

RESOLUTION 2018-202

In the Matter of Resolution to Enter Into ) Office of County Commissioners  
Contract 2018-42 with Vernon Nagel, Inc. ) Fulton County, Ohio  
For Bridge 21-3A.4 Replacement ) March 13, 2018

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on March 3, 2018, at 152 S. Fulton St., 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 March 6, 2018 for the Bridge 21-3A.4 Replacement project on behalf of the Fulton County Engineer; and

WHEREAS, on March 8, 2018, upon the recommendation of the Fulton County Engineer, the bid was awarded to Vernon Nagel, Inc. in the amount of \$148,348.10 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 2018-42 with Vernon Nagel, Inc., for the Bridge 21-3A.4 Replacement project in the amount of \$148,348.10, 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 Jeff Rupp seconded the resolution and upon calling the roll, the following vote was taken:

Voting Aye thereon:

Voting Nay thereon:

Abstain:

Jeff Rupp  
Jeff Rupp

Jeff Rupp  
Jeff Rupp

Jeff Rupp  
Jeff Rupp

Absent  
Bill Rufenacht

Absent  
Bill Rufenacht

Absent  
Bill Rufenacht

Jon Rupp  
Jon Rupp

Jon Rupp  
Jon Rupp

Jon Rupp  
Jon Rupp

BOARD OF COUNTY COMMISSIONERS  
FULTON COUNTY, OHIO

Attest: Peri Suarez  
Peri Suarez, Clerk

CONTRACT NO. 2018-42

This Contract, made this 13<sup>th</sup> day of March A.D. 2018 between the BOARD OF FULTON COUNTY COMMISSIONERS hereinafter called "Board" and Vernon Nagel, 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 21-3A.4 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 June 29, 2018. 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 hundred forty-eight thousand, three hundred forty-eight dollars and 10/100 (\$148,348.10). 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]

[Signature]

CONTRACTOR

VERNON NAGEL, INC.

BY

[Signature]  
Marc Nagel, Vice President

Attest:

[Signature]

Contract approved:

By

[Signature] H. Whitman for SAH

Asst. Fulton County Prosecutor

Date

3-9-18

**Contract:**

**Vendor: Vernon Nagel, Inc.**

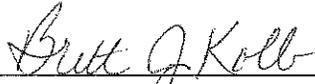
**Vendor #: VERN050**

**Project: Bridge 21-3A.4 Replacement**

**COUNTY AUDITOR'S CERTIFICATE**

It is hereby certified that the amount of (\$148,348.10) 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 (2420-14143-5-75017 \$37,087.02; 4140-15143-4-52012 \$74,174.05; 4140-44143-4-44213 \$37,087.03; 4140-20143-5-41023) fund free from any obligation or certification now outstanding.

Dated: *03-09-2018*



\_\_\_\_\_  
Brett J. Kolb- Fulton County Auditor

NOTICE OF COMMENCEMENT OF A PUBLIC IMPROVEMENT PURSUANT TO  
OHIO REVISED CODE §1311.252

State of Ohio )  
 ) SS:  
County of Fulton )

Jeff Rupp (the "Affiant"), being duly sworn says that:

1. Affiant is the Fulton County Commissioners Board President, with an office located at 152 South Fulton Street, Suite 270, Wauseon, Ohio (the "Public Authority").
2. The Public Authority will be commencing a public improvement identified as follows:

*Replacement of Bridge 21-3A.4*

3. The following lists the name, address and trade of each of the principal contractors working on this public improvement:

*Vernon Nagel, Inc.  
0154 CO Rd 11C  
Napoleon, Ohio 43545*

Trade: **Contractor**

Date of First Executed Contract: **March 13, 2018**

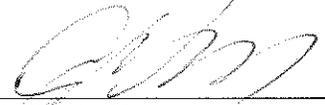
4. The following lists the names and addresses of the sureties for all of those principal contractors:

**Name of Surety:**        **Employers Mutual Casualty Co.**  
  
**Agent:**                **Arnold Insurance Agency, Inc.**  
                                 **1400 Haft Drive**  
                                 **Napoleon, OH 43545**

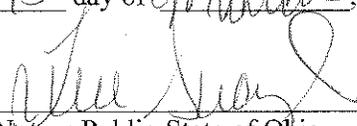
For the purpose of serving an affidavit pursuant to Revised Code 1311.26, service may be made upon the following representative of the Public Authority:

*Vond T. Hall, County Administrator  
152 S. Fulton St., Suite 270, Wauseon, OH 43567-3309*

**FURTHER AFFIANT SAYETH NAUGHT.**

  
\_\_\_\_\_  
Affiant's Signature

SWORN TO BEFORE ME and subscribed in my presence this 15<sup>th</sup> day of March, 2018.

  
\_\_\_\_\_  
Notary Public-State of Ohio



(Seal) **TERI SUAREZ**  
Notary Public - State Of Ohio  
My Commission Expires March 4, 2020