

RECORD OF RESOLUTIONS

Dayton Legal Blank Co., Form No. 30045

Resolution No. 91-31

Passed 19

A RESOLUTION DECLARING A STREET RESURFACING BID TO BE THE LOWEST AND BEST BID, ENTERING INTO CONTRACT AND DECLARING AN EMERGENCY.

WHEREAS, Council has advertised for bids for resurfacing certain streets, and

WHEREAS, Council wishes to enter into contract with the lowest and best bidder,

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF BUCKEYE LAKE, that:

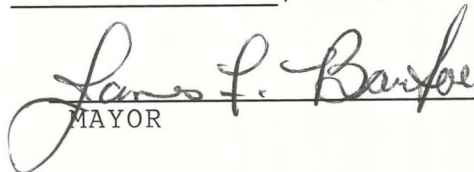
Section 1: Council declares the bid submitted by Gene Cox & Sons, a division of Shelly Co, to be the lowest and best bid.

Section 2: Council authorizes the Mayor and Clerk to enter into contract on behalf of the Village in the amount not to exceed \$20,795.00 with Gene Cox & Sons, a division of Shelly Co. for resurfacing streets the subject of the bid with the exception of Essex Lane.

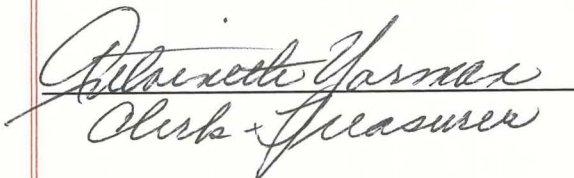
Section 3: The Resolution shall take effect from and after the earliest period allowed by law.

Section 4: An emergency is declared to exist in order to implement the resurfacing project prior to the winter season.

Adopted the 28th day of _____, 1991

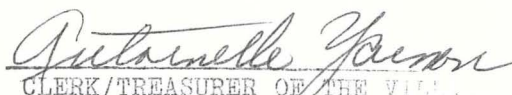

MAYOR

ATTEST:


Clerk/Treasurer

Director of Law

The undersigned, Clerk/Treasurer of the Village of Buckeye Lake, Ohio, hereby certifies that this Resolution 91-31 was posted pursuant to Section 731.25 of the Ohio Revised Code, posted in at least six (6) designated public places from the 29th of October, 1991 until the 14th day of November 91


CLERK/TREASURER OF THE VILLAGE
OF BUCKEYE LAKE, OHIO

CONTRACT FOR STREET RESURFACING

The Village of Buckeye Lake, Ohio, a Municipal Corporation, hereinafter referred to as "the village" and Gene Cox & Sons, a division of Shelly Company of Trinway, Ohio, hereinafter referred to as "the contractor", do, for valuable consideration, hereby, enter into the following agreement.

DUTIES OF THE CONTRACTOR

1. The contractor shall, as soon as reasonable practicable, resurface the following streets in the village:

(a) Fairview	\$1500.00
(b) East 6th Ave.	5360.00
(c) West 6th Ave.	1940.00
(d) Central (Wood to Lake)	1315.00
(e) Lake (Union to Seymour)	4500.00
(f) North (except Union & Myers)	4580.00
(g) Elmhurst	1600.00

2. The contractor agrees to resurface in a manner consistent with a bid submitted by the contractor on September 26, 1991, and accepted and declared to be the lowest and best bid by the village on September 27, 1991.

3. Essex Lane shall not be resurfaced by the contractor.

4. The resurfacing shall be done in a workmanlike manner consistent with the bid specifications and industry standards.

5. The contractor shall notify the village forty-eight (48) hours prior to the commencement of the project.

6. A copy of the bid specification is attached hereto and made a part of this contract. Reference to Essex Lane is excluded from such specification.

DUTIES OF THE VILLAGE

1. The village shall pay to the contractor the sum of \$20, 795.00 within thirty (30) days of completion of the project.

2. The village shall assist, if timely notified of commencement date, with clearing vehicles from the areas to be resurfaced.

James L. Barbe

MAYOR

Patricia Yarnes

CLERK/ TREASURER

GENE COX & SONS, A DIVISION
OF SHELLY COMPANY

BY: *William Lentz V.P.*



Buckeye Lake, Ohio

SEALED BIDS will be received by Antionette Yarman, the clerk of the Village of Buckeye Lake, at the Village Hall, 5192 Walnut Rd. S.E. Box 27, Buckeye Lake, Ohio 43008 Until 12:00 Noon September 27th¹⁹⁹¹ and then opened and read for street paving of certain streets, according to plans and specifications on file at the Village Hall.

Successful bidders must abide by the Ohio prevailing wage law each bid must contain the full name of every person of company interested in the same, and must be accompanied by a bond or certified check in the amount of \$ 100.00, as a guarantee that if the bid is accepted a contract will be entered into and its performance properly secured. Checks or bonds of unsuccessful bidders will be returned with such notification. The right is reserved to reject any and all bids. Clearly mark on outside of sealed envelope containing bids " Street Bid ". Location of projects and specification of materials are on file in Village Hall of Buckeye Lake, Ohio

P.O. BOX 27

5192 WALNUT RD., S.E.

BUCKEYE LAKE, OHIO 43008

PHONE: 614-928-7100

Antionette Yarman

Clerk / Treasurer

VILLAGE OF BUCKEYE LAKE

PROPOSAL TO RESURFACE VARIOUS STREETS

The Contractor shall furnish all materials, equipment, and tools to complete the asphalt paving.

Streets to be graded and swept as required.

Each street to be priced separately. Price to include grading, sweeping, and 404 asphalt pavement as stated.

Material and workmanship to meet local standards.

1. Fairview	1½" thickness	30' x 166'	\$ 1,500.00
2. East 6th Avenue	2" thickness	14' x 1,023'	5,360.00
3. West 6th Street	2" thickness	14' x 364'	1,940.00
4. Central (Wood to Lake)	2" thickness	14' x 250'	1,315.00
5. Lake (Grandstaff to Union)	2" thickness	15' x 800'	4,500.00
6. North (except Union to Myers)	2" thickness	10' x 100' & 14' x 800'	4,580.00
7. Essex Lane	2" thickness	34' x 233'	3,200.00
8. Elmhurst (Approach 46' wide at road)	2" thickness	14' x 230'	1,600.00
TOTAL PRICE			\$ 23,995.00

CONTRACTOR THE SHELLY Co.
 BY William Kelly
 TITLE VICE PRESIDENT
 ADDRESS 12655 SECOND AVE PO BOX 388
TRINWAY, OH 43842
 DATE SEPT 26, 1991

omit
 10,395.00 Contractor
 10,400.00 Non-Contractor
20,795.00

AIU Insurance Company
American Fidelity Company
American Home Assurance Company
Granite State Insurance Company
Illinois National Insurance Company
The Insurance Company of the State of Pennsylvania
National Union Fire Insurance Company of Pittsburgh, Pa.
New Hampshire Insurance Company



American International Companies

Principal Bond Office
70 Pine Street, New York, N.Y. 10270

BID BOND (AIA 310)

KNOW ALL MEN BY THESE PRESENTS:

That The Shelly Company/Gene Cox & Sons Division, P.O. Box 308, Dresden, OH 43851, as Principal, and
American Home Assurance Company, as Surety, are held and firmly bound
unto THE VILLAGE OF BUCKEYE LAKE, as Oblige, in the sum of
ONE HUNDRED EVEN Dollars
(\$ 100.00), for the payment of which sum, well and truly to be made, the Principal and Surety bind themselves, their
heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for STREET PAVING OF CERTAIN STREETS.

NOW, THEREFORE, if the Oblige shall accept the bid of the Principal and the Principal shall enter into a Contract with the Oblige in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Oblige the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Oblige may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed, sealed and dated SEPT 27, 1991

Nancy Burr Debari
(Witness)

THE SHELLY COMPANY/GENE COX & SONS DIVISION
(Principal) (Seal)
By Dillon Lentz V.P.
(Title)

AMERICAN HOME ASSURANCE COMPANY
(Surety)
By Kimberly G. Sherrod
Kimberly G. Sherrod Attorney-In-Fact

KNOW ALL MEN BY THESE PRESENTS:

That American Home Assurance Company, a New York corporation, and National Union Fire Insurance Company of Pittsburgh, Pa., a Pennsylvania corporation, does each hereby appoint

---James Ziolo, Gregory J. Mallon, Maureen A. Thompson, Kimberly G. Sherrod, Marilyn J. Decker: of Columbus, Ohio---

its true and lawful Attorney(s)-in-Fact, with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, American Home Assurance Company and National Union Fire Insurance Company of Pittsburgh, Pa. have each executed these presents



this 27 day of June, 1991.


Mark E. Reagan, Senior Vice President

STATE OF NEW YORK }
COUNTY OF NEW YORK}ss.

On this 27 day of June, 1991.

before me came the above named officer of American Home Insurance Company and National Union Fire Insurance Company of Pittsburgh, Pa., to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seals of said corporations thereto by authority of his office.



JOSEPH B. NOZZOLIO
Notary Public, State of New York
No. 01-NO4652754
Qualified in Westchester County
Term Expires Jan. 31, 1992.

CERTIFICATE

Excerpts of Resolutions adopted by the Boards of Directors of American Home Assurance Company and National Union Fire Insurance Company of Pittsburgh, Pa. on May 18, 1976:

"RESOLVED, that the Chairman of the Board, the President, or any Vice President be, and hereby is, authorized to appoint Attorneys-in-Fact to represent and act for and on behalf of the Company to execute bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, and to attach thereto the corporate seal of the Company, in the transaction of its surety business;

"RESOLVED, that the signatures and attestations of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed with respect to any bond, undertaking, recognizance or other contract of indemnity or writing obligatory in the nature thereof;

"RESOLVED, that any such Attorney-in-Fact delivering a secretarial certification that the foregoing resolutions still be in effect may insert in such certification the date thereof, said date to be not later than the date of delivery thereof by such Attorney-in-Fact."

Elizabeth M. Tuck, Secretary of American Home Assurance Company and of National Union Fire Insurance Company of Pittsburgh, Pa. do hereby certify that the foregoing excerpts of Resolutions adopted by the Boards of Directors of these corporations, and the Powers of Attorney issued pursuant thereto, are true and correct, and that both the Resolutions and the Powers of Attorney are in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of each corporation



this 27 day of SEPT, 1991.


Elizabeth M. Tuck, Secretary

ORDINANCE OR RESOLUTION NUMBER: 91-31

INTRODUCED BY: _____

MOTION TO SUSPEND RULES: J. Yocum SECOND R. Wilson

	<u>AYES</u>	<u>NAYES</u>
LARRY ESSEX	_____	_____
GRAYCE HOLMES	✓	_____
RICHARD LEINDECKER	✓	_____
JAMIE BRAIG WILSON	✓	_____
ROBERT WILSON	✓	_____
JUDY YOCUM	✓	_____
TOTAL:	<u>5</u>	_____

MOTION TO ADOPT R. Wilson SECOND J. Holmes

	<u>AYES</u>	<u>NAYES</u>
LARRY ESSEX	✓	_____
GRAYCE HOLMES	✓	_____
RICHARD LEINDECKER	✓	_____
JAMIE BRAIG WILSON	✓	_____
ROBERT WILSON	✓	_____
JUDY YOCUM	✓	_____
TOTAL:	<u>5</u>	_____

DATE POSTING BEGAN 10/29/91

EFFECTIVE DATE 11/14/91

CERTIFICATION

I hereby certify the above to be an accurate account of the action of Council on the above matter.