

RESOLUTION 2017-114

In the Matter of Resolution to Enter Into) Office of County Commissioners,
 Contract 2017-24 with Miller Brothers Construction, Inc.) Fulton County, Ohio
 for the Reconstruction of County Road M Between) February 2, 2017
 CR 22 & SR 66 Including Replacement of Bridge)
 M23.9 Project)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on February 2, 2017 at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Jeff Rupp
 Bill Rufenacht
 Jon Rupp

Commissioner Jon Rupp moved for the adoption of the following resolution:

WHEREAS, bids were received on January 24, 2017 for the 2017 Reconstruction of CR M between CR 22 & SR 66 Including Replacement of Bridge M23.9 project on behalf of the County Engineer; and

WHEREAS, on January 26, 2017, pursuant to the recommendation of the County Engineer, the Commissioners awarded the bid to Miller Brothers Construction, Inc. in the amount of \$1,428,463.65; and

THEREFORE, BE IT RESOLVED, the Fulton County Board of Commissioners does hereby enter into Contract 2017-24 with Miller Brothers Construction, Inc. for the 2017 Reconstruction of CR M between CR 22 & SR 66 Including Replacement of Bridge M23.9 project as attached hereto; 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 Bill Rufenacht seconded the resolution and upon calling the roll, the following vote was taken:

Voting Aye thereon:

Voting Nay thereon:

Abstain:

[Signature]
 Jeff Rupp
[Signature]
 Bill Rufenacht
[Signature]
 Jon Rupp

 Jeff Rupp

 Bill Rufenacht

 Jon Rupp

 Jeff Rupp

 Bill Rufenacht

 Jon Rupp

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

Attest: [Signature]
 Teri Suarez, Clerk

CONTRACT NO. 2017-24

This Contract, made this 2nd day of February A.D. 2016 between the BOARD OF FULTON COUNTY COMMISSIONERS hereinafter called "Board" and Miller Bros. Const., 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

RECONSTRUCTION OF FULTON COUNTY ROAD M BETWEEN ROAD 22 & SR66 INCLUDING BRIDGE M23.9 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 August 11, 2017. 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 one million, four hundred twenty-eight thousand, four hundred sixty-three dollars and 65/100 (\$1,428,463.65). 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 R. Hunt

Joe B...

CONTRACTOR

MILLER BROS. CONST, INC.

BY

Scott Jaskela, Vice President

Attest:

Contract approved:

By

[Signature]
Fulton County Prosecutor

Date

1/31/17

Contract:

Vendor: Miller Bros. Const., Inc.

Vendor #: MILLE19

Project: RECONSTRUCTION OF FULTON COUNTY ROAD M BETWEEN ROAD 22 & SR66 INCLUDING BRIDGE M23.9 REPLACEMENT

COUNTY AUDITOR'S CERTIFICATE

It is hereby certified that the amount of \$1,428,463.65 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 (2420-14143-5-43007 \$717,100.33; 4140-20143-5-41017 \$387,401.27; 2420-14143-5-75012 \$195,636.25; 4140-20143-5-41018 \$98,523.00; 2420-14143-5-75014 \$29,802.80) fund free from any obligation or certification now outstanding.

Dated: 01-27-2017



Brett J. Kolb- Fulton County Auditor