

County Commissioners Office  
Auglaize County, Ohio  
May 6, 2014

NO. 14 - 233

**IN THE MATTER OF AUTHORIZING THE COUNTY AUDITOR TO DRAW WARRANTS FOR THEN AND NOW CERTIFICATE PAYMENTS.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 6th day of May, 2014.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

WHEREAS, the practice of using "Then and Now Certificates" has been instituted by the County Auditor.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, the taxing authority for Auglaize County, having thirty (30) days to approve payment by resolution from receipt of "Then and Now Certificates", does hereby approve the following:

<u>Check #</u>	<u>Amount</u>	<u>Vendor</u>
383385	\$ 488.88	Kimball Midwest
383445	\$ 525.00	SecurCom
383475	\$ 2,875.00	PDG
383475	\$ 625.00	PDG

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this  
6th day of  
May, 2014

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman  
John N. Bergman

Douglas A. Spencer, Yes  
Douglas A. Spencer

Don Regula, Yes  
Don Regula

✓cc: County Auditor

**IN THE MATTER OF APPROVING A CONTRACTOR'S PARTIAL PAY REQUEST #1 TO VTF EXCAVATION LLC FOR THE VILLAGE OF BUCKLAND'S SEWER FACILITIES IMPROVEMENTS, A CDBG FY 2013 RESIDENTIAL PUBLIC INFRASTRUCTURE PROGRAM.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 6th day of May, 2014.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, on May 7, 2013, Resolution #13-213, the Board of County Commissioners accepted and entered into a Community Development Block Grant Agreement with the Ohio Development Services Agency for the Residential Public Infrastructure Grant Program on behalf of the Village of Buckland's new sewer facilities project in the amount of \$600,000.00; and,

**WHEREAS**, on October 17, 2014, Resolution #13-457, the Board of County Commissioners executed a MOU with the Village of Buckland the CDBG F.Y. 2013 Residential Public Infrastructure Improvements contribution will be no more than 21% of the total project costs to VTF Excavation LLC; and,

**WHEREAS**, the Board of County Commissioners has now been presented with a Contractor's Partial Pay Request #1 in the amount of \$398,589.67 with a retainage of \$31,887.17 from VTF Excavation, LLC through Choice One Engineering Firm.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby approve the Pay Request #1 in the amount of \$398,589.67 with the retainage of \$31,887.17, and does authorize execution by the President of the Board of County Commissioners for said Contractor's Partial Pay #1 from VTF Excavation LLC, through Choice One Engineering.

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this  
6th day of  
May 2014

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman . yes  
John N. Bergman

Douglas A. Spencer . yes  
Douglas A. Spencer

Don Regula . yes  
Don Regula

- cc: RCAP – Julie Ward
- ✓ Choice One Engineering – Andrew Shuman
- ✓ Village of Buckland – Kayla Guess

**IN THE MATTER OF DECLINING ITEM 1 AND DOCUMENTING RECEIPT OF BIDS FOR ITEM 2 – CONTRACT B AND ALTERNATE 1 AND AWARDING THE BID TO SIDNEY ELECTRIC FOR THE AUGLAIZE ACRES DIESEL TANK/GENERATOR REPLACEMENT PROJECT; AND AUTHORIZING THE EXECUTION OF THE CONTRACT.**

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The Board of Auglaize County Commissioners met in regular session on the 6th day of May, 2014.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, on April 10, 2014, Resolution #14-198, the Board of Auglaize County Commissioners set this date, May 1, 2014, to receive bids for the Auglaize Acres Diesel Tank/Generator Replace Project; and,

**WHEREAS**, those present for the bid opening were Auglaize Acres Administrator Kim Sudhoff, Maintenance Employee John Kinstle, Garmann/Miller Architects-Engineers Representatives: Eric Baltzell and Andy Bergman and various contractors; and,

**WHEREAS**, five (5) bids were received for this project; same being:

	<u>Item 1 – Contract A</u>	<u>Item 2-Contract B</u>	<u>Item 2A-Alternate 1</u>
Samson-Jagger Inc.	\$65,645.00	No bid	No bid
Buschur Electric Inc.	\$47,500.00	\$113,900.00	\$7,650.00;
Koester Electric Inc.	No bid	\$109,400.00	\$6,000.00;
Sidney Electric Inc.	No bid	\$ 95,000.00	\$6,900.00;
York Electric, Inc.	No bid	\$114,700.00	\$5,700.00; and,

**WHEREAS**, the Board presented the bids, as received, to Garmann/Miller Associates, for review, requesting that upon the completion of said review a letter of recommendation as to bid award be submitted to the Board; and,

**WHEREAS**, Garmann/Miller Associates submitted a letter of recommendation that Item 1 – Contract A be declined and the bids with Item 2 – Contract B along with Alternate 1 be accepted and award to Sidney Electric – Item 2 – Contract B - \$95,000.00 along with Alternate 1 - \$6,900.00, appears to be the lowest, responsible bidder; and,

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners, Auglaize County, Ohio, does hereby decline Item 1 – Contract A and document receipt of above mentioned bids Item 2 – Contract B and Alternate 1 be accepted for the Diesel Tank/Generator Replacement project; and,

**BE IT FURTHER RESOLVED** that the Board of Commissioners, Auglaize County, Ohio, does hereby award the bid for the Auglaize Acres Diesel Tank/Generator Replacement Project to Sidney Electric in the amount of Item 2 – Contract B of \$95,000.00 and along with Alternate 1 in the amount of \$6,900.00 for a total contract amount of \$101,900.00; and,

**BE IT STILL FURTHER RESOLVED**, that said Board of County Commissioners does authorize contract and sustaining documentation to be prepared for this award; and does further authorize President of the Board to execute the contract for the Auglaize Acres Diesel Tank/Generator Replacement Project.

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the resolution as follows:

Adopted this  
6th day of  
May, 2014

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman      yes  
John N. Bergman

Douglas A. Spencer      yes  
Douglas A. Spencer

Don Regula      yes  
Don Regula

cc: Auglaize Acres  
Garmann/Miller  
Bidders

**IN THE MATTER OF RATIFYING THE EXECUTION OF THE CONTRACT WITH BRUMBAUGH CONSTRUCTION INC BY THE BOARD OF COUNTY COMMISSIONERS FOR THE CONSTRUCTION OF THE CR168 AND BRIDGE RENOVATION PROJECT AUG-CR-168-03.48.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 6th day of May, 2014.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, on April 1, 2014, in Resolution #14-2014, the Board of County Commissioners awarded the bid for the construction of the CR168 and bridge renovation project AUG-CR-168-03.48 to Brumbaugh Construction Inc. in the amount of \$467,860.00; and,

**WHEREAS**, a contract for said project between Brumbaugh Construction Inc. and the Auglaize County Board of Commissioners has been presented to the Board for execution.

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners does hereby approve the contract between Auglaize County Board of Commissioners and Brumbaugh Construction, Inc., as presented; and,

**BE IT FURTHER RESOLVED** that the Board ratifies the execution by said Board of the contract.

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this  
6th day of  
May, 2014

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman, yes  
John N. Bergman

Douglas A. Spencer, Yes  
Douglas A. Spencer

Don Regula, yes  
Don Regula

cc: County Engineer  
Brumbaugh Construction Inc.

CONTRACT

PID 87078

For Bridge Construction

This Agreement is made this the 6<sup>th</sup> day of May, 2014 by and between the Auglaize County Board of Commissions, herein called the Owner and Brumbaugh Construction, Inc. of Arcanum, Ohio, herein called the Contractor.

The Owner, as LPA for the Ohio Department of Transportation, agrees to pay the Contractor a sum of four hundred sixty seven thousand eight hundred sixty dollars and 00 cents for the completion of AUG-CR1682-0348 also known as the CR168 Road and Bridge Renovation Project, according to the plans, specifications, General Conditions and Addendums governing this project.

The Contractor agrees to furnish all necessary material, supplies, machinery, equipment, tools, superintendence, labor, insurance and other accessories and services necessary to complete the above described project. Work will commence on or before the 15th day of July, 2014 and complete the project by November 21, 2014. Liquidated damages for this project are \$1000.00 for each consecutive day thereafter.

IN WITNESS WHEREOF, the parties to these presents have executed this contract on the date stated above.

ATTEST:

Clerk: Caleb Kuffe

Witness: \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS

John W Bergman

Deborah Suman

Don Regula

ATTEST:

Clerk: \_\_\_\_\_

Witness: Diane Dills

CONTRACTOR

By: David W Hayes

Title: Asst Vice Pres.  
Brumbaugh Construction, Inc.  
3520 SR 49, P.O. Box 309  
Arcanum, Ohio 45304



# The Ohio Casualty Insurance Company

136 North Third Street, Hamilton, Ohio 45025

## Performance Bond

KNOW ALL MEN BY THESE PRESENTS,

That we Brumbaugh Construction, Inc., P.O. Box 309, Arcanum, Ohio 45304, as Principal, (hereinafter called Principal) and The Ohio Casualty Insurance Company, with principal offices in Hamilton, Ohio, as Surety, (hereinafter called Surety) are held and firmly bound unto

Auglaize County Bd. of Commissioners and ODOT, 209 S. Blackhuff St., Suite 201, Wapakoneta, Ohio 45895 as Obligee, (hereinafter called Obligee), in the amount of

Four hundred sixty-seven thousand eight hundred sixty and 00/100 Dollars \$ 467,860.00 for payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns firmly by these presents.

WHEREAS, the Principal did on April 25, 2014

enter into a contract with said Obligee for AUG-CR168 Road and Bridge Renovation Project

which contract is by reference made a part hereof and is hereinafter referred to as the contract.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION, is such that if the Principal shall indemnify the Obligee against any loss or damage directly arising by reason of the failure of the Principal to (A) faithfully perform said contract and (B) pay all just claims for labor and material furnished in the completion of said contract by persons, firms or corporations having direct contracts with the Principal, then this obligation shall be null and void; otherwise to remain in full force and effect.

This bond is executed and accepted subject to the following conditions:

- (1) That the Obligee shall faithfully and punctually perform all the terms and conditions of said contract to be performed by the Obligee.
- (2) That the Obligee shall notify the Surety by registered letter, addressed and mailed to it at its home office, 136 North Third Street, Hamilton, Ohio 45025, of any breach of said contract within a reasonable time after such breach shall have come to the knowledge of the Obligee.
- (3) No suit at law or proceedings in equity to recover on this bond shall be instituted after one (1) year from the date of acceptance of the project.

SIGNED, SEALED AND DATED : April 28, 2014

Brumbaugh Construction, Inc., P.O. Box 309,  
Arcanum, Ohio 45304

Principal

By:

Daniel W. Hayes, Assistant Vice President

**THE OHIO CASUALTY INSURANCE COMPANY**

By:

Angel S. Skiles

(Attorney-in-Fact)

**IN THE MATTER OF APPROVING A LEASE BETWEEN AUGLAIZE COUNTY BOARD OF COMMISSIONERS AND KANAERO LEASING FOR USE OF HANGAR AT NEIL ARMSTRONG AIRPORT; RATIFYING THE EXECUTION OF SAID LEASE.**

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The Board of County Commissioners of Auglaize County, Ohio, met in regular session on the 6th of May, 2014.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, negotiations have been on-going concerning a lease for Hangar G at the Neil Armstrong Airport which is owned by Auglaize County/Auglaize County Board of County Commissioners; and,

**WHEREAS**, said negotiations have been between the Board of Auglaize County Commissioners and Kanaero Leasing; and,

**WHEREAS**, a lease for Hangar G has been drafted and deemed satisfactory by both parties.

**THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby approve and authorize the aforementioned lease for Hangar G at the Neil Armstrong Airport; said lease being between Auglaize County Board of Commissioners and Kanaero Leasing; and,

**BE IT FURTHER RESOLVED** that the Board of Auglaize County Commissioners does hereby ratify the execution of said lease; and,

**BE IT FURTHER RESOLVED** that a copy of said lease be hereto attached and thus be made a part of this Resolution.

Commissioner Regula seconded the Resolution, and upon the roll being called, the Vote resulted in the adoption of the Resolution as follows:

Adopted this  
6th day of  
May, 2014

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman  
John N. Bergman

Douglas A. Spencer, Yes  
Douglas A. Spencer

Don Regula, yes  
Don Regula

- ✓cc: Kanaero Leasing
- ✓Todd Kitzmiller – Airport Authority
- ✓Sean Stroh – Airport Manager
- ✓Edwin Pierce – Auglaize County Prosecutor

**IN THE MATTER OF AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE THE  
MANAGED CARE ORGANIZATION (MCO) ENROLLMENT APPLICATION FOR THE COUNTY'S  
PARTICIPATION IN THE PUBLIC WORKER RELIEF EMPLOYEE PLAN.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 6th day of May, 2014.

Commissioner Spencer moved the adoption of the following

**RESOLUTION**

**WHEREAS**, when the PWRE policy was opened the Bureau of Workers Compensation (BWC) automatically assigned the MCO to this policy for the Public Worker Relief Employee (PWRE) plan; and,

**WHEREAS**, the Board of Auglaize County Commissioners select Comp Management Health Systems, Inc. as the MCO for the PWRE policy.

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the President of the Board to execute a MCO enrollment application with Comp Management Health Systems, Inc. for the County's participation in the Public Worker Relief Employee (PWRE) Plan.

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this  
6th day of  
May, 2014

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman  
John N. Bergman

Douglas A. Spencer, yes  
Douglas A. Spencer

Don Regula, yes  
Don Regula

- ✓ cc: County Auditor – Janet Schuler
- ✓ Comp Management Health Systems, Inc.



**IN THE MATTER OF AMENDING THE ANNUAL APPROPRIATION DUE TO MONEYS CERTIFIED AND NOT APPROPRIATED; TRANSFER OF FUNDS; AND AMENDING THE APPROPRIATION FOR THE AUGLAIZE COUNTY BOARD OF DD COMMUNITY ALTERNATIVES FUND.**

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The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 6th day of May, 2014.

Commissioner Spencer moved the adoption of the following:

**RESOLUTION**

**WHEREAS**, under date of January 9, 2014, the Annual Appropriation for Auglaize County was accepted, having been prepared with the 2014 Annual Amended Official Certificate of Estimated Resources which was given to the Board of County Commissioners by the County Auditor; and,

**WHEREAS**, Todd R. Busse, Director of Business & Finance for the Auglaize County Board of Developmental Disabilities has requested an amendment to the Annual Appropriation with moneys that were certified and unappropriated in the 2014 Community Alternative (021) budget.

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize an amendment to the 2014 Annual Appropriation for Community Alternatives appropriation as follows:  
**Increase 021.0021.535900 (Transfer Out) by \$100,000.00;** and,

**WHEREAS**, with said amendment, a request was made for the following transfer of funds:  
**From: 021.0021.535900 – Community Alternatives – Transfer Out**  
**Amount: \$100,000.00**  
**To: 040.0100.400100 – DD Capital Projects – Transfer In;**

**THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, does hereby authorize the above transfer of funds; and,

**BE IT FURTHER RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio, being further requested to increase the 2014 Annual Appropriation for the DD Capital Projects – Contract Services as follows, said Board authorizes the following:

**Increase 040.0040.530600 – DD Capital Projects – Contract Services by \$100,000.00.**

Commissioner Regula seconded the Resolution and upon the roll being called, the vote resulted in the adoption of the Resolution as follows:

Adopted this  
6th day of  
May, 2014

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

John N. Bergman, *yes*  
John N. Bergman

Douglas A. Spencer, *Yes*  
Douglas A. Spencer

Don Regula, *yes*  
Don Regula

- ✓ cc: County Auditor
- ✓ Board of DD – Todd Busse