

**RESOLUTION #18-0416-07**

**Approve Resurfacing Contract through Delaware County Engineer's Office**

**WHEREAS**, Liberty Township received bids for resurfacing of streets as approved in Resolution #17-0116-08 from the Delaware County Engineer's Office, and

**WHEREAS**, the Delaware County Engineer's Office has submitted its bids and contracts to be approved by the Board of Trustees in order that work may begin by the county's designated vendor, The Shelly Company, and,

**WHEREAS**, the attached documents show the total cost for the 2018 resurfacing project to be \$1,473,691.97, which includes \$147,369.20 in contingency and the Road Department has an adequate funding available in the approved budget for the 2018 road improvements, and

**WHEREAS**, the contract between the Township and The Shelly Company and the Memorandum of Understanding between the Township and the Delaware County Engineer must be approved by the Board of Trustees, and

**NOW, THEREFORE BE IT RESOLVED, BY THE LIBERTY TOWNSHIP BOARD OF TRUSTEES, DELAWARE COUNTY, OHIO**, that the contract with The Shelly Company for the 2018 resurfacing project awarded for the amount of \$1,473,691.97 be approved, and **BE IT FURTHER RESOLVED** that the Memorandum of Understanding between the Township and the Delaware County Engineer regarding the 2018 resurfacing project be approved.

Motion made by Mrs. Gemperline and seconded by Mrs. Eichhorn

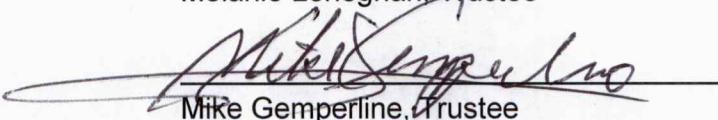
**Vote:** Yea Mrs. Eichhorn Yea Mr. Gemperline W/A Mrs. Leneghan

This Resolution shall be in force and become effective immediately upon its execution.

4-16-2018

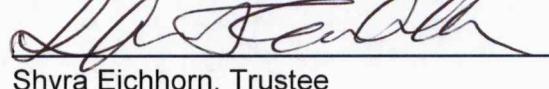
Date

Melanie Leneghan, Trustee

Mike Gemperline, Trustee

CERTIFIED BY:

Nancy Denutte  
Nancy Denutte, Fiscal Officer

Shyra Eichhorn, Trustee

**CONTRACT**

**AGREEMENT**, made and entered into this 16<sup>th</sup> day of April 2018 by and between the **LIBERTY TOWNSHIP TRUSTEES**, Delaware County, Ohio, and hereinafter designated as **FIRST PARTY**, and **THE SHELLY COMPANY**, hereinafter designated as **SECOND PARTY**.

**WITNESSETH**, that said **SECOND PARTY**, for and in consideration of the sum of **ONE MILLION FOUR HUNDRED SEVENTY-THREE THOUSAND SIX HUNDRED NINETY-ONE DOLLARS AND NINETY-SEVEN CENTS (\$1,473,691.97)**, based on unit prices on the attached **Bid Blank**, to be paid as hereinafter specified, hereby agrees to furnish unto said **FIRST PARTY**, all necessary material, labor and equipment required to complete the project known as **2018 DELAWARE COUNTY ROAD IMPROVEMENT PROGRAM, Delaware County, Ohio**, in accordance with plans, drawings, general specifications, Invitation to Bid for same hereto attached; which plans, drawings, general specifications and Invitation to Bid 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 **Liberty Township Trustees**. Work is to be completed on or before **September 7, 2018**.

**THE SECOND PARTY** hereby agrees to hold **Liberty Township** free and harmless from any and all claims for damages, costs, expenses, judgments or decrees, resulting from any operations of said **SECOND PARTY**, his sub-contractors, agents or employees.

**SECOND PARTY** further agrees to pay the **Prevailing Wage Rate** in accordance with **Section 4115 of the Ohio Revised Code** and to furnish the **Liberty Township Trustees** a certified copy of the Contractor's payroll. Contractor is also responsible for providing any changes in the **Prevailing Wage rates** as furnished by the **Delaware County Engineer** during the course of this project to any and all Subcontractors employed by the Contractor.

**WITNESS**, our hands the day and year first above written.

**SIGNED IN DUPLICATE IN THE PRESENCE OF:**

X Melanie Leneghan Not Present

X Sherry Aler

+ John D. Sappington  
**LIBERTY TOWNSHIP TRUSTEES**

Dr. Ross E. Link

**WITNESS**

John D. Miller The Shelly Co.  
**CONTRACTOR**

80 Park Drive

Thornville, Ohio 43076

**ADDRESS**

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**WITNESS**, our hands the day and year first above written.

**SIGNED IN DUPLICATE IN THE PRESENCE OF:**

x M. Leneghan Not Present

x Vicki Simonsline

x John D. Lenahan  
**LIBERTY TOWNSHIP TRUSTEES**

Ross E. Len  
**WITNESS**

John D. Lenahan The Shelly Co.  
**CONTRACTOR**  
80 Park Drive

Thornville, Ohio 43076  
**ADDRESS**