

IN THE MATTER OF APPROVING THE CONTRACT AND BOND FOR WUEBKER DRAINAGE, LLC FOR THE KZ DITCH PROJECT.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of August, 2018.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, the Engineer's office has filed with this Board a contract and bond from Wuebker Drainage, LLC for labor and materials for said KZ Ditch project; and,

WHEREAS, the Board of County Commissioners has been requested to approve and execute the contract and bond, as all appears to be in order.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Auglaize County, Ohio, does hereby approve the contract and bond with Wuebker Drainage, LLC as presented, for the KZ Ditch project, executing same; and,

BE IT FURTHER RESOLVED that the Clerk of the Board is hereby directed to record said contract and bond in the Commissioners' Journal; and,

BE IT FURTHER RESOLVED that the Engineer's Secretary prepare assessment billing notices in accordance with the list of assessments as presented by the County Engineer; for each parcel of land, each public corporation and each department, office, or institution of the State of Ohio as given; and,

BE IT FURTHER RESOLVED that the County Auditor is hereby directed to place unpaid assessments, after due payment period, on the County tax duplicates.

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

Adopted this
21st day of
August, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO


Douglas A. Spencer


Don Regula


John N. Bergman

✓ cc: County Engineer

DITCH CONTRACT

Revised Code, Sec. 6131.41

*In the Matter of the **KZ DITCH** Single County Ditch Petitioned for by **JOE BERG** and others.*

THIS AGREEMENT, made and entered into on this 6 day of ~~August~~ August 2018. By and between the County Commissioners of **AUGLAIZE COUNTY**, Ohio, and hereinafter designated as "First Party," and **WUEBKER DRAINAGE, LLC of 2901 COLDWATER CREEK RD ST. HENRY, OHIO 45883** hereinafter designated as "Second Party."

WITNESSETH, THAT SAID "SECOND PARTY," For and in consideration of the sum of **FIFTY SEVEN THOUSAND NINE HUNDRED THRITY TWO AND 80/100 (\$57,932.80)** Dollars, to be paid as hereinafter specified, hereby agree to furnish unto said "First Party." all the necessary materials, and do all the work and labor required to construct the **KZ DITCH** improvement petitioned for by **JOE BERG** and others, in accordance with plans, drawings and specifications for the same hereto attached, which plans, drawings and specifications are hereby declared to be a part of this contract.

Said "Second Party" further agrees to furnish said materials and to do the said work and labor promptly, in a good substantial and workmanship manner, under the direction of the County Engineer in charge, without hindrance or delay to any other branch or class of work on said **KZ DITCH** and to work in harmony with and to render such assistance to other branches of work as their connection therewith and the progress of the **KZ DITCH** may require. The whole to be completed to the satisfaction and acceptance of said "First Party" on or before the **31ST of DECEMBER, 2018**, AND SAID "FIRST PARTY," for and in consideration of the true and faithful performance of said work and labor and furnishings of said materials as aforesaid, hereby agree to pay unto the said "Second Party" said sum of **FIFTY SEVEN THOUSAND NINE HUNDRED THRITY TWO AND 80/100 (\$57,932.80)** Dollars, in installment from time to time, upon the certificate of acceptance of the County Engineer and as provided by law.

Now if the said **WUEBKER DRAINAGE, LLC of 2901 COLDWATER CREEK RD**
ST. HENRY, OHIO 45883 shall faithfully perform and complete such work and labor and furnish such
materials within the time and as above specified and conditioned, according to the tenor of said Contract, and
in accordance with the plans, descriptions and specifications required and made a part of said Contract, then
this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

Executive in Presence of

Paul D. Wueh
signed

Paul D. Wueh
witness

Wuebker Drainage
company

2901 Coldwater Creek Rd
street

witness

St Henry, OH 45883
city, state, zip

The above Contract being good and sufficient is approved this 21st day of August, 2018.

Doris B. A. Zenc
commissioner

D. A. Zenc
commissioner

John N. Bergman
commissioner

BOND OF DITCH CONTRACTOR

Revised Code, Sec. 6131.42

In the Matter of the **KZ DITCH**

Single County Ditch No.

ON CONTRACT FOR WORK AND LABOR
AND MATERIALS

Petitioned for by **JOE BERG** *and others*

KNOW ALL MEN BY THESE PRESENTS, *that we,* **WUEBKER DRAINAGE, LLC of 2901 COLDWATER CREEK RD ST. HENRY, OHIO 45883, as Principal, and ERIE INSURANCE COMPANY, as sureties, *are held and firmly bound unto the state of Ohio for the benefit of* **AUGLAIZE COUNTY** *and for the benefit of any owner having a right of action thereon as is provided by law, in the penal sum of* **FIFTY SEVEN THOUSAND NINE HUNDRED THRITY TWO AND 80/100 (\$57,932.80)** *Dollars, WHICH IS 100% OF THE DITCH CONTRACT, to the payment of which sum, well and truly to be made, we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.***

Signed by us, and dated this 16 day of August, 2018.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, whereas, the above Bound **WUEBKER DRAINAGE, LLC of 2901 COLDWATER CREEK RD ST. HENRY, OHIO 45883** have entered into a Contract with said Board of County Commissioners, First, to furnish the materials and perform the work and labor for the construction of the **KZ DITCH** improvement petitioned for by **JOE BERG** and others specified in said Contract, to the satisfaction and acceptance of the County Engineer, on or before the **31ST day of DECEMBER, 2018,** for the compensation of **FIFTY SEVEN THOUSAND NINE HUNDRED THRITY TWO AND 80/100 (\$57,932.80)** Dollars. (DITCH CONTRACT AMOUNT).

Second, to save the County from any loss caused by delay in completing the work or furnishing the material within the time and in the manner expressed in the contract, bid and specifications;

Third, for the payment of claims of any person, arising out of the unlawful acts or negligence of the contractor in the performance of his contract;

And Forth, to perform the contract in the time stated in the contract, to furnish and use in the improvement all materials of the grade, kind and quality as stated in the contract and specifications; and to construct the improvement in the manner stated in the contract and specifications.

Now if the said **WUEBKER DRAINAGE, LLC of 2901 COLDWATER CREEK RD ST. HENRY, OHIO 45883** shall faithfully perform and complete such work and labor and furnish such materials within the time and as above specified and conditioned, according to the tenor of said Contract, and in accordance with the plans, descriptions and specifications required and made a part of said Contract, then this obligation shall be void; otherwise it shall be and remain in full force and virtue in law.

Executive in Presence of

Mark W. Wuebel
Signed

Doris Wuebel
witness

Wuebel Drainage
company

2901 Coldwater Creek Rd
street

witness

St Henry, OH 45883
city, state, zip

The above Bond being good and sufficient is approved this 21 day of August, 2018.

Douglas J. Zorn
commissioner

D. J. Zorn
commissioner

John N. Bergman
commissioner

IN THE MATTER OF DOCUMENTING THE RECEIPT OF QUOTES/PROPOSALS FOR THE VILLAGE OF CRIDERSVILLE - PY17 CDBG ALLOCATION GRANT HINKLE PARK IMPROVEMENT PROJECT AND REJECTING THE QUOTES/PROPOSALS; AND WITHDRAWING THE PROJECT FROM THE PY17 CDBG ALLOCATION GRANT FUNDING.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 21st day of August, 2018.

Commissioner Regula moved the adoption of the following:

RESOLUTION

WHEREAS, in Resolution #18-276 dated July 12, 2018, the Board of County Commissioners set the deadline on July 31, 2018 at 2:00 p.m. as the date and time to receive quotes/proposals for the Village of Cridersville 2018 CDBG Hinkle Park Improvement Project to be funded through PY 2017 CDBG Allocation Program; and,

WHEREAS, the Board of County Commissioners received three quotes/proposals for said project; same being as follows:

From: **David Williams Associates** **Quote/Proposal**
1010 Harrison Ave, Harrison, OH **\$14,459.95**

Service Supply Ltd., Inc. **\$17,530.00**
1610 Lancaster Ave, Reynoldsburg, OH

Playworld Midstates LLC **\$18,092.06**
5828 Zarley Street, Suite B, New Albany, OH

CDBG Grant funding for the project \$13,000.00; and,

WHEREAS, the Board presented the quotes/proposals, as received, to the Village of Cridersville, for review and requesting that upon the completion of said review a letter of recommendation as to a quote/proposal award be submitted to the Board; and,

WHEREAS, Village of Cridersville has submitted a letter of recommendation to reject the quotes/proposals due to wrong color scheme and equipment/material concerns. The Village of Cridersville further requests that the project be removed from the CDBG Allocation Grant Program; and,

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby document the receipt of the above mentioned quotes/proposals for the Village of Cridersville 2018 CDBG Hinkle Park Improvement Project being funded with P.Y. '17 CDBG Allocation Program funds; and,

BE IT FURTHER RESOLVED that the Board of Commissioners, Auglaize County, Ohio, based on the Village of Cridersville recommendation does hereby reject the quotes/proposals for the Village of Cridersville 2018 CDBG Hinkle Park Improvement Project; and,

BE IT STILL FURTHER RESOLVED, that said Board of County Commissioners does hereby accept the Village of Cridersville request to be removed from the PY17 CDBG Allocation Grant funding program.

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

Adopted this
21st day of
August, 2018

BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer Yes
Douglas A. Spencer

Don Regula yes
Don Regula

John N. Bergman yes
John N. Bergman

✓cc: Poggemeyer Design Group – Gayle Flaczynski
✓ Village of Cridersville
Companies submitting quotes/proposals
✓✓