

**RESOLUTION 22 - 49, 2022**  
**COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO**

**ACCEPTING CONSTRUCTION BID AND AWARDING CONTRACT TO CUSTOM  
LANDSCAPE CONTRACTORS FOR NED – NEIGHBORHOOD ECONOMIC  
DEVELOPMENT - PHASE 1 STREET TREE PLANTING PROJECT, AUTHORIZING  
THE ADMINISTRATOR TO ENTER INTO A CONTRACT WITH  
CUSTOM LANDSCAPE CONTRACTORS, DISPENSING WITH THE  
SECOND READING AND DECLARING AN EMERGENCY**

**WHEREAS**, the bid of Custom Landscape Contractors, 2411 S.R.22 SW, Washington C.H., Ohio 43160 (“Custom Landscape”), is the lowest and best for the construction of the NED Neighborhood Economic Development Program – Phase 1 Street Tree Planting Project hereinafter known as the “Project”; and

**WHEREAS**, the Project is a necessary public improvement to accomplish the goals and public purposes of the Neighborhood Economic Development Program (“NED”) to strengthen the quality of life in Township neighborhoods through improved community engagement and enhanced property values. The Columbia Township Board of Trustees in Res. 21-23, 2021, enacted NED as a pilot program to invest up to \$500,000 over a two-year pilot program in certain neighborhood-based improvements in addition to the Township’s regular investments such as roadways; and

**WHEREAS**, the Project will provide for the planting of more than 300 street trees in Township right-of-way along streets within neighborhoods that voted for the “Street Tree Option” of the NED Program. Phase 1 streets and tree planting designs by each street are detailed in the attached information packet. Phase 2 of street tree planting is planned for install in fall 2023; and

**WHEREAS**, the Board, upon majority vote, hereby dispenses with the requirement that this resolution be read on two separate days, and hereby authorizes the adoption of this resolution upon its first reading; and

**WHEREAS**, this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and welfare of the Township; the reason for the emergency is the Township must award the contract at the earliest possible time to meet the schedule to complete the Project within the recommended tree planting season in late October through early December.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Columbia Township, Hamilton County, Ohio, for the benefit and welfare of Columbia Township and its citizens, hereby accepts the bid from Custom Landscape upon Custom Landscape entering into a contract in the amount of \$117,975, and further authorizes the Administrator to enter into a contract with Custom Landscape in the amount of \$117,975.

Passed this 13<sup>th</sup> day of September, 2022

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Motion to accept Resolution made by: MR. KUBICKI

Seconded by: MS. HUGHES

**VOTE:**

<b>TRUSTEE</b>	<b>Voting</b>	<b>Signature</b>	<b>Date</b>
David Kubicki, President	yes	<u>[Signature]</u>	09-13-2022
Brian Lamar, Vice-President	yes	<u>[Signature]</u>	09-13-2022
Susan Hughes, Trustee	yes	<u>[Signature]</u>	09-13-2022
<b>ATTEST:</b>		<u>[Signature]</u> Caroline Heekin, Fiscal Officer	09-13-2022

**CERTIFICATE**

State of Ohio, Hamilton County

I, Caroline Heekin, Fiscal Officer of Columbia Township, Hamilton County, Ohio, certify that the foregoing Resolution No. 22 - 49 is taken and copied from the record of proceedings of the township, and that it has been compared by me with the resolution on the record and is a true copy.

09-13-2022  
Date

[Signature]  
Caroline Heekin, Fiscal Officer

**Attachment A – contract**

**Attachment B – NED P1 planting packet**

Passed this 13<sup>th</sup> day of September, 2022

# CONTRACT

This Contract, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between **Columbia Township**, hereinafter called "Owner" and \_\_\_\_\_, hereinafter called "Contractor".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the Owner, the Contractor hereby agrees to commence and complete the improvement, repair and construction of:

## 2022 Street Tree Planting Project – Phase 1

hereinafter called "Work" for the sum stated in the Proposal, and for all extra work in connection therewith, under the terms as stated in the General Conditions of the Contract Documents, and at its own proper cost and expense to furnish all the materials, supplies, machinery, equipment, tools, superintendence, labor, insurance and other accessories and services necessary to complete the said work in accordance with the conditions and prices stated in the Proposal, Information and Instructions to Bidders, the General Conditions, Construction Specifications, Plans, Drawings, Prints and Addendum therefore approved by the Owner, and all of which are a part hereof and collectively evidence and constitute the "Contract."

The Contractor hereby agrees to commence work under this Contract as outlined in the Notice to Proceed and to fully complete the Project within \_\_\_\_\_ calendar days or be subject to liquidated damages.

The Owner agrees to pay the Contractor in current funds for the performance of the Contract, subject to additions and deductions, and to make payments on account thereof, as provided in the General Conditions.

IN WITNESS WHEREOF, the parties to these presents have executed this Contract, in the year and day first above mentioned.

WITNESS:

\_\_\_\_\_

WITNESS:

\_\_\_\_\_

OWNER: **Columbia Township**

By: \_\_\_\_\_

Title: \_\_\_\_\_

CONTRACTOR:

By: \_\_\_\_\_

Title: \_\_\_\_\_

to injury to or destruction of tangible property (other than the Work itself), but only to the extent caused by the negligent acts or omissions of the Supplier, a Subcontractor, anyone directly or indirectly employed by them or anyone for whose acts they may be liable. Such obligation shall not be construed to negate, abridge, or reduce other rights or obligations of indemnity which would otherwise exist as to a party or person described in this section.

In claims against any person or entity indemnified under this section by an employee of the Supplier, a Subcontractor, anyone directly or indirectly employed by them or anyone for whose acts they may be liable, the indemnification obligation under this section shall not be limited by a limitation on amount or type of damages, compensation or benefits payable by or for the Supplier or a Subcontractor under workers' compensation acts, disability benefit acts or other employee benefit acts.

Company: Custom Landscape Contractors

Address: 2411 SR 22 SW

City, State, Zip: Washington C.H. OH 43160

Office Phone: 740-333-1669 Mobile Phone: 740-463-7336

Email: estimating@customlawn1.com Fax: 740-333-7381

Authorized By: KCR Title: Project Manager

### INITIAL ACCEPTANCE

After all tree planting locations have been planted and finished, the contractor shall immediately notify the Columbia Township representative. The Columbia Township representative will inspect all locations within a ten working day period; any deficiencies will be communicated to the contractor verbally and in writing. The contractor has 15 weather acceptable working days to complete corrections. A written acceptance from the Columbia Township Representative completes the installation procedures.

### ONE-YEAR WARRANTY AND FINAL ACCEPTANCE

Contractor agrees to warrant all trees, materials, and labor for one year from date of written installation Initial acceptance. After inspection by the Columbia Township Representative and any needed replacements or repairs being completed, a written final

BID FORM			
QUANTITY	DESCRIPTION OF EQUIPMENT, SUPPLIES OR SERVICE		TOTAL
1	<p><u>Tree Planting &amp; Clean-up</u></p> <p>Tree Planting &amp; Clean-up as described in this document. All 319Trees (See list of trees on following page)</p> <p><b>Columbia Township IS TAX EXEMPT</b></p>		<p>\$ <u>117,975<sup>00</sup></u></p>

**REQUEST FOR BID**

In compliance with the REQUEST FOR BID, and subject to all conditions hereof, the undersigned Bidder offers and agrees, if its Bid is accepted within 10 days from the date of closing, to furnish any or all items and / or services upon which prices are Bid in accordance with the specifications applying, at the price set opposite each item.

FIRM NAME Custom Landscape Contractors SIGNATURE [Signature]  
ADDRESS 2411 SR 22 SW NAME (PRINT) Kyle C. Reed  
Washington C.H. OH 43160 TITLE Project Manager  
PHONE 740-333-1669 DATE 8/25/22

**AWARD**

The Bid will be awarded within 10 days after Bid closing. No Bid may be withdrawn in that time. Columbia Township reserves the right to reject any and all Bids and waive irregularities in the Bids.

**ACCEPTANCE OF BID (AWARD)**

Award shall go to the lowest and most qualified Bid. Prior to acceptance of the Bid and prior to performing work, the Contractor shall furnish proof of the below required documents:

1. Certificate of Insurance, including Columbia Township named as Additional Insured.
2. Ohio Bureau of Workers' Compensation (BWC) Certificate of Coverage.
3. 100% satisfactory performance and payment bond
4. New Vendor Form (if applicable, for Finance department purposes).
5. Emergency contacts.
6. Signed and completed Request for Bid
7. Initial all pages in the area provided on the footer of each page.



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2411 St Rte 22 SW Washington Court House, OH 43160 Phone: 740.333.1669 Fax: 740.333.7381  
Email: [estimating@customlawn1.com](mailto:estimating@customlawn1.com) Web: [www.customlawn1.com](http://www.customlawn1.com)

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### **MOST RECENT STREET TREE PROJECTS:**

- \*City of Columbus – Street Tree Installation Fall 2020 – CDBG  
Recreation & Parks Department  
Chad Hoff – (614) 900-8255  
Project Total: \$265,735.00
  
- \*City of Columbus – Street Tree Installation Fall 2020 – MGI  
Recreation & Parks Department  
Chad Hoff – (614) 900-8255  
Project Total: \$33,000.00
  
- \*City of Columbus – Street Tree Installation Fall 2021 – CDBG  
Recreation & Parks Department  
Chad Hoff – (614) 900-8255  
Project Total: \$138,875.00
  
- \*City of Columbus – Street Tree Installation Fall 2021 – MGI  
Recreation & Parks Department  
Chad Hoff – (614) 900-8255  
Project Total: \$280,800.00