

RESOLUTION NO. 2024 - 057

A RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO SIGN SETTLEMENT AGREEMENT WITH STRAWSER CONSTRUCTION, INC.

WHEREAS, the Board of Trustees of Sycamore Township (“Board”) has received a letter dated May 22, 2024 from Strawser Construction, Inc. (“Strawser”) for the purpose of reaching a settlement regarding work it performed for the 2023 Cape Seal Project; and

WHEREAS, As set forth in the May 22, 2024 settlement letter which is attached hereto and incorporated herein by reference, Strawser has offered the Township a rebate of \$151,075.75 in return for accepting the project “as is” and no further work will be performed; and

WHEREAS, The Board desires to enter into this settlement agreement with Strawser.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Township Trustees of Sycamore Township, State of Ohio that:

SECTION 1. The Board hereby authorizes the Township Administrator to sign the settlement agreement with Strawser on behalf of Sycamore Township.

SECTION 2. The Board of Trustees of Sycamore Township, upon at least a majority vote, dispenses with any requirement that this Resolution be read on two separate days, and hereby authorize the adoption of this Resolution upon its first reading.

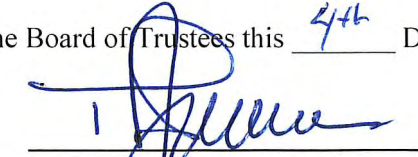
SECTION 3. It is hereby found and determined that all formal actions of this Board of Trustees of Sycamore Township concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

SECTION 4. This Resolution shall take effect on the earliest date allowed by law.

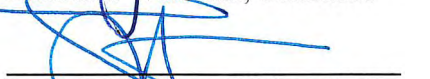
VOTE RECORD:

Mr. Weidman NO Ms. Schwegmann AYE Mr. Kellums AYE

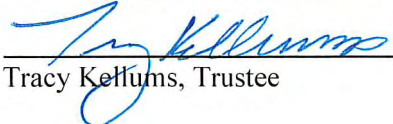
Passed at the meeting of the Board of Trustees this 4th Day of June 2024.



Thomas J. Weidman, Chairman



Tracy Schwegmann, Vice-Chairman



Tracy Kellums, Trustee

AUTHENTICATION

This is to certify that this Resolution was duly passed, and filed with the Sycamore Township Fiscal Officer, on this 4th day of June 2024.



Jonathan T. Deters
Sycamore Township Fiscal Officer

APPROVED AS TO FORM:



Lawrence E. Barbieri, Law Director



A COLAS COMPANY

1392 DUBLIN ROAD - COLUMBUS, OH 43215 - PHONE (614) 276-5501 - FAX (614) 276-0570
www.strawserconstruction.com

May 29, 2024

FOR SETTLEMENT PURPOSES ONLY

Sycamore Township Ohio
Mike Gould
Assistant Superintendent/Project Manager
8540 Kenwood Rd.
Sycamore Township, OH 45236

Re: 2023 Cape Seal Project on Various Routes

Dear Mr. Mike Gould,

Thank you for meeting with me and Michael Metzger on April 17th to review several routes Strawser paved in 2023. After reviewing the project and consulting with industry experts, we believe that the vast majority of the project meets or exceeds the ODOT's specifications for Micro Surfacing. We understand the concerns raised by the Township, but we believe these issues are aesthetic in nature and will not reduce the overall life expectancy of the product.

However, for settlement purposes and in response to the Township's letter dated May 17th, 2024, to finalize the project, Strawser Construction Inc. would like to offer Sycamore Township a rebate of \$151,075.75. This amount was calculated by applying a 25% credit for all roads the Township rated "yellow" and a 100% credit for all roads rated "red" on the pavement rating spreadsheet dated 4-15-2024. If accepted, the project will be accepted "as is," and no further work will be required. By agreeing to this settlement, both parties agree to a final acceptance date of May 17, 2024, and all roads rated red on the pavement rating spreadsheet dated 4-15-2024 will be excluded from the project's warranty requirements. The existing project warranty will remain in effect for all roads not rated red.

We thank you for your business and look forward to working with Sycamore Township in the future.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Szyborski", is written over a light blue rectangular background.

Michael Szyborski
President – Strawser Construction Inc.