originals and return to: _____

Contract approved by Jon Whitmore on 07-31-2014

Laura L. Howell 08.04.14
Signature and Date

Reviewed by:

Scott A. Haselman Date: _____

FULTON COUNTY CONTRACT REVIEW FORM – CHECKLIST A ADDENDUM

Contractor: RG Zachrich Construction Inc.

Date: 08-04-2014

Contract For: Engineer - Replacement of Bridge 5-2HJ.0

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
- 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 \$50,000.)
 Completed Exception, RC 307.86: _____
- 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
- 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: RG Zachrich Construction Inc.

Date: 08/04/2014 Contract For: Engineer - Replacement of Bridge 5-2HJ.0

Contract Page(s)
If Applicable

- OPWC 15 1. Domestic Steel Usage with Use of State Capital Funds, RC 153.011.
 Not applicable
2. Award Bid, RC 307.86. Over \$50,000.
Within 60 days, RC 153.12. Ads: 06/26/14 and internet posting. Open: 07/15/2014 @ 10:00am
Estimate of Costs in Specifications, RC 307.86. \$ 297,000.00
Bid within 10% of Entire Estimated Costs, RC 153.12. \$ 262,626.08
- 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
6. Completion Deadline and Liquidated Damages (Forfeiture Clause), RC 153.19.
Complete by: 10-14-2014 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
- Instruction 1 9. Anti-Discrimination Clause and Forfeiture for Breach, RC 153.59-153.60.

Comments: