

**RESOLUTION 2017-331**

In the Matter of Resolution to Enter Into ) Office of County Commissioners,  
Contract 2017-46 with Gerken Paving, Inc. ) Fulton County, Ohio  
For 2017 Asphalt Resurfacing Project ) April 27, 2017

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on April 27, 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 April 18, 2017 for the 2017 Asphalt Resurfacing project on behalf of the County Engineer; and

**WHEREAS,** on April 20, 2017, pursuant to the recommendation of the County Engineer, the Commissioners awarded the bid to Gerken Paving, Inc. in the amount of \$1,399,390.55; and

**THEREFORE, BE IT RESOLVED,** the Fulton County Board of Commissioners does hereby enter into Contract 2017-46 with Gerken Paving, Inc. for the 2017 Asphalt Resurfacing 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:**

Jeff Rupp  
Jeff Rupp  
Bill Rufenacht  
Bill Rufenacht  
Jon Rupp  
Jon Rupp

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Jeff Rupp  
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Bill Rufenacht  
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Jon Rupp

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

Attest: Teri Suarez  
Teri Suarez, Clerk

CONTRACT NO. 2017-46

This Contract, made this 27<sup>th</sup> day of April A.D. 2017 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

2017 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 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, three hundred ninety-nine thousand, three hundred ninety dollars and 55/100 (\$1,399,390.55). 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 [Signature]  
Bill Ruffalo  
[Signature]  
CONTRACTOR

Attest: Andrea Thompson

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

Contract approved as to form:  
By [Signature]  
Fulton County Prosecutor  
Date 4/26/17

Contract:

Vendor: Gerken Paving, Inc.

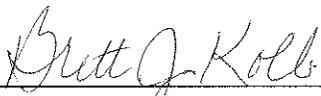
Vendor #: GERKE60

Project: 2017 Asphalt Resurfacing Project

### COUNTY AUDITOR'S CERTIFICATE

It is hereby certified that the amount of \$775,753.95 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: 04-20-2017



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Brett J. Kolb- Fulton County Auditor

**Contract: GERKEN PAVING**

**Vendor:**

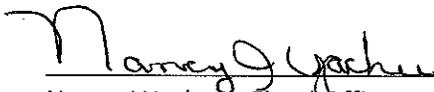
**Vendor #:**

**Project: 2017 ASPHALT RESURFACING PROJECT**

**Clinton Township Fiscal Officer's Certificate**

It is hereby certified that the amount of \$82,549.30 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/s free from any obligation or certification now outstanding.

Dated: April 20, 2017

  
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Nancy J Yackee, Fiscal Officer

**Contract:**

**Vendor: Gerken Paving, Inc.**

**Vendor #:**

**Project: Asphalt Resurfacing Road HJ from Road 19 to 435' East, and Road K from SR 108 to Road 14**

### **2017 Township Fiscal Officer's Certificate**

It is hereby certified that the amount of \$111,621.50 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 Gasoline Tax Fund 2021-330-360-0000 for \$51,621.50 and the Road and Bridge Fund 2031-330-360-0000 for \$60,000 from any obligation or certification now outstanding.

Dated: April 24, 2017

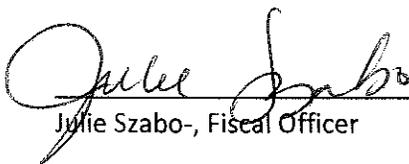
  
\_\_\_\_\_  
Susan Dieringer, Fiscal Officer

Contract:  
Vendor:  
Vendor #:  
Project:

### Fulton Township Fiscal Officer's Certificate

It is hereby certified that the amount of \$12,415.00 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 .75 mil spec Road Imp 2191-760-730 fund/s free from any obligation or certification now outstanding.

Dated: 4/24/17

  
Julie Szabo-, Fiscal Officer

Contract:

Vendor: Gerken Paving, Inc.

Vendor #:

Project: K & 12 Hill Removal

### Pike Township Fiscal Officer's Certificate

It is hereby certified that the amount of \$107,900.80 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 Road and Bridge Fund, Account number 2031-330-360-0000 free from any obligation or certification now outstanding.

Dated: April 24, 2017

  
Dennis N. Savage, Fiscal Officer



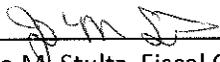
<b>BOARD OF TRUSTEES</b> RICK KAZMIERCZAK 419-708-6290 RON HOLDEMAN 419-490-8205 PHIL WILAND 419-822-3897	5565 County Road D, Delta, Ohio 43515 Phone: 419-822-4371 Fax: SAME
Website: <a href="http://www.swancreektp.org">www.swancreektp.org</a>	

**Contract:**  
**Vendor: Gerken Paving Inc.**  
**Vendor #:**  
**Project: 2017 Asphalt Resurfacing Program**

### Swan Creek Township Fiscal Officer's Certificate

It is hereby certified that the amount of \$309,150.00 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 General Fund #100-760-700-0000, Public Works Commission Project #4401-760-360-0000 and Permissive Motor Vehicle License Tax #2231-820-820-0021 fund/s free from any obligation or certification now outstanding.

Dated: April 23, 2017

  
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Jo M. Stultz, Fiscal Officer

**Fiscal Officer**  
Josie Stultz

**Maintenance**  
Matthew Stout – Supervisor  
Damon Mattimore  
John Simon

**Administrative Assistant**  
Chris Lauch