

RESOLUTION 2015-347

In the Matter of Resolution to Enter Into Contract        )     Office of County Commissioners  
 2015-64 with B. Hill'z Excavating for 2015            )     Fulton County, Ohio  
 Replacement of Bridge 26D.5 Project                    )     April 21, 2015  
 Behalf of County Engineer                                )     )

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on April 21, 2015, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Bill Rufenacht  
 Paul Barnaby  
 Jeff Rupp

Commissioner Rupp moved for the adoption of the following resolution:

**WHEREAS,** on March 24, 2015 the Board of Commissioners of Fulton County received bids for the 2015 Replacement of County Bridge 26D.5 on behalf of the Fulton County Engineer; and

**WHEREAS,** on March 26, 2015, upon the recommendation of the County Engineer, the Commissioners awarded the bid to lowest and best bidder, B. Hill'z Excavating of Wayne, Ohio, in the amount of \$205,888.68; and

**WHEREAS,** a contract has been successfully negotiated with B. Hill'z Excavating to furnish all materials, equipment, tools and labor necessary to perform all the work required for the 2015 Replacement of County Bridge 26D.5; and .

**THEREFORE BE IT RESOLVED,** that the Fulton County Board of Commissioners hereby enter into **Contract 2015-64** with B. Hill'z Excavating, of Wayne, Ohio, in the amount of \$205,888.68 according to the plans, specifications, terms and conditions contained therein and shall not exceed said amount without formal proceedings of the Board of Commissioners; 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>Bill Rufenacht</u> Bill Rufenacht	_____	_____
<u>Paul Barnaby</u> Paul Barnaby	_____	_____
<u>Jeff Rupp</u> Jeff Rupp	_____	_____

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

Attest: Feri Suarez  
 Feri Suarez, Clerk

CONTRACT NO. 2015-64

This Contract, made this 21<sup>st</sup> day of April A.D. 2015 between the BOARD OF FULTON COUNTY COMMISSIONERS hereinafter called "Board" and B. HILL'Z EXCAVATING, 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 26D.5 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 July 17, 2015. 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 five thousand, eight hundred eighty-eight dollars and 68/100 (\$205,888.68). 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 Bill Rumpf  
Paul Barnaby

CONTRACTOR

B. HILL'Z EXCAVATING, INC.

BY Joseph Dreier V.P.  
Joseph Dreier, Vice President

Attest:  
Allen Swartz

Contract approved:  
By Kevin Hasel  
Fulton County Prosecutor  
Date 4/17/15

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\_\_\_\_\_

**Contract:**

**Vendor: B. Hill's Excavating, Inc.**

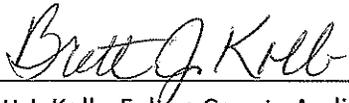
**Vendor #: BHILL10**

**Project: Bridge 26D.5 Replacement**

**COUNTY AUDITOR'S CERTIFICATE**

It is hereby certified that the amount of (\$205,888.68) 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 (2420-14143-5-75011 \$51,472.17; 4140-20143-5-41016 \$154,416.51; 4140-44143-4-44207) fund free from any obligation or certification now outstanding.

Dated: *04-15-2015*



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Brett J. Kolb- Fulton County Auditor