

IN THE MATTER OF SETTING DATE AND TIME TO RECEIVE BIDS FOR THE SALE OF THE AUGLAIZE ACRES NURSING HOME.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 24th day of August, 2017.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

- WHEREAS**, Marcus & Millichap Real Estate Investment Services, Inc. have presented to the Board of County Commissioners the general rules and instructions for bidding on the sale of the Auglaize Acres Nursing Home, including associated intangible property rights to the extent applicable, to the highest, responsible buyer; and,
- WHEREAS**, the Commissioners have a strong interest in selling the facility, beds, and personal property to a buyer who will continue to care for the current residents and give serious consideration to employ a majority of the current staff of the facility. The Commissioners' reasons for trying to secure such a buyer are economic, but are also related to their concern for residents and staff; and,
- WHEREAS**, the Commissioners' objective is to weigh all the proposals submitted and select the bid or combination of bids that best takes into consideration the overall economic benefit to the County, with all due consideration for resident care; and,
- WHEREAS**, it is necessary, at this time, to set date and time to receive bids for the sale of the Auglaize Acres Nursing Home.
- THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Auglaize County, Ohio does hereby set October 5, 2017 at 1:00 p.m., E.S.T. as the date and time at which to receive and open bids in the office of the Commissioners for the Sale of the Auglaize Acres Nursing Home.

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

Adopted this
24th day of
August, 2017

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: ✓ Marcus & Millichap Real Estate Investment Services, Inc.
- ✓ Rolf Goffman Margin Lang LLP
- ✓ Auglaize Acres

*BOARD OF COUNTY COMMISSIONERS
AUGLAIZE COUNTY, OHIO
209 S. Blackhoof St., Wapakoneta, Ohio 45895*

Phone: 419-739-6710

Fax: 419-739-6711

August 24, 2017

TO: The Evening Leader

FROM: Board of County Commissioners, Auglaize County, Ohio

RE: Legal Notice **to be published in The Wapakoneta Daily News and the Evening Leader**

Please publish, in the Legal Section of The Wapakoneta Daily News and the Evening Leader, the following Legal Notice on **Friday, August 25, 2017 and Friday, September 1, 2017.**

Please send **Certificate of Publication and invoice to:**

Board of County Commissioners
209 S. Blackhoof St., Room 201
Wapakoneta, OH 45895

Thank you.

Esther Leffel
BOCC Clerk

INVITATION TO BIDDERS

Auglaize County Board of Commissioners (The Commissioners) is the governmental authority that owns the Auglaize Acres Nursing Home (herein called the "Owner"). Bidders for the property must submit the bids directly to the Commissioners' Office located in County Administration Building, 209 South Blackhoof Street, Room 201, Wapakoneta, Ohio 45895, by 1:00 p.m. E.S.T. on October 5, 2017. Marcus & Millichap Real Estate Investment Services has been exclusively retained to assist in the sale of the facility. All Bidders must contact Marcus & Millichap Real Estate Investment Services, prior to submitting a proposal. Bidder may contact either Peyton C. Stanforth at PStanforth@ipausa.com (773-867-1462) or Joshua T. Jandris at JJandris@ipausa.com (773-867-1482) or Mark L. Myers at Myers@ipausa.com (773-867-1470).

A bidder must write the words "**Auglaize Acres Nursing Home Sealed Bid**" on the front of the envelope in which that bidder's bid is submitted. (The bidder may also submit the bids in a sealed box, but for simplicity safe reference to the "envelope" refer to the envelope or box in which the bid is submitted). The bid envelope must be sealed. If the bid is mailed, it should be addressed as follows:

Auglaize County Board of Commissioners
209 S. Blackhoof Street, Room 201
Wapakoneta, Ohio 45895

If personally delivered, the bid should be delivered to Auglaize County Board of Commissioners' Office at the above address.

In the bid envelope or box, the Bidder must complete and submit one original and three (3) copies of each of the following forms (except submit only the original of the Bid Bond or Earnest Money Deposit). The blank forms are included in this Invitation to Bid:

- 3.00 Bid Response Form
- 4.00 Price Response Form (signed) (Section 2.04 explains Price)
- 6.01 Delinquent Personal Property Tax Affidavit
- 6.02 Notarized Non-Collusion Affidavit
- 6.03 Nondiscrimination & Equal Employment Opportunity Affidavit
- 7.00 Bid Bond or Earnest Money Deposit (only the original need be submitted)

In order to satisfy the requirement for an original and three copies, it is sufficient if a bidder simply fills in the blank portion of this Invitation to Bid as instructed (attaching extra pages where necessary), signs the Price Response Form, makes three (3) copies of the whole packet, and includes a bid bond (or earnest money deposit). The original copy of the Price Response Form must include an original signature.

Bidder may change or alter an original bid prior to the bid submission due date and time. However, no withdrawal or modification of a bid will be permitted after it has been submitted.

Site visits will be held at the facility on September 21st. Contact Ryan Diak of Marcus & Millichap at RDiak@ipausa.com or (773-867-1566) for tour guidelines and times. There will be no tours allowed outside of scheduled tours through Marcus & Millichap.

The price, terms and conditions contained in the bid response shall remain valid until ninety (90) days after the bid submission due date; provided that once accepted, the successful bidder is still bound to

purchase the facility in accordance with the purchase agreement and to close the sale on or before December 31, 2017.

On October 5, 2017 at 1:00 p.m. E.S. T. the Bid Response Forms will be opened.

All bids will be evaluated according to the method set forth in Section 2.00 of the Invitation to Bid.

The contract(s) shall be awarded in accordance with Ohio Revised Code (“R.C”) and/or other law as applicable, together with the terms and conditions set forth in the Invitation to Bid. The Commissioners shall award the bid to bidder they deem to be highest and best bidder.

The Auglaize County Board of Commissioners may accept or reject any or all bids, in whole or in part, and may waive defects, if no prejudice results to the rights of another bidder or to the public.

When bidding, a bidder must deposit a bond, or a cashier’s or certified check in the amount of fifty thousand dollars (\$50,000) (see Section 7.00, Notice of Bid Bond or Earnest Money Deposit).

If the bidder deposits money in lieu of a bond, such funds will be held in non-interest bearing escrow by the Auglaize County Board of Commissioners. Once the bid has been awarded, all escrow funds of unsuccessful bidders will be returned to them. Any earnest money deposit made by the Successful Bidder will remain in the on-interest bearing escrow until the purchase agreement is signed, at which time it will be applied toward the purchase price under that purchase agreement, described in Section 5.00 herein. Also at the time, any excess over the fifty thousand dollars (\$50,000) will be applied to the overall earnest money deposit of two hundred dollars (\$200,000). If the Successful Bidder has submitted a bid bond, the bid bond will remain in force until the Successful Bidder signs the purchase agreement and pays the full two hundred thousand dollars (\$200,000) Earnest Money Payment under the purchase agreement.

The two hundred thousand dollars (\$200,000) Earnest Money Payment paid under the purchase agreement will not be kept in a separate account. It will however, be applied toward the purchase amount upon the successful closing of the sale contemplated herein, or otherwise disposed of or forfeited as provided in Section 1.13.

If the Board of Commissioners exercises the right to offer the award to a replacement bidder, and if the replacement bidder accepts, the replacement bidder must resubmit the bid bond or certified or cashier’s check, and those monies will be subject to the proceeding two paragraphs, and so on.

In addition to the consideration in Section 2.00 of this Invitation to Bid the Board of Commissioners reserves any and all rights it has to consider the overall economic benefit of selling the property at Auglaize County Nursing Home to a purchaser as it was bid.

Within 15 days of the date of the bid award, the winning bidder and the Auglaize County Board of Commissioners should execute a purchase agreement, encompassing the terms outlined by the Invitation to Bid, and including such other terms as the bidders has offered in the Response to Invitation to Bid and the Auglaize County Board of Commissioners have accepted. Due Diligence materials have been provided to expedite the Purchase and Sale Agreement.

Auglaize County Commissioners

John N. Bergman, Douglas A. Spencer and Don Regula

PUBLISH: August 25, 2017

September 1, 2017

IN THE MATTER OF AUTHORIZING THE EXECUTION OF A WORK EXPERIENCE PROGRAM AGREEMENT WITH AGAPE MINISTRIES, INC. AND THE AUGLAIZE COUNTY DEPARTMENT JOB & FAMILY SERVICES .

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 24th day of August, 2017.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, the Ohio Department of Job & Family Services has created the Work Experience Program which is to provide work experience for OWF, ABAWDs and FSET participants in an employment environment, that would provide them the opportunity to acquire or upgrade general work skills, training, knowledge and work habits. The main goal of the program is to move participants to self-sufficiency through employment. The Auglaize County JFS and AGAPE agree that as a condition of this agreement, there shall be no discrimination against any participant on the basis of race, color, national origin, sex, or handicap or any other factor as specified by federal and state laws regarding discrimination; and,

WHEREAS, this agreement shall be become effective on September 1, 2017 and will expire on August 31, 2019.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby authorize the execution of the Work Experience Program Agreement negotiated with the Agape Ministries, Inc.

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

Adopted this
24th day of
August, 2017

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 County Department
of Job & Family Services

IN THE MATTER OF AUTHORIZING THE EXECUTION OF A WORK EXPERIENCE PROGRAM AGREEMENT WITH THE AUGLAIZE COUNTY JOB AND FAMILY SERVICES.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 24th day of August, 2017.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, the Ohio Department of Job & Family Services has created the Work Experience Program which is to provide work experience for OWF, ABAWDs and FSET participants in an employment environment, that would provide them the opportunity to acquire or upgrade general work skills, training, knowledge and work habits. The main goal of the program is to move participants to self – sufficiency through employment. The Auglaize County Job and Family Services has agreed that as a condition of this agreement, there shall be no discrimination against any participant on the basis of race, color, national origin, sex, or handicap or any other factor as specified by federal and state laws regarding discrimination; and,

WHEREAS, this agreement shall be become effective on September 1, 2017 and will expire on August 31, 2019.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby authorize the execution of the Work Experience Program Agreement negotiated with the Auglaize County Job & Family Services.

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

Adopted this
24th day of
August, 2017

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 County Department
of Job & Family Services

IN THE MATTER OF AMENDING RESOLUTION #12-228 AND ALLOWING THE MONTHLY PAYMENT TO THE ACRES CAPITAL IMPROVEMENT FUND (127) TO REMAIN IN THE COUNTY HOME OPERATING FUND (097) FROM SEPTEMBER 2017 THROUGH DECEMBER 2017.

The Board of County Commissioners of Auglaize County, Ohio met in regular session on the 24th day of August, 2017.

Commissioner Spencer moved the adoption of the following:

RESOLUTION

WHEREAS, in Resolution #12-228, dated June 5, 2012 the Board of County Commissioners did resolute "Part 3: The monies previously allocated for payment of the outstanding loan would now be allocated to the Capital Improvement Fund for the Auglaize Acres facility"; and,

WHEREAS, since that time Auglaize Acres has transferred \$6,250.00 per month into the Capital Improvement Fund for Auglaize Acres; and,

WHEREAS, the Acres Administrator Kim Sudhoff has requested that this monthly payment remain in the county home operating fund (097) from September 2017 through December 2017 to fund the incentive policy for the employees at the Auglaize Acres facility.

THEREFORE, BE IT RESOLVED that the Board of Commissioners, Auglaize County, Ohio, does hereby approve the request to have the funds stay with the county home operating fund (097) for the period starting September 2017 through December 2017.

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

Adopted this
24th day of
August, 2017

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 – Kim Sudhoff
Auditor