

RESOLUTION 2018-453

In the Matter of Resolution to Enter Into) Office of County Commissioners
Contract 2018-73 with Henry Bergman, Inc.) Fulton County, Ohio
For 2018 Crack Seal Project) June 7, 2018

The Board of County Commissioners of Fulton County, Ohio, met in regular session pursuant to notice, on June 7, 2018, at 152 S. Fulton St., Wauseon, Ohio, with the following members present:

Jeff Rupp
Bill Rufenacht
Jon Rupp

Commissioner Bill Rufenacht moved for the adoption of the following resolution:

WHEREAS, bids were received on May 31, 2018 for the 2018 Crack Seal Project on behalf of the Fulton County Engineer; and

WHEREAS, on June 5, 2018, upon the recommendation of the Fulton County Engineer, the bid was awarded to Henry Bergman, Inc. in the amount of \$89,600.80 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 2018-73 with Henry Bergman, Inc. for the 2018 Crack Seal Project in the amount of \$89,600.00, 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 Jon Rupp seconded the resolution and upon calling the roll, the following vote was taken:

Voting Aye thereon:

Voting Nay thereon:

Abstain:

Absent
Jeff Rupp

Absent
Jeff Rupp

Absent
Jeff Rupp

Bill Rufenacht

Bill Rufenacht

Bill Rufenacht

Jon Rupp

Jon Rupp

Jon Rupp

BOARD OF COUNTY COMMISSIONERS
FULTON COUNTY, OHIO

Attest: Teri Suarez, Clerk

CONTRACT NO. 2018-73

This Contract, made this 7th day of June A.D. 2018 between the BOARD OF FULTON COUNTY COMMISSIONERS hereinafter called "Board" and Henry W. Bergman, 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

2018 Fulton County Crack Seal Program

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 September 1, 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 eighty-nine thousand, six hundred dollars and 80/100 (\$89,600.80). 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. [Signature]

CONTRACTOR

HENRY W. BERGMAN, INC.

BY

James M. Bergman
James M. Bergman, President

Attest: Rachel Roman

Contract approved:

By J. H. Whitman (for SAH)
Fulton County Prosecutor

Date 6-6-18