

ORDINANCE NO.: 2022-35

FIRST READING April 11, 2022

INTRODUCED BY: MARK PORTER

SECOND READING Waived

THIRD READING Waived

ORDINANCE AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH SPECIALIZED CONSTRUCTION, INC. TO PERFORM THE 2022 VILLAGE ROAD PROGRAM IN THE AMOUNT OF \$675,551.30 AND DECLARING AN EMERGENCY.

WHEREAS, the Village of South Russell solicited bids for its 2022 Road Program, which were opened on April 1, 2022; and

WHEREAS, the Village of South Russell's engineer recommended that the bid be awarded to Specialized Construction, Inc.; and

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of South Russell, Geauga County, Ohio, that:

SECTION 1: The Mayor and Fiscal Officer are hereby authorized to enter into an agreement with Specialized Construction, Inc. for the 2022 Village Road Program in the amount of \$675,551. A copy of the full agreement is on file at the Office of the Fiscal Officer at the Village Hall.

SECTION 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after December 2, 1975, that resulted in formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3: That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the inhabitants of the Village and for the further reason that it is anticipated that the contractor may be able to begin work within the next thirty (30) days; wherefore provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor.



Mayor - President of Council

ATTEST:



Fiscal Officer

I certify that Ordinance No. 2022- 35 was duly enacted on the 11th day of April, 2022, by the Council of the Village of South Russell, and posted in accordance with the Codified Ordinances of the Village.

Danell Romanowski

Fiscal Officer

**REVISED CODE §1311.252
NOTICE OF COMMENCEMENT OF A PUBLIC IMPROVEMENT**

State of Ohio)
) SS:
County of Geauga)

William Koons, Mayor (the "Affiant"), being first duly sworn, says that:

1. Affiant is the Mayor of the Village of South Russell, at 5205 Chillicothe Road, South Russell, Ohio for a contract executed on APRIL 20, 2022.
2. The Public Authority will be commencing a public improvement identified as follows:
2022 Pavement Program
3. The following lists the name, address, and surety of each of the principal contractors working on this public improvement:

<u>TRADE</u>	<u>CONTRACTOR</u>	<u>SURETY</u>
General	Specialized Construction, Inc. 711 Harvard Avenue Cuyahoga Heights, Ohio 44105	Atlantic Specialty Insurance Company 605 Highway 169 North Suite 800 Plymouth, MN 55441

4. For the purpose of service an affidavit pursuant to Revised Code §1311.26, service may be made upon the following representative of the Public Authority: William Koons, Mayor, at the Village of South Russell, 5205 Chillicothe Road, South Russell, Ohio 44022.

William S. Koons
William Koons, Mayor

SWORN TO before me and subscribed in my presence this 20TH day of APRIL, 2022.

Danielle Romanowski [SEAL]
Notary Public

Prepared by: CT Consultants, Inc.
8150 Sterling Court
Mentor, Ohio 44060



Danielle Romanowski
NOTARY PUBLIC - OHIO
Gauga County
MY COMMISSION EXPIRES 01/29/2027

NOTICE OF AWARD

TO: Specialized Construction, Inc.
711 Harvard Avenue
Cuyahoga Heights, Ohio 44105

PROJECT: 2022 PAVEMENT PROGRAM

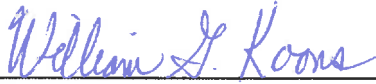
You are notified that your Bid which was opened on 4/1/22 has been accepted as the lowest and best bid for items in the amount of \$675,551.00 at the unit bid prices as reflected in the bid tabulation contained herein for the Base Bid and Alternates 1 & 2.

You are required by the Instructions to Bidders to execute the Agreement and furnish the required Bonds, Certificates of Insurance, and other documents within 10 calendar days from the date of receipt of this Notice.

Failure to comply with these conditions within the time specified will entitle Owner to consider your Bid in default, to annul this Notice and to declare your Bid Security forfeited.

The Owner will return to you one (1) fully signed set of the contract documents.

VILLAGE OF SOUTH RUSSELL



William Koons, Mayor

ACKNOWLEDGMENT

SPECIALIZED CONSTRUCTION, INC.



Brian Hall, President

CONTRACT

FOR 2022 PAVEMENT PROGRAM

THIS CONTRACT, made and entered into at South Russell, Ohio, this _____ day of _____, 20____, by and between the Village of South Russell ("OWNER"), Ohio and Specialized Construction, Inc. ("CONTRACTOR").

WITNESSETH: That the said CONTRACTOR has agreed and by this presents does agree with the OWNER for the consideration hereinafter mentioned and contained, and under penalty expressed in a bond given with these presents, and herein contained or hereunto annexed, to furnish at its own cost and expense, all the necessary tools, equipment, materials, labor, and tests in an expeditious, substantial and workmanlike manner, the equipment and appurtenances herein contemplated, commencing work within 20 days from the date of the Notice to Proceed and executing the work within the time and in the manner specified and in conformity with the requirements set forth in this Contract.

The following form essential parts of the Contract (may vary with project).

1. Advertisement for Bids/Public Notice to Bidders
2. Instruction to Bidders
3. Bid Forms and Proposal
4. Contract Forms and Exhibits
5. Contract Bond – ORC 153.571 or ORC 153.57
6. Contract Provisions
7. General Conditions
8. Supplementary Conditions
9. Specifications
10. Specific Project Requirements
11. Prevailing Wage Rate Schedule
12. Contract Drawings; if any.

The CONTRACTOR agrees and understands that the work on this contract shall be subject to the acceptance of the OWNER based upon and in accordance with the contract specifications and contract plans and drawings on file in the office of the OWNER.

The CONTRACTOR agrees that each individual employed by the CONTRACTOR or any Subcontractor and engaged in work on the project under this contract shall be paid by prevailing wage established by the Department of Industrial Relations of the State of Ohio or the U.S. Department of Labor (Davis-Bacon Act) as detailed in the section titled "Wage Rates." This shall occur regardless of any contractual relationship which may be said to exist between the Contractor or any Subcontractor and such individual. *(if a School District, delete this paragraph)*

The CONTRACTOR shall proceed with the said work in a prompt and diligent manner and shall do the several parts thereof. Further the CONTRACTOR shall complete the whole of said work in accordance with the specifications and contract drawings to the satisfaction of the OWNER on or before the time stated, and in default of completion within the time as fixed, the CONTRACTOR shall pay to the OWNER as liquidated damages, an amount equal to \$1,000.00 Per Day, for each and every day (Sundays and legal holidays excepted) the completion of the work may be delayed beyond the date fixed in the manner and as stipulated.

It is hereby mutually agreed that the OWNER is to pay and the CONTRACTOR is to receive, as full compensation for furnishing all materials and labor in building, constructing and testing and in all respect completing the herein described work and appurtenances in the manner and under the conditions herein specified, the prices stipulated in the proposal herein contained or hereto annexed and the total contract sum is \$675,551.00.

This Contract shall be in full force and effect from the date of execution by the OWNER and CONTRACTOR.

IN WITNESS WHEREOF: The OWNER and CONTRACTOR hereunto affixed their signature the day and year first mentioned above.

SPECIALIZED CONSTRUCTION, INC.



Brian Hall, President

VILLAGE OF SOUTH RUSSELL



William Koons, Mayor

I hereby certify that funds in the amount of Six Hundred Seventy-Five Thousand Five Hundred Fifty One and 00/100 Dollars (\$675,551.00) necessary for the foregoing Contract have been appropriated and are in the Treasury, or are in the process of collection, or are available through grants and/or loans from other funding sources.



Danielle Romanowski, Fiscal Officer

APPROVED AS TO FORM:



Bridget Matheny, Solicitor

**THE CONTRACTOR SHALL FURNISH THE FOLLOWING ITEMS
WITHIN 10 DAYS OF NOTIFICATION OF AWARD:**

- A) CERTIFICATE OF INSURANCE FOR
CONTRACTOR'S PUBLIC LIABILITY INSURANCE POLICY
AND AUTOMOTIVE INSURANCE POLICY**

- B) CERTIFICATE OF INSURANCE FOR
OWNER'S AND CONTRACTOR'S PROTECTIVE POLICY**

- C) CERTIFICATE OF WORKER'S COMPENSATION**

- D) CONTRACT BOND THAT COMPLIES WITH ORC 153.54 AND 153.57**

* D above is not required if a bond complying with ORC 153.54 and 153.571 (rollover bond) was submitted at time of bid.



SPECCON-01

LSTATEN

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/15/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Fedeli Group 5005 Rockside Road, Fifth Floor Independence, OH 44131	CONTACT NAME: Laura Staten PHONE (A/C, No, Ext): (216) 643-6680 E-MAIL ADDRESS: LStaten@thefedeligroup.com FAX (A/C, No): (216) 328-8081														
INSURED Specialized Construction Inc. 711 Harvard Ave. Cleveland, OH 44105	<table><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A : Westfield National Insurance Company</td><td>24120</td></tr><tr><td>INSURER B : Hartford Fire Insurance Company</td><td>19682</td></tr><tr><td>INSURER C :</td><td></td></tr><tr><td>INSURER D :</td><td></td></tr><tr><td>INSURER E :</td><td></td></tr><tr><td>INSURER F :</td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Westfield National Insurance Company	24120	INSURER B : Hartford Fire Insurance Company	19682	INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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INSURER E :															
INSURER F :															

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> X,C,U <input checked="" type="checkbox"/> Underground GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	X	X	CMM4612044	04/01/2022	04/01/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			CMM4612044	04/01/2022	04/01/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED <input checked="" type="checkbox"/> RETENTION \$ 0			CMM4612044	04/01/2022	04/01/2023	EACH OCCURRENCE \$ 6,000,000 AGGREGATE \$ 6,000,000
A	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	CMM4612044	04/01/2022	04/01/2023	PER STATUTE <input checked="" type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
B	<input checked="" type="checkbox"/> Installation Floater			45MSBJ2323	06/01/2021	06/01/2022	Special, \$1000 Ded 100,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: 2022 Pavement Repair Program

Village of South Russell and C.T. Consultants, Inc. are named as additional insureds in regards to general liability including ongoing and completed operations as required by written contract. Waiver of subrogation applies in regards to general liability as required by written contract.

CERTIFICATE HOLDER

CANCELLATION

Village of South Russell
C.T. Consultants, Inc.
5205 Chillicothe Rd
South Russell, OH 44022

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Laura K Staten



SPECCON-01

LSTATEN

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/15/2022

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IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Fedeli Group 5005 Rockside Road, Fifth Floor Independence, OH 44131	CONTACT NAME: Laura Staten	
	PHONE (A/C, No, Ext): (216) 643-6680 FAX (A/C, No): (216) 328-8081	
	E-MAIL ADDRESS: LStaten@thefedeligroup.com	
INSURED Village of South Russell 5205 Chillicothe Road South Russell, OH 44022	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : Westfield Insurance Company	24112
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY			TBD04152022WICOP	04/15/2022	04/15/2023	EACH OCCURRENCE \$ 1,000,000
	CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$
X	Owner's & Contractor						MED EXP (Any one person) \$
							PERSONAL & ADV INJURY \$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000
	POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$
	OTHER:						\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per person) \$
	HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$
				PROPERTY DAMAGE (Per accident) \$			
				\$			
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED						\$
	RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Project: 2022 Pavement Repair Program

CONTRACTOR: Specialized Construction, Inc. 711 Harvard Ave, Cleveland, OH 44105

CERTIFICATE HOLDER

CANCELLATION

Village of South Russell
5205 Chillicothe Road
South Russell, OH 44022

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



**Bureau of Workers'
Compensation**

30 W. Spring St.
Columbus, OH 43215

Certificate of Ohio Workers' Compensation

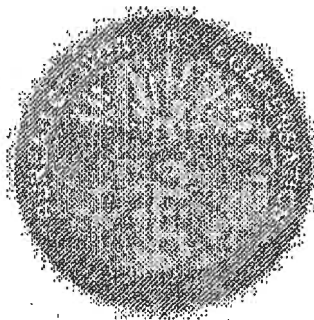
This certifies that the employer listed below participates in the Ohio State Insurance Fund as required by law. Therefore, the employer is entitled to the rights and benefits of the fund for the period specified. This certificate is only valid if premiums and assessments, including installments, are paid by the applicable due date. To verify coverage, visit www.bwc.ohio.gov, or call 1-800-644-6292.

This certificate must be conspicuously posted.

Policy number and employer
01254587

Period Specified Below
07/01/2021 to 07/01/2022

SPECIALIZED CONSTRUCTION INC
711 HARVARD AVE
NEWBURGH HTS, OH 44105-3034



www.bwc.ohio.gov
Issued by: BWC

Interim Administrator/CEO

You can reproduce this certificate as needed.

Ohio Bureau of Workers' Compensation

Required Posting

Section 4123.54 of the Ohio Revised Code requires notice of rebuttable presumption. Rebuttable presumption means an employee may dispute or prove untrue the presumption (or belief) that alcohol, marihuana or a controlled substance not prescribed by the employee's physician is the proximate cause (main reason) of the work-related injury.

The burden of proof is on the employee to prove the presence of alcohol, marihuana or a controlled substance was not the proximate cause of the work-related injury. An employee who tests positive or refuses to submit to chemical testing may be disqualified for compensation and benefits under the Workers' Compensation Act.



**Bureau of Workers'
Compensation**

You must post this language with the Certificate of Ohio Workers' Compensation.

DELINQUENT PERSONAL PROPERTY STATEMENT

STATE OF Ohio)
) SS
COUNTY OF Cuyahoga)

Specialized Construction, Inc., having been awarded a contract by the Village of South Russell, Ohio, hereby affirms under oath, pursuant to Ohio Revised Code Section 5719.042, that at the time the bid was submitted, my company **was / was not (CIRCLE ONE)** charged with delinquent personal property taxes on the General Tax List of Personal Property for Geauga County, Ohio.

If such charge for delinquent personal property tax exists on the General Tax List of Personal Property for Geauga County, Ohio, the amount of such due and unpaid delinquent taxes, including due and unpaid penalties and interest shall be set forth below.

A copy of this statement shall be transmitted by the Taxing District's Fiscal Officer to the County Treasurer within thirty days of the date it is submitted. A copy of this statement shall also be incorporated into the Contract made between Village of South Russell, Ohio, and Specialized Construction, Inc., and no payment shall be made with respect to any Contract unless such statement has been so incorporated as a part thereof.

Delinquent Personal Property Tax	\$ <u>0</u>
Penalties	\$ <u>0</u>
Interest	\$ <u>0</u>

SPECIALIZED CONSTRUCTION, INC.



Brian Hall, President

Subscribed and sworn to before me this 13th day of April, 20 22.



Notary Public

My Commission Expires: 03/26/24

MARK A. MUNYON NOTARY PUBLIC, STATE OF OHIO My Commission Expires 3/26/2024

AFFIDAVIT
OF COMPLIANCE WITH OHIO REVISED CODE SECTION 3517.13

STATE OF OHIO

COUNTY OF Cuyahoga

Brian Hall being duly sworn deposes and states as follows:

1. I am duly authorized to make the statements contained herein on behalf of Specialized Construction Incorporated ("the Contracting Party").
2. The Contracting Party is a/an (select one):
 - ☐ Individual, partnership, or other unincorporated business association (including without limitation, a professional association organized under Ohio Revised Code Chapter 1787), estate, or trust
 - ☒ Corporation organized and existing under the laws of the State of Ohio
 - ☐ Labor organization
3. I hereby affirm that the Contracting Party and each of the individuals specified in R.C. 3517.13(I) (with respect to non-corporate entities and labor organizations) or R.C. 3517.13(J) (with respect to corporations) are in full compliance with the political contribution limitations set forth in R.C. 3517.13(I) and (J), as applicable.
4. I understand that a false representation on this certification will incur penalties pursuant to 3517.992(R).

Affiant further sayeth naught.

By: [Signature]

Title: President

SWORN TO BEFORE ME and subscribed in my presence this 13th day of April, 20 22.

MARK A. MUNYON
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires 3/26/2024

[Signature]
Notary Public

My commission expires: 03/26/2024

ESCROW AGREEMENT FOR CONTRACTOR'S RETAINAGE

In accordance with a certain Contract between the Village of South Russell, Ohio, (hereinafter referred to as "the Owner") and Specialized Construction, Inc., (hereinafter referred to as "the Contractor"), an Escrow Agent is hereby appointed to hold funds arising out of the Owner's agreement to pay retainage into an escrow fund, said Agent to be:

All retained funds will be placed with the above Escrow Agent from the date your Contract is certified as being 50% complete pursuant to Sections 153.13, and 153.14 and 153.63 Ohio Revised Code.

During the time the aforementioned retained funds are in the custody of the Escrow Agent, the Escrow Agent has authority to invest the escrow funds in the classes of securities listed below which, in the judgment of the Escrow Agent, allow for the least risk to capital preservation and provide for a reasonable income. The income from investment of the escrowed funds shall be accumulated in the escrow account.

- (a) Obligation issued or guaranteed as to interest and principal by the government of the United States, or obligations of the State of Ohio or any political subdivision thereof;
- (b) Obligations including certificates of deposit of any national bank located in this State and/or any bank as defined by Section 1101.01, O.R.C.;
- (c) Repurchase agreements fully secured by obligations of any kind specified in clauses (a) and (b) above; or
- (d) Interest in any money market fund or trust, the investments of which are generally restricted to obligations of any of the kind specified in clauses (a) through (c) above.

The Escrow Agent shall hold the escrowed principal and interest until receipt of notice from the Owner, or until receipt of an Arbitration Order or an Order of the Court of Claims, or other appropriate courts, specifying the amount of the escrowed principal to be released and the person to whom it is to be released. Upon receipt of such a request or order, the Escrow Agent shall, within 30 days, pay such amount of principal and interest earned on the retainage to the Contractor less the Escrow Agent's fee.

It is understood that the Escrow Agent shall have no duties, obligations, or liabilities hereunder other than to hold and invest said funds and to deliver them in accordance with the provisions hereof.

SPECIALIZED CONSTRUCTION, INC.

N.A. – Contractor Signed Escrow Waiver

Brian Hall, President

VILLAGE OF SOUTH RUSSELL

N.A. – Contractor Signed Escrow Waiver

Danielle Romanowski, Fiscal Officer

ESCROW WAIVER

In accordance with a certain Contract between the Village of South Russell, Ohio, (hereinafter referred to as "the Owner") and Specialized Construction, Inc., (hereinafter referred to as "the Contractor") it is mutually agreed by and between the parties hereto that because of the short-term duration of the within contract, no escrow account will be established pursuant to Sections 153.13, 153.14 and 153.63 of the Ohio Revised Code nor shall any interest be paid on any retainage.

SPECIALIZED CONSTRUCTION, INC.



Brian Hall, President

VILLAGE OF SOUTH RUSSELL



Danielle Romanowski, Fiscal Officer

NOTICE TO PROCEED

Project: 2022 Pavement Program

Owner: Village of South Russell
5205 Chillicothe Road
South Russell, Ohio 44022

To: Specialized Construction, Inc.
711 Harvard Avenue
Cuyahoga Heights, Ohio 44105

Date: 4.20.22

You are hereby notified to commence work in accordance with the Contract. All work shall be completed by September 2, 2022.

VILLAGE OF SOUTH RUSSELL

William G. Koons
William Koons, Mayor

THE OWNER OR THEIR AUTHORIZED REPRESENTATIVE SHALL INSERT THE FOLLOWING CONTRACT DOCUMENTATION IN THE EXECUTED CONTRACT:

A) FINDINGS FOR RECOVERY – ORC 9.24
(<http://ffr.ohioauditor.gov/>)

B1) CHECK FOR DEBARRED CONTRACTORS IN THE STATE OF OHIO
(<https://www.sos.state.oh.us/records/debarred-contractors/>)

~~B2) CHECK FEDERAL SAM (System for Award Management) for~~
~~FEDERAL FUNDING (including sub-contractors), (if applicable)~~
~~(<https://www.sam.gov/SAM/>)~~

C) NOTIFICATION OF SURETY AND AGENT OF CONSTRUCTION
CONTRACT AWARD – ORC 9.32 (if applicable)

D) NOTIFICATION TO UTILITY COMPANIES OF COMMENCEMENT
OF CONTRACT EXECUTION – ORC 153.64 (if applicable)



Office of Auditor of State
88 East Broad Street
Post Office Box 1140
Columbus, OH 43216-1140

Auditor of State - Unresolved Findings for Recovery Certified Search

(614) 466-4514
(800) 282-0370

I have searched The Auditor of State's unresolved findings for recovery database using the following criteria:

Contractor's Information:

Name: **Hall, Brian**
Organization: **Specialized Construction, Inc.**
Date: **4/1/2022 1:13:49 PM**

This search produced the following list of **22** possible matches:

Name/Organization	Address
Hall, Kimberly	771 Kiowa Trail
Hall, Stacy	10247 High Street
Adams, Brian	65 E. Wilson Bridge Road
Adams, Brian	65 E. Wilson Bridge Road
Adams, Brian	1940 Smoky Meadow Drive
Adams, Brian	65 E. Wilson Bridge Road
Adams, Brian	65 E. Wilson Bridge Road, Suite 200
Adams, Brian	65 E. Wilson Road
Adams, Brian	66 E. Wilson Bridge Road, Suite 200
Kandel, Brian	4739 Maplegrove Ave.
Stump, Brian	1340 Converse Road
Bocook, Bridgett	267 W. 13th St.
Columbia Prospect LLC	3681 Green Road, Suite 419
Marshall, Wendy	2549 Hard Road
Speakman	
Speakman, Ron	277 S. Bennett Ave.
Speakman, Ronald	277 S. Bennett Ave.
Spencer, Gwenn	27557 US Rt 224
Spencer, Gwenn	27557 US Rt. 224
Spencer, Gwenn	27557 US Rt. 224
Spencer, Judd	209 Mahoning St.
Spencer, Judd	209 Mahoning Street

The above list represents possible matches for the search criteria you entered. Please note that pursuant to ORC 9.24, only the person (which includes an organization) actually named in the finding for recovery is prohibited from being awarded a contract.

If the person you are searching for appears on this list, it means that the person has one or more findings for recovery and is prohibited from being awarded a contract described in ORC 9.24, unless one of the exceptions in that section apply.

If the person you are searching for does not appear on this list, an initialed copy of this page can serve as documentation of your compliance with ORC 9.24(E).

Please note that pursuant to ORC 9.24, it is the responsibility of the public office to verify that a person to whom it plans to award a contract does not appear in the Auditor of State's database. The Auditor of State's office is not responsible for inaccurate search results caused by user error or other circumstances beyond the Auditor of State's control.

Date Filed in Office	Debarment Period	Contractors, Subcontractors, & Officers	Address	Regarding Project	Case Number
1/12/2017	7/12/16-7/12/18	GM Mechanical, Inc.	7502 State Route 41 PO Box 12 Covington, OH 45318	Ohio State University Kennedy Commons Renovation	Franklin County C.P. Court No. 12 CV 002988
1/12/2017	7/12/16-7/12/18	CM Mechanical Services, Ltd.	7502 State Route 41 PO Box 12 Covington, OH 45318	Ohio State University Kennedy Commons Renovation	Franklin County C.P. Court No. 12 CV 002988
1/12/2017	7/12/16-7/12/18	Gerald E. Miller	7502 State Route 41 PO Box 12 Covington, OH 45318	Ohio State University Kennedy Commons Renovation	United States District Court, S.D. Ohio No. 2:15-cv-2631
1/12/2017	7/12/16-7/12/18	Cleide F. Miller a/k/a Clayge Miller	7502 State Route 41 PO Box 12 Covington, OH 45318	Ohio State University Kennedy Commons Renovation	United States District Court, S.D. Ohio No. 2:15-cv-2631



April 12, 2022

Atlantic Specialty Insurance Company
605 Highway 169 North Suite 800
Plymouth, MN 55441

**Re: 2022 Pavement Program
Village of South Russell
Specialized Construction, Inc.**

To Whom It May Concern:

In compliance with Ohio Revised Code Section 9.32, we are hereby notifying you on behalf of the Village of South Russell that the Village of South Russell awarded a contract for the above referenced project to Specialized Construction, Inc., currently named as principal on a Bond given as surety to the Village of South Russell.

Should you have any questions or require additional information, please feel free to contact our office.

Respectfully,

CT CONSULTANTS, INC.

Eric Haibach, P.E.
Village Engineer

EBH:mep

cc: Logan Liptak, The Fedeli Group

H:\2022\220456\SPEC\Contract Letters.Docx

Michael Pittenger

From: Michael Pittenger
Sent: Tuesday, April 12, 2022 1:51 PM
To: 'jmzassick@firstenergycorp.com'; 'Relocation@dominionenergy.com'; 'gerrym@gcdwr.org'; 'jon.hobby@windstream.com'; 'Detore, David A'; 'DL-MOH-CONSTRUCTION-FRELO-TEAM@charter.com'; Chagrin Falls - Glenn Elliott (glenn@chagrin-falls.org)
Subject: Construction Project Commencement - 220456 - South Russell - 2022 Pavement Program
Attachments: Utility email.pdf; 011100 - 1 to 2 - SUMMARY OF WORK.pdf; Section 09 - Detailed Drawings.pdf; Bidders List Report.pdf

Please see attached Notice of Construction Project Commencement.

Plans & Specs can be reviewed on our website at <https://bids.ctconsultants.com> - Opened & Awarded tab

Thank You,

Michael E. Pittenger

Contract Document Coordinator, Inspection & Testing, CESSWI

440-530-2205 Direct
440-487-6148 Cellular
mpittenger@ctconsultants.com

CT Consultants, Inc.
8150 Sterling Court
Mentor, OH 44060
440-951-9000 Office
440-951-7487 Fax
www.ctconsultants.com



Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
SPECIALIZED CONSTRUCTION INCORPORATED

2 Business name/disregarded entity name, if different from above
N.A.

3 Check appropriate box for federal tax classification; check only one of the following seven boxes:
☐ Individual/sole proprietor or single-member LLC
☒ C Corporation
☐ S Corporation
☐ Partnership
☐ Trust/estate
☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶
Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.
☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
Exempt payee code (if any):
Exemption from FATCA reporting code (if any):
(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.)
711 Harvard Avenue

6 City, state, and ZIP code
Cuyahoga Heights, Ohio 44105

7 List account number(s) here (optional)

8 Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number
[] [] [] - [] [] [] - [] [] []

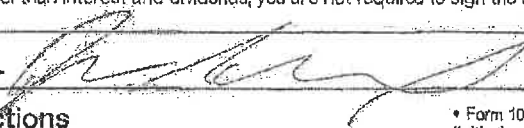
OR
Employer identification number
[3] [4] - [1] [8] [5] [8] [1] [6] [3]

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here
Signature of U.S. person ▶ 
Date ▶ **02/09/2022**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.
Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/irb.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (cancelled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued).
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.