

**Date:** August 9, 2022

**Resolution No. 22-690**

**Title:** Award of Contract to Klumm Brothers Landscaping LLC (Holland, Ohio) for the Demolition Project at the former Lucas County Jobs and Family Services Building located at 3210 Monroe St. and 1819 Canton St., Toledo, Ohio 43604

**Department/Agency:** Facilities

**Contact:** Patrick Holland, Capital Projects Manager

**Summary/Background:** A bid opening was held for Demolition the former Lucas County Job and Family Services Building located at 3210 Monroe St. and 1819 Canton St., Toledo, Ohio 43604 on July 14, 2022. The purpose of the project is to tear down a vacant building and tear down a dilapidated garage. The engineers base cost estimate was \$1,100,000.00 and the Mannik & Smith Group provided a review and recommendation. The bids were as follows although Dore & Associates withdrew their bid:

<i>Contractor</i>	<i>Base Bid</i>
Dore & Associates	\$529,600.00 (withdrew)
Klumm Brothers Landscaping LLC	\$1,019,317.50
Advanced Excavating and Demolition	\$1,057,268.77
Homrich	\$1,221,000.00

**Budget Impact:** C1157

**Statutory Authority/ORC:** 307.86

**Commissioner Skeldon Wozniak offered the following resolution:**

WHEREAS, in consideration of the above, NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, Lucas County, Ohio, that:

Section 1. This Board hereby awards a contract to Klumm Brothers Landscaping LLC in the amount of \$1,019,317.50 for the demolition project at the former Lucas County Job and Family Services Building located at 3210 Monroe St. and garage at 1819 Canton St., Toledo, Ohio 43604.and accepts the Bid Guarantee & Contract Bond from Ohio Farmers Insurance Company.

Section 2. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in a meeting open to the public in compliance with the law.

Section 3. This resolution shall be in full force and effect from and immediately upon its adoption.

**August 9, 2022**

**Award of Contract to Klumm Bros Landscaping LLC (Holland, Ohio) for the Demolition Project at the former Lucas County Job and Family Services Building located at 3210 Monroe St. and 1819 Canton St., Toledo, Ohio 43604**

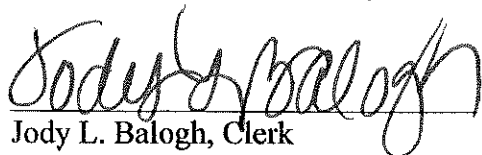
**Page 2**

**Action Taken:**

Commissioner Skeldon Wozniak voted yes

Commissioner Gerken voted yes

Commissioner Byers voted yes

  
\_\_\_\_\_  
Jody L. Balogh, Clerk

## AGREEMENT

THIS AGREEMENT, made this 9 day of August 2022 by and between Lucas County, Ohio, hereinafter called "COUNTY" and Klumm Brothers Landscaping LLC, 9241 W Bancroft, Holland, OH 43528 hereinafter called "CONTRACTOR"

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

- Section 1. The CONTRACTOR shall provide the work in accordance with The Specifications for Lucas County Demolition Projects and CONTRACTOR'S response to said specifications submitted July 14, 2022.
- Section 2. The CONTRACTOR shall furnish all of the materials, supplies, tools, equipment, labor and other services necessary for the performance of the Work for the Base Bid.
- Section 3. The parties agree that the actual work shall commence on or before August 1, 2022 and shall be completed on or before Dec. 30, 2022.
- Section 4. The CONTRACTOR agrees to perform all of the work described in the contract documents for the Base Bid and to comply with the terms therein for the sum of \$ One Million Nineteen Thousand Three Hundred Seventeen Dollars and 50 cents. (\$1,019,317.50)
- Section 5. Payments by the COUNTY to the CONTRACTOR shall be made according to the following schedule: on an as-completed basis billed monthly in triplicate.
- Section 6. All payments shall be payable to the CONTRACTOR in U.S. dollars at the CONTRACTOR'S address or as the CONTRACTOR directs in writing.
- Section 7. The term "Contract Documents" means and includes the following:
- A) Agreement with Attachments A & B.
  - B) Specifications for the Demolition at 3210 Monroe St. and 1819 Canton. St. Garage
  - C) Bid and Proposal submitted by Klumm Brothers Landscaping LLC in response to the Specifications for Request for Proposal as previously mentioned.
  - D) Notice to Bidders

- E) “Best Bid” Criteria Form
- F) Notice of Award
- G) Instructions to Bidders
- H) General Conditions
- I) Definitions
- J) Bid Guaranty and Contract Bond
- K) Performance Bond (to be used only if Bid Guaranty and Contract Bond are not used)
- M) Non-Collusion Affidavit
- N) Delinquent Personal Property Tax Statement
- O) Wage Determination, Lucas County and Prevailing Wage Instructions
- P) Certificate of Drug-Free Workplace Compliance
- R) Notice of Commencement / Notice to Proceed
- S) Construction Contract Exemption Certificate
- T) Power of Attorney
- U) Additional Terms and Conditions

Section 8. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns. IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in three (3) copies, each of which shall be deemed an original on the date first above written.

**CONTRACTOR:**

Please report your Social Security Number and/or Employer Identification Number in the place provided.

Soc. Sec. No.: \_\_\_\_\_

Emp. I.D. No.: 27-1457972

Name: Klumm Bros Excavating and Demolition

Address: 9241 W. Bancroft

Holland, Ohio 43528

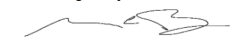
Phone Number: 419-829-3166

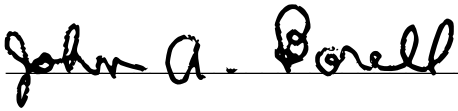
By: 

Title: Controller

**BOARD OF LUCAS COUNTY COMMISSIONERS  
LUCAS COUNTY, OHIO**

**APPROVED AS TO FORM:**  
Julia R. Bates, Prosecuting Attorney

DocuSigned by:  
  
E9E674CBB0AF401...  
Gary L. Byers, President



DocuSigned by:  
  
E74F77BCE29E403...  
Tina Skeldon Wozniak, Commissioner

DocuSigned by:  
  
BB4008EFD950494...  
Pete Gerken, Commissioner



**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](http://www.bwc.ohio.gov), or call 1-800-644-6292.

This certificate must be conspicuously posted.

Policy number and employer  
01107051

Period Specified Below  
07/01/2022 to 07/01/2023

KLUMM BROS. LANDSCAPING LLC  
KLUMM BROS LANDSCAPING  
PO BOX 163  
SWANTON OH 43558-0163



[www.bwc.ohio.gov](http://www.bwc.ohio.gov)  
Issued by: BWC

*Stephanie McCloud*

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.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
10/20/2022

**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**  
Knight Insurance Group  
22 North Erie Street  
Toledo OH 43604-6943

License#: 957718  
KLUMDEM-01

**INSURED**  
Klumm Bros Landscaping LLC; Klumm Brothers, LTD  
Klumm Bros Contracting, LLC; Klumm Bros Excavating and Demolition  
Klumm Bros Excavating & Demo  
P O Box 163

<b>CONTACT NAME:</b>		<b>FAX (A/C, No):</b> 844-201-0753	
<b>PHONE (A/C, No, Ext):</b> 419-241-5133			
<b>E-MAIL ADDRESS:</b> certificates@knightinsurance.com			
<b>INSURER(S) AFFORDING COVERAGE</b>			<b>NAIC #</b>
INSURER A : Cincinnati Speciality			
INSURER B : A CENTRAL INS CO			11105
INSURER C : THE CINCINNATI SPECIALTY UNDERWRITER			13037
INSURER D : Central Insurance Companies			20230
INSURER E : Homeland Insurance Company of Delaware			14231
INSURER F :			

**COVERAGES** **CERTIFICATE NUMBER: 1328279886** **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	<b>COMMERCIAL GENERAL LIABILITY</b>	Y	Y	CSU0178841	11/15/2021	11/15/2022	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input checked="" type="checkbox"/> 2,500						MED EXP (Any one person) \$ 1,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY \$ 1,000,000
	<input checked="" type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC						GENERAL AGGREGATE \$ 2,000,000
	OTHER:						PRODUCTS - COMP/OP AGG \$ 2,000,000
B	<b>AUTOMOBILE LIABILITY</b>	Y	Y	BAP8696352	11/15/2021	11/15/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY						
	<b>UMBRELLA LIAB</b>						EACH OCCURRENCE \$
	<input type="checkbox"/> EXCESS LIAB						AGGREGATE \$
	<input type="checkbox"/> OCCUR						
	<input type="checkbox"/> CLAIMS-MADE						
	DED						\$
	RETENTION \$						
C	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>			CSU0178841	11/15/2021	11/15/2022	PER STATUTE <input checked="" type="checkbox"/> OTH-ER <input type="checkbox"/>
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y / N <input type="checkbox"/>					Employers Liabil
	If yes, describe under DESCRIPTION OF OPERATIONS below	N / A					E.L. EACH ACCIDENT \$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D E	Leased/Rented Equipment Installation Coverage			CLP8696351	11/15/2021	11/15/2022	Leased/Rented Installation 300,000; 1,000 ded
	Pollution Liability			7930104490002	8/6/2022	8/6/2023	Pollution Liab 50,000 2,000,000/4,000,00

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**  
Pollution Liability has \$2,000,000 per condition/\$4,000,000 aggregate.

General liability additional insured applies per policy forms when required by contract to: Board of Lucas County Commissioners

<b>CERTIFICATE HOLDER</b>	<b>CANCELLATION</b>
Board of Lucas County Commissioners One Government Center, Ste. 800 Toledo OH 43604	<p>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</p> <p><b>AUTHORIZED REPRESENTATIVE</b></p> <p style="text-align: center;"><i>Kenneth P. Knight</i></p>

**Keith Faber**  
**Ohio Auditor**

# Certified Search for Unresolved Findings for Recovery



**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: ,  
Organization: **Klumm Brothers Landscaping LLC**  
Date: **10/14/2022 3:32:16 PM**

This search produced the following list of **0** possible matches:

Name/Organization	Address
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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.