

**Cuyahoga County Form of Agreement  
LUMP SUM CONTRACT**

THIS AGREEMENT, made this \_\_\_\_ day of June, in the year of two thousand and twelve, between the County of Cuyahoga, hereinafter called the party of the first part, and M. Downing Construction Company, Inc. 4299 Cranwood Parkway, Warrensville Heights, Ohio 44128 and it's successors, and executors, hereinafter called the party of the second part.

WITNESSETH: That for and in consideration of payments hereinafter mentioned, to be made by party of the first part, party of the second part agrees to furnish all materials, appliances, tools, and labor, and perform all the work required for the project:

Renovation of the Cuyahoga County Board of Developmental Disabilities Rocky River Adult Activities Center Toilet Rooms in Cuyahoga County, Ohio, for the base bid and alternates CC-1 and CC-2 according to the bidding documents and to the satisfaction and acceptance of the party of the first part.

The party of the second part further covenants and agrees that the following documents shall be bound with or accompany and be an essential part of this contract: Bidding, Contracting Requirements and Proposals upon which this contract was awarded; Specifications and Drawings for the improvement contemplated by this contract; The construction and material specifications together with the general clauses and covenants of the County of Cuyahoga, Ohio in effect at the time this contract is entered into; Contractors Performance Bond and this Agreement.

It is expressly stipulated and agreed that the party of the second part hereby covenants and agrees that has full knowledge of the site, specifications, drawings, and conditions relative to the performance of the work contemplated by this contract and made an essential part thereof, and that the affixing of signature hereto shall constitute complete acceptance of the compliance with aforesaid specifications, drawings, and conditions.

In consideration of the premises the party of the first part agrees to pay to the party of the second part a certain sum of money which shall be as set forth in the proposal attached hereto and made a part hereof. This aforesaid sum shall be understood to be in the amount of One hundred twenty thousand, seven hundred dollars (\$120,700.00), subject to additions and deductions as provided in the contract documents.

By entering into this agreement/contract the party of the second part agrees on behalf of the contracting or submitting business entity, its officers, employees, subcontractors, subgrantees, agents or assigns, to conduct this transaction by electronic means by agreeing that all documents requiring party of the first part signatures may be executed by electronic means, and that the electronic signatures affixed by the party of the first part to said documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. I also agree on behalf of the aforementioned entities and persons, to be bound by the provisions of chapters 304 and 1306 of the Ohio revised code as they pertain to electronic transactions, and to comply with the electronic signature policy of Cuyahoga County.

## Cuyahoga County Form of Agreement

IN WITNESS WHEREOF, the party of the first part through its Cuyahoga County Executive and the party of the second part through its duly authorized representatives have hereunto subscribed and affixed their respective signatures.

IF AN INDIVIDUAL, DOING BUSINESS UNDER A FIRM NAME, SO STATE, GIVING BOTH NAMES.

IF A PARTNERSHIP, SO STATE, GIVING NAMES AND POST OFFICE ADDRESSES OF ALL PARTNERS ON LINES OPPOSITES.

IF A CORPORATION, GIVE FULL CORPORATION NAME AND STATE UNDER THE LAWS OF WHAT STATE YOU ARE INCORPORATED; OFFICER SHOULD INCLUDE SIGNATURE, TITLE, AND FURNISH A COPY, CURRENTLY DATED AND CERTIFIED BY THE SECRETARY OF THE CORPORATION OF A RESOLUTION BY THE BOARD OF DIRECTORS AUTHORIZING THE PARTICULAR OFFICER TO SIGN THE CONTRACT ON BEHALF OF COMPANY AND FURTHER CERTIFY THAT THE RESOLUTION IS IN FULL FORCE AND EFFECT.

COUNTY OF CUYAHOGA, OHIO

Edward FitzGerald, County Executive

EXECUTIVE:

2012-06-20 10:07:30

CONTRACTOR

FIRM:

M. Downing Construction Company, Inc.

SIGNATURE:

PRINTED NAME:

TITLE:

END OF DOCUMENT

## CONTRACT COMPLETION CERTIFICATE

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Contract: CE-1200384- 01

Project No. & Title: Renovation of Toilet Rooms at Rocky River Adult Activities Center

Contractor: M. Downing Construction Company, Inc.

Date of Contract: June 20, 2012

Date of Contract Substantial Completion: August 15, 2012

The above mentioned substantial completion date is the date of acceptance of this certificate by the Owner commences the warranties and guarantees required by the contract documents.

We, the undersigned employed for the execution of the work, have inspected the work included in the captioned contract, prior to the date of this certificate, and hereby certify that all work on the contract has been completed in accordance with the requirements of the drawings, specifications and other contract documents, and accordingly recommend that the work included on said contract be accepted.

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ASSOCIATE ARCHITECT/ENGINEER: The Architects, Inc.

BY: 

DATE: 10/22/12

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CONTRACTOR M. Downing Construction Company, Inc

BY: 

DATE: 10/22/12

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CCBDD PROJECT MANAGER

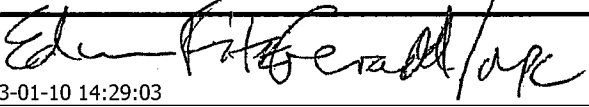
George Trochemenko 

DATE: 10/22/12

Edward FitzGerald, County Executive

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CUYAHOGA COUNTY EXECUTIVE:

  
2013-01-10 14:29:03

DATE: \_\_\_\_\_

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