

RESOLUTION 2016-458

In the Matter of Resolution to Enter Into) Office of County Commissioners
Contract 2016-83 with Gerken Paving, Inc.) Fulton County, Ohio
For 2016 Asphalt Resurfacing) June 9, 2016

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on June 9, 2016, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Paul Barnaby
Jeff Rupp
Bill Rufenacht

Commissioner Rupp moved for the adoption of the following resolution:

WHEREAS, bids were received on May 31, 2016 for the 2016 Asphalt Resurfacing Program on behalf of the Fulton County Engineer; and

WHEREAS, on June 2, 2016, upon the recommendation of the Fulton County Engineer, the bid was awarded to Gerken Paving, Inc. in the amount of \$2,180,040.55 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 \$2,180,040.55 are available and reserved for the payment therein;

THEREFORE BE IT RESOLVED, that the Board of Fulton County Commissioners enters into Contract 2016-83 with Gerken Paving, Inc., for the 2016 Asphalt Resurfacing Program in the amount of \$2,180,040.55, 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:

Paul Barnaby
Jeff Rupp
Bill Rufenacht

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Jeff Rupp
Bill Rufenacht

BOARD OF COUNTY COMMISSIONERS
FULTON COUNTY, OHIO

Attest: Teri Suarez, Clerk

CONTRACT NO. 2016-83

This Contract, made this 9th day of June A.D. 2016 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

2016 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 October 1, 2016. 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 million, one hundred eighty thousand, forty dollars and 55/100 (\$2,180,040.55). 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 Paul Barnaby
[Signature]
Bill Ruff

Attest: Andrea Thompson

CONTRACTOR
GERKEN PAVING, INC.
BY [Signature]
Dean R. Breese, Vice President

Contract approved as to form:
By Neeraj H. Hersh
Fulton County Prosecutor
Date 6/7/16

Contract:

Vendor: Gerken Paving, Inc.

Vendor #: GERKE60

Project: 2016 Asphalt Resurfacing Project

COUNTY AUDITOR'S CERTIFICATE

It is hereby certified that the amount of \$894,882.25 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: *06-03-2016*

Brett J. Kolb

Brett J. Kolb- Fulton County Auditor

Contract:
Vendor: Gerken
Vendor #:
Project: Road 6

Amboy Township Fiscal Officer's Certificate

It is hereby certified that the amount of \$54,756.89 is covered by OPWC and \$78,796.51 is covered by Amboy Twp. 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 Township Treasury or in process of collection to the credit of the Gas Tax and Road and Bridge fund/s free from any obligation or certification now outstanding.

Dated: 6-2-2016


Suzanne Holland-, Fiscal Officer

Contract:

Vendor: Gerken Paving

Vendor #:

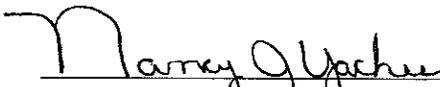
Project: 2016 Asphalt Resurfacing Project

Clinton Township Fiscal Officer's Certificate

It is hereby certified that the amount of \$189,496.89 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 Township Treasury or in process of collection to the credit of the 2191-330-360-000 fund free from any obligation or certification now outstanding.

\$315,543.56 will be paid by OPWC.

Dated: June 2, 2016



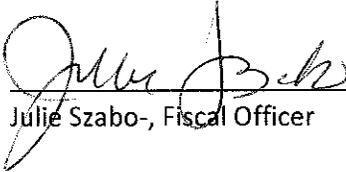
Nancy J Yackee, Fiscal Officer

Contract:
Vendor:Gerken Paving Inc
Vendor #:
Project: 2016 Asphalt Resurfacing Program

Fulton Township Fiscal Officer's Certificate

It is hereby certified that the amount of \$151,784.90 required to meet the contract, agreement, obligation, payment of expenditure, for the above, of which \$49,423.41 is covered by OPWC and \$102,361.49 is covered by Fulton Township, has been lawfully appropriated or authorized or directed for such purpose and is in the Township Treasury or in process of collection to the credit of the road and bridge and gas tax fund/s free from any obligation or certification now outstanding.

Dated:


Julie Szabo-, Fiscal Officer

Contract:
Vendor:
Vendor #:
Project:

Pike Township Fiscal Officer's Certificate

It is hereby certified that the amount of (\$86,826.00) 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 Township Treasury or in process of collection to the credit of the (2021-330-360-0000 / 2031-330-360-0000) fund free from any obligation or certification now outstanding.

Dated: June 02, 2016

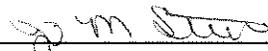

Dennis N. Savage, Fiscal Officer

Contract:
Vendor: Gerken Paving
Vendor #:
Project: 2016 Asphalt Resurfacing Program

Swan Creek Township Fiscal Officer's Certificate

It is hereby certified that the amount of \$407,953.55 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 Township Treasury or in process of collection to the credit of the Public Works Commission Project Account Code #4401-760-360-0000 free from any obligation or certification now outstanding.

Dated: 6/6/16



Jo M. Stultz, Fiscal Officer