

**IN THE MATTER OF THE JOINT BOARD OF COUNTY COMMISSIONERS OF AUGLAIZE, ALLEN AND SHELBY AUTHORIZING THE EXTENSION OF TIME TO COMPLETE THE AUGLAIZE RIVER AND TWO-MILE CREEK STREAM ENHANCEMENT PROJECT #1306.**

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The Joint Board of Auglaize, Allen and Shelby County Commissioners met in regular session on the 5<sup>th</sup> day of November, 2015 with the following members present:

- |                  |                         |                            |
|------------------|-------------------------|----------------------------|
| Auglaize County: | Douglas A. Spencer      | ✓                          |
|                  | John N. Bergman         | ✓                          |
|                  | Kenneth Sommer          | ✓                          |
|                  | Acting Co. Commissioner |                            |
| Allen County:    | Greg Sneary             | ✓                          |
|                  | Cory Noonan             | ✓                          |
|                  | Jay Begg                | ✓                          |
|                  |                         | <i>per tele conference</i> |
|                  |                         | <i>per tele conference</i> |
|                  |                         | <i>per tele conference</i> |
| Shelby County:   | Julie L. Ehemann        | ✓                          |
|                  | Robert A. Guillozet     | ✓                          |
|                  | Anthony J. Bornhorst    | ✓                          |

Commissioner Bornhorst moved the adoption of the following:

**WHEREAS**, on November 20, 2012, Resolution #12-493, the Joint Board of Auglaize, Allen and Shelby County Commissioners approved the contract with Rahrig Tree Company for the construction of the Joint County Auglaize River and Two-Mile Creek Stream Enhancement Project #1306, setting a completion date for said project of April 1, 2014; and,

**WHEREAS**, on April 15, 2014, Resolution #14-205, the Joint Board of Auglaize, Allen and Shelby County Commissioners approved the extension of time to complete the Joint County Auglaize River and Two-Mile Creek Stream Enhancement Project #1306 to October 1, 2014; and,

**WHEREAS** on October 29, 2014 the following letter was submitted by Dan Ellerbrock, Drainage Technician Allen SWCD to the Joint Board of County Commissioners:

Commissioners,

The original contract for the Auglaize River logjam removal project expired on April 1, 2014 and was extended by the Joint Board due to weather conditions until October 1, 2014.

The contractor is moving forward with the work and is due additional credit days beyond the October 1, 2014 deadline.

Attached is the spreadsheet, documenting the number of days worked, non-work days allowed (holidays or days when an inspector was not available), weather days lost, etc.

The spreadsheet documents the entire contract length from the time the project was started until November 1, 2014. Based on the days tabulated, as shown on the spreadsheet, the contractor is entitled to an extension of 53 more working days beyond October 1, 2014.

Factoring in holidays and the week of deer shotgun season, the first week of December, it is the recommendation of Mr. Doug Reinhart, Auglaize County Engineer and myself to extend the contract deadline to December 31, 2014 for the completion of the contract.

**THEREFORE, BE IT RESOLVED** that the Joint Board of Auglaize, Allen and Shelby County Commissioners does hereby grant the request for the extension of time to complete the Joint County Auglaize River and Two-Mile Creek Stream Enhancement Project #1306 to December 31, 2014 and,



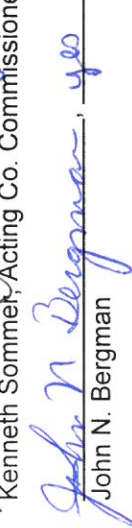
**BE IT FURTHER RESOLVED** that the contractor's bond and securities for this project shall remain liable as if such extended time had been originally named in the bond and/or contract.

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



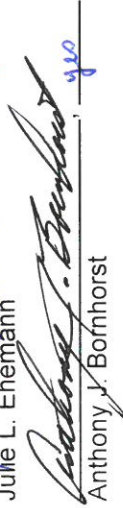
Resolution – continued  
Auglaize River and Two-Mile Creek Stream Enhancement Project  
Joint Board of County Commissioners – Extension to complete project  
November 5, 2014

Adopted this 5<sup>th</sup> day of November, 2014



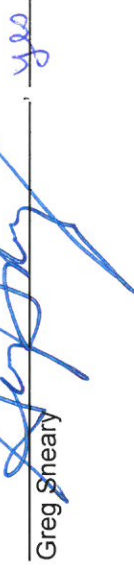
**BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO**

 \_\_\_\_\_, yes  
Douglas A. Spencer  
 \_\_\_\_\_, yes  
Kenneth Sommer, Acting Co. Commissioner  
 \_\_\_\_\_, yes  
John N. Bergman

**BOARD OF COUNTY COMMISSIONERS  
SHELBY COUNTY, OHIO**

 \_\_\_\_\_, yes  
Robert A. Guillozet  
 \_\_\_\_\_, yes  
Julie L. Ehemann  
 \_\_\_\_\_, yes  
Anthony J. Bornhorst

**BOARD OF COUNTY COMMISSIONERS  
ALLEN COUNTY, OHIO**

 \_\_\_\_\_, yes  
Jay Begg  
 \_\_\_\_\_, yes  
Cory Noonan  
 \_\_\_\_\_, yes  
Greg Sneary

IN THE MATTER OF THE JOINT BOARD OF COUNTY COMMISSIONERS OF ALLEN, AUGLAIZE AND SHELBY ACCEPTS BIDS AND ENTERS INTO CONTRACT WITH TURF CONCEPTS, LLC FOR THE CUTTING OF DEAD ASH AND OTHER SELECTED TREES OF THE JOINT COUNTY AUGLAIZE RIVER AND TWO-MILE CREEK STREAM ENHANCEMENT PROJECT #1306.

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The Joint Board of Auglaize, Allen and Shelby County Commissioners met in regular session on the 5th day of November, 2014 with following members present:

- Auglaize County:
  - Douglas A. Spencer ✓
  - John N. Bergman ✓
  - Kenneth Sommer ✓
  - Acting Co. Commissioner
- Allen County:
  - Greg Sneary ✓ *per tele-conference*
  - Cory Noonan ✓ *per tele-conference*
  - Jay Begg ✓ *per tele*
- Shelby County:
  - Julie L. Ehemann ✓
  - Robert A. Guillozet ✓
  - Anthony J. Bornhorst ✓

Commissioner Begg moved the adoption of the following:

**RESOLUTION**

WHEREAS, on October 23<sup>rd</sup>, 2014 two (2) sealed bids were received by the Joint Board and read aloud for the cutting of dead ash and other selected trees for the Auglaize River and Two-Mile Creek Enhancement Project #1306 as follows:

- Turf Concepts, LLC \$399,400.00,
- Tawa Tree Service Inc. \$478,036.00,
- Engineer's estimate: \$470,000.00; and,

WHEREAS, the bids were given to Douglas Reinhart, Auglaize County Engineer, for review and comparison. Mr. Reinhart has submitted a written recommendation to award the contract to Turf Concepts, LLC in the amount of \$399,400.00 for the cutting of dead ash and other selected trees for the Auglaize River and Two-Mile Creek Enhancement Project; and,

WHEREAS, the Joint Board deems this request to be in order and hereby approves same.

THEREFORE, BE IT RESOLVED that the Joint Board of Auglaize, Allen and Shelby County Commissioners does hereby accept the bids and award the contract to Turf Concepts, LLC for the cutting of dead ash trees and other selected trees for the Joint County Auglaize River and Two-Mile Creek Enhancement Project #1306 in the amount of \$399,400.00, a copy of which is attached hereto and made part hereof; and,

BE IT FURTHER RESOLVED that the Joint Board of Auglaize, Allen and Shelby County Commissioners does hereby authorize the President of the Joint Board to execute the attached contract on behalf of Auglaize, Allen and Shelby Counties.

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

Adopted this 5th day of November, 2014

BOARD OF COUNTY COMMISSIONERS  
AUGLAIZE COUNTY, OHIO

Douglas A. Spencer yes  
Douglas A. Spencer

Kenneth Sommer yes  
Kenneth Sommer, Acting Co. Commissioner

John N. Bergman yes  
John N. Bergman

BOARD OF COUNTY COMMISSIONERS  
ALLEN COUNTY, OHIO

Greg Sneary yes  
Greg Sneary

Cory Noonan yes  
Cory Noonan

Jay Begg yes  
Jay Begg

Resolution – continued  
Auglaize River and Two-Mile Creek Stream Enhancement Project  
Joint Board of County Commissioners –  
Accepts bids and award contract for cutting dead ash and other selected trees  
November 5, 2014 – page 2

Adopted this 5th date of November, 2014

BOARD OF COUNTY COMMISSIONERS  
SHELBY COUNTY, OHIO

  
Julie L. Ehemann      yes

  
Robert A. Guillozet      yes

  
Anthony J. Borrhorst      yes

cc: Shelby County  
Allen County  
Allen County SWCD  
Engineer – Doug Reinhart  
Auditor – Janet Schuler  
Bidders

**AUGLAIZE RIVER AND TWO MILE CREEK STREAM  
ENHANCEMENT PROJECT #1306  
CONTRACT**

THIS AGREEMENT, made and entered into on this 5<sup>th</sup> day of November, 2014 by and between the Joint Board of County Commissioners of Auglaize, Allen and Shelby Counties, Ohio hereinafter designated as "FIRST PARTY", and Turf Concepts, LLC of Elida, Ohio designated as "SECOND PARTY".

WITNESSETH, that the "SECOND PARTY" for and in consideration for the sum of **Three Hundred Ninety-Nine Thousand, four Hundred Dollars and 00xx cents (\$399,400.00)** to be paid as hereinafter specified, hereby agrees to furnish unto the "FIRST PARTY" all the necessary materials and labor required to complete the AUGLAIZE RIVER AND TWO MILE STREAM ENHANCEMENT PROJECT #1306, Ash Tree Removal Project, as requested by the Allen, Auglaize and Shelby County Commissioners, pursuant to Section 1515.21 of the Ohio Revised Code.

The "SECOND PARTY" further agrees to furnish the materials and labor promptly, in a substantial and professional manner, under the direction of the Auglaize County Engineer in charge, without hindrance or delay to any other branch or class of work on the AUGLAIZE RIVER AND TWO MILE STREAM ENHANCEMENT PROJECT #1306, Ash Tree Removal Project, and to work in harmony with and to render such assistance to other branches of work that the progress of the improvement may require. The project is to be completed to the satisfaction and acceptance of the "FIRST PARTY" on or before 18 months after the execution of the contract, as stated in the bid specifications and Ohio Department of Transportation Construction and Material Specifications Manual, Section 108.06 and 108.07.


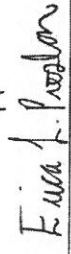
AND THE "FIRST PARTY", for and in consideration of the true and faithful performance of labor and furnishing of the materials as aforementioned, hereby agrees to pay unto the "SECOND PARTY" a total of **Three Hundred Ninety-Nine Thousand, Four Hundred Dollars and 00xx cents (\$399,400.00)**, upon the certificate of acceptance of the project by the Auglaize County Engineer as provided by law.

It is mutually agreed that no extra labor or materials shall be charged for, except in accordance with the provisions of Section 6131.48 of the Ohio Revised Code.

Witness our hands the day and year first above written.

Signed in duplicate in presence of:



JOINT BOARD OF COMMISSIONERS


  


  
FIRST PARTY

Signed in duplicate in presence of:

Turf Concepts, LLC

  
SECOND PARTY