

Resolution authorizing a take-out agreement with International Fidelity Insurance Company and George J. Igel Co., Inc for General construction services for the Brown Road East Sanitary Sewer Improvements Project

(Sanitary Engineering)

WHEREAS, the Franklin County Board of Commissioners secured the services of Deer Creek Excavating, LLC to provide labor, equipment, and materials for the General construction of the Brown Road East Sanitary Sewer Improvements Project via Resolution 942-10 for the sum of \$4,170,832.00; and

WHEREAS, International Fidelity Insurance Company and Everest Reinsurance Company as Surety, and Deer Creek as Principle, made, executed and delivered to the Franklin County Bid Guaranty and Contract Bond number OH0542413, each in the penal sum of \$4,170,832.00; and

WHEREAS, Franklin County had notified Deer Creek that it breached its Original Contract for the Brown Road East Sanitary Sewer project and terminated Deer Creek Excavating, LLC, and Franklin County has called upon the Surety to fulfill its obligations on the Brown Road East Sanitary Sewer Bond; and

WHEREAS, the Brown Road East Sanitary Sewer Project remains uncompleted and Deer Creek has removed all of its equipment and personnel from the job site, and have undertaken no activity relative to the same since 2012.; and

WHEREAS, George J. Igel & Co. Inc. has, pursuant to a request from Surety, prepared and submitted a proposed to complete all of the work under the Original Brown Road contract just as though George J. Igel & Co. Inc. has been the Principal in the first instance, a copy of which proposal is part of this agreement; and

WHEREAS, Franklin County agrees to accept the performance of obligations under the Original Brown Road contract by George J. Igel & Co., Inc as the Completion Contractor tendered by the Surety; now, therefore

BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

Resolution authorizing a take-out agreement with International Fidelity Insurance Company and George J. Igel Co., Inc for General construction services for the Brown Road East Sanitary Sewer Improvements Project

1. That the attached contract with International Fidelity Insurance Company and George J. Igel & Co., Inc is hereby approved.

Prepared by: Stephen A. Renner