

RESOLUTION 2012-800

In the Matter of Resolution to Enter Into Contract) Office of County Commissioners
2011-133 with Dura Mark, Inc. for 2012 Water) Fulton County, Ohio
Based Pavement Marking Program on Behalf of) August 30, 2012
County Engineer)

The Board of County Commissioners of Fulton County, Ohio met in regular session pursuant to notice, on August 30, 2012, at 152 South Fulton Street, Wauseon, Ohio, with the following members present:

Dean Genter
Paul Barnaby
Perry Rupp

Commissioner Barnaby moved for the adoption of the following resolution:

WHEREAS, on August 13, 2012 the Board of Commissioners of Fulton County received bids for the 2012 Water Based Pavement Marking Program on behalf of the Fulton County Engineer, and six (6) bids were received; and

WHEREAS, on August 16, 2012, upon the recommendation of the County Engineer, the Commissioners awarded the bid to lowest and best bidder, Dura Mark, Inc., of Aurora, Ohio, in the amount of \$66,006.00; and

WHEREAS, a contract has been successfully negotiated with Dura Mark, Inc. to furnish all materials, equipment, tools and labor necessary to perform all the work required for the 2012 Water Based Pavement Marking Program; and .

THEREFORE BE IT RESOLVED, that the Fulton County Board of Commissioners hereby enter into Contract 2012-133 with Dura Mark, Inc., of Aurora, Ohio, in the amount of \$66,006.00 according to the plans, specifications, terms and conditions contained therein and shall not exceed said amount without formal proceedings of the Board of Commissioners; 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 Rupp seconded the resolution and upon calling the roll, the following vote was taken:

Voting Aye thereon:

Voting Nay thereon:

Abstain:

Dean Genter

Dean Genter

Dean Genter

Paul Barnaby

Paul Barnaby

Paul Barnaby

Perry Rupp

Perry Rupp

Perry Rupp

BOARD OF COUNTY COMMISSIONERS
FULTON COUNTY, OHIO

Attest: Jennifer L. Connors, Clerk

Copy to: Auditor, Contract File, Project file, Contractor, Engineer

CONTRACT NO. 2012-133

This Contract, made this 30th day of August A.D. 2012 between the BOARD OF FULTON COUNTY COMMISSIONERS hereinafter called "Board" and Dura Mark, 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

2012 WATER-BASED PAVEMENT MARKING 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 October 15, 2012. 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 Sixty-six thousand and six dollars and 00/100 (\$66,006.00). 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

Attest: Jenny
Jennifer Connors

CONTRACTOR

DURA MARK, INC.
BY Frank Gibson
Frank Gibson, Vice President

V. President

Contract approved:
By [Signature]
Fulton County Prosecutor

Date 8-27-12