

LEGAL NOTICE

Sealed bids will be received at the office of the **Board of Pike County Commissioners, Pike County Government Center 230 Waverly Plaza, Waverly, Ohio** until **11:00 A.M.** local time on **Monday, January 26, 2026** for furnishing all labor, materials and equipment necessary to complete the project known as **River Road Slip Repair, PIK-CR52-02.18** and at said time and place, publicly opened and read aloud.

Contract documents, bid sheets, plans and specifications can be obtained on the Pike County Engineer's web page,
<https://www.pikecountyohcommissioners.gov/offices/engineer.html>

Each bidder is required to furnish with its proposal, a Bid Guaranty and Contract bond in accordance with Section 153.54 of the Ohio Revised Code. Bid security furnished in Bond form, shall be issued by a Surety Company or Corporation licensed in the State of Ohio to provide said surety.

Each proposal must contain the full name of the party or parties submitting the proposal and all persons interested therein. Each bidder must submit a complete listing of all subcontractors to be used. The owner intends and requires that this project be completed no later than **October 16, 2026**.

All contractors and subcontractors involved with the project will, to the extent practical use Ohio Products, materials, services, and labor in the implementation of their project. Additionally, contractor compliance with the equal employment opportunity requirements of Ohio Administrative Code Chapter 123, the Governor's Executive Order of 1972, and Governor's Executive Order 84-9 shall be required.

Bidders must comply with the prevailing wage rates on Public Improvements in Pike County, as determined by the Ohio Department of Commerce, Wage and Hour Bureau.

NOTE: Only bids submitted by "Contractors prequalified with the Ohio Department of Transportation, Bureau of Contractor Qualifications" will be accepted on this project. In order for a contractor to be awarded a construction contract on this project, a current "Certificate of Qualification" must be submitted prior to award of the contract showing qualification to perform the type of work included in this construction contract. The amount of the Certificate of Qualification must exceed the amount of the bid on this project. Any bid submitted by a contractor who is not prequalified as required herein will be rejected.

The Board of Pike County Commissioners reserve the right to waive irregularities and to reject any or all bids for the best interest of Pike County.

John C. Slone, P.E., P.S.
Pike County Engineer

Julia Day, Clerk
Board of Pike County Commissioners

Legal Ads: December 31, 2025
January 7, 2026
January 14, 2026

COUNTY OF PIKE

ROAD IMPROVEMENTS

SLIP REPAIR

BID PROPOSAL

"RIVER ROAD SLIP REPAIR,
PIK-CR52-02.18"

LETTING DATE

JANUARY 26, 2026

John C. Slone DATE *12/09/2025*

JOHN C. SLONE, P.E., P.S.
PIKE COUNTY ENGINEER

BIDDER

NAME: _____

STREET: _____

CITY: _____ STATE: _____ ZIP: _____

E-MAIL: _____

PHONE NUMBER: _____

BP-1

The undersigned having full knowledge of the site, plans, and specifications for the project entitled **River Road Slip Repair, PIK-CR52-02.18** and the conditions of this proposal hereby agree to furnish all services, labor, materials, and equipment necessary to complete the entire project according to the plans, specifications, and completion dates, and to accept the unit prices specified below for each item as full compensation for the work included in this proposal.

Project Name: **River Road Slip Repair, PIK-CR52-02.18**

Date set for completion: **October 16, 2026**

GENERAL SUMMARY

Item	Item Ext.	Estimated Quantity	Unit	Item Description	Itemized Proposal			
					Unit Price Bid		Total Amount Bid	
					Dollars	Cents	Dollars	Cents
000	99902	1335	L.F.	Steel Piles, W27x129 - Special				
201	11000	LUMP	LUMP	Clearing and Grubbing	LUMP	SUM		
202	23000	431	SQ. YD.	Pavement Removed				
202	38000	25	FT.	Guardrail Removed				
203	10000	134	CU. YD.	Excavation				
203	35000	80	CU. YD.	Granular Embankment				
209	10000	193	FT.	Ditch Cleanout				
301	56000	53	CU. YD.	Asphalt Concrete Base, PG64-22, (449), 4" Depth				
304	20000	95	CU. YD.	Aggregate Base, 6" Depth				
407	10000	57	GAL	Tack Coat				
441	70000	40	CU. YD.	Asphalt Concrete Surface Course, Type 1, (449), PG64-22, 3" Depth				
507	00400	5	EACH	Steel Piles, W27x129-Splice				
509	10000	3876	POUND	Epoxy Coated Reinforcing Steel				
510	9951	399	EACH	Dowel Holes with Cement Grout, As Per Plan				
511	46012	21	CU. YD.	Class QC1 Concrete with QA-QC Retaining Wall-No Footing				
518	40001	220	FT.	6" Perforated Corrugated Plastic Pipe, As Per Plan				

Item	Item Ext.	Estimated Quantity	Unit	Item Description	Itemized Proposal			
					Unit Price Bid		Total Amount Bid	
					Dollars	Cents	Dollars	Cents
524	94703	628	FT.	Drilled Shafts, 36" Diameter, Above Bedrock, As Per Plan				
524	94705	638	FT.	Drilled Shafts, 36" Diameter, Into Bedrock, As Per Plan				
524	95000	609	FT.	Drilled Shafts, 42" Diameter, Unreinforced				
601	27001	173	CU. YD.	Dumped Rock Fill, Type C, As Per Plan				
606	15050	238	FT.	Guardrail, Type MGS				
611	10201	40	FT.	24" Conduit, Type A, As Per Plan				
614	11000	LUMP	LUMP	Maintaining Traffic	LUMP	SUM		
616	10000	0.25	M. GAL.	Water				
623	10000	LUMP	LUMP	Construction Layout Stakes, Per Plan	LUMP	SUM		
624	10000	LUMP	LUMP	Mobilization	LUMP	SUM		
659	10000	414	SQ. YD.	Seeding and Mulching				
659	00300	46	CU. YD.	Topsoil				
659	14000	21	SQ. YD.	Repair Seeding and Mulching				
659	15000	21	SQ. YD.	Interseeding				
659	20000	0.06	TON	Commercial Fertilizer				
659	31000	0.09	ACRES	Lime				
659	35000	3.35	M. GAL.	Water				
690	76002	286	FT.	Special – 12" Compost Filter Sock for Perimeter Control				
690	76012	18	FT.	Special – 12" Compost Filter Sock for Ditch Checks				
BID TOTAL								

State total amount in words_____

_____Dollars and_____cents.

Note: Quantities may be increased or decreased as directed by the Pike County Engineer.

Date:_____, 2026

Name and Address of President if bidder is a Corporation

Name and Address of Secretary if bidder is a Corporation

Name of Firm:_____

By:_____

Title:_____

Firm Address:_____

Tax I.D. #_____

COLLUSION AFFIDAVIT

STATE OF OHIO
COUNTY OF PIKE

being first duly sworn, deposes and says that he is

(sole owner, a partner, president, secretary, etc.)

of _____

the party making the foregoing proposal or bid; that such bid is genuine and not collusive; and that all statements contained in said proposal or bid are true; and further that such bidder has not submitted this bid, or the contents thereof, or divulged information or data relative thereto to any association or to any member or agent thereof.

AFFIANT

Sworn to and subscribed before me this _____ day of _____, 2026.

Notary Public
State of Ohio

Seal

My Commission Expires:

Campaign Contributions Limitations Certification
ORC 3517.13 (I)(3) & (J)(3)

I, the undersigned, on behalf of the Bidder identified below, hereby certify that, within the two previous calendar years (but excluding periods prior to January 1, 2007), no person identified below, as an individual and while in a position described below, has made one or more contributions totaling in excess of one thousand dollars (\$1,000.00) to the holder of the public office having ultimate responsibility for the award of the subject contract or to the public officer's campaign committee.

Said persons are:

- a) The individual owner, if the Bidder is a sole proprietorship; or
- b) Each partner or owner, if the Bidder is a partnership; or
- c) Each shareholder, if the Bidder is an unincorporated business or an association, including without limitation a professional association, estate or trust; or
- d) Each owner of more than 20% of a Bidder that is a corporation or business trust; and
- e) Each spouse of any person identified in (a) through (d), above; and
- f) Each child seven years of age to seventeen years of age of any person identified in (a) through (d) above; and
- g) Any combination of said persons.

Signed this _____ day of _____, 20_____

Bidder:_____

Signed:_____

Printed Name:_____

Title:_____

NON-DISCRIMINATION STATEMENT
ORC 153.59
REVISED 3/17/00

Pursuant to Ohio Revised Code Section 153.59, every contract for or on behalf of the State, or any Township, County, or Municipal Corporation of the State, for the construction, alteration, or repair of any public building or public work in the state shall contain provisions by which the contractor agrees to both of the following:

THEREFORE, _____, hereby agrees to both of the following:

- (A) That, in hiring of employees for the performance of work under the contract of any subcontract, no contractor, subcontractor, or any person acting on a contractor's or subcontractor's behalf, by reason of race, creed, sex, disability as defined in Section 4112.01 Revised Code, or color, shall discriminate against any citizen of the state in the employment of labor or workers who is qualified and available to perform the work to which the employment relates; and
- (B) That, no contractor, subcontractor, or any person on a contractor's or subcontractor's behalf, in any manner, shall discriminate against or intimidate any employee hired for the performance of work under the contract on account of race, creed, sex, disability as defined in Section 4112.01 of the Revised Code, or color.

IN AGREEMENT HEREOF:

CONTRACTOR:

BY: _____

ITS: _____

DATE: _____



Ohio Revised Code

Section 153.59 Discrimination and intimidation on account of race, religion, sex, disability, national origin or ancestry.

Effective: September 30, 2025

Legislation: House Bill 96

Every contract for or on behalf of the state, or any township, county, or municipal corporation of the state, for the construction, alteration, or repair of any public building or public work in the state shall contain provisions by which the contractor agrees to both of the following:

(A) That, in the hiring of employees for the performance of work under the contract or any subcontract, no contractor, subcontractor, or any person acting on a contractor's or subcontractor's behalf, by reason of race, creed, sex, disability or military status as defined in section 4112.01 of the Revised Code, or color, shall discriminate against any citizen of the state in the employment of labor or workers who is qualified and available to perform the work to which the employment relates;

(B) That no contractor, subcontractor, or any person on a contractor's or subcontractor's behalf, in any manner, shall discriminate against or intimidate any employee hired for the performance of work under the contract on account of race, creed, sex, disability or military status as defined in section 4112.01 of the Revised Code, or color.

In awarding contracts for capital improvement projects, the department of development shall ensure that equal consideration be given to contractors, subcontractors, or joint venturers who qualify as a minority business enterprise. As used in this section, "minority business enterprise" means a business enterprise that is owned or controlled by one or more socially or economically disadvantaged persons who are residents of this state. "Socially or economically disadvantaged persons" means persons, regardless of marital status, who are members of groups whose disadvantage may arise from discrimination on the basis of race, religion, sex, disability or military status as defined in section 4112.01 of the Revised Code, national origin, ancestry, or other similar cause.

AFFIDAVIT

_____ hereby certifies that _____
(Contractor) (Contractor)

Its’ employees, directors, officers, agents and stockholders are cognizant of the requirements of the Ohio Revised Code, **Section 102.03, representation by present or former public official or employee prohibited** and Ohio Revised Code, **Section 102.04, no compensation to elected or appointed state official other than from agency served**, and have complied with both referenced Ohio Revised Code sections.

Further affiant saith naught.

Affiant

Sworn to and subscribed in my presence this _____ day of _____, 2026

Notary Public

My Commission Expires: _____



Ohio Revised Code

Section 102.03 Representation by present or former public official or employee prohibited.

Effective: April 4, 2023

Legislation: Senate Bill 288

(A)(1) No present or former public official or employee shall, during public employment or service or for twelve months thereafter, represent a client or act in a representative capacity for any person on any matter in which the public official or employee personally participated as a public official or employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of administrative discretion.

(2) For twenty-four months after the conclusion of service, no former commissioner or attorney examiner of the public utilities commission shall represent a public utility, as defined in section 4905.02 of the Revised Code, or act in a representative capacity on behalf of such a utility before any state board, commission, or agency.

(3) For twenty-four months after the conclusion of employment or service, no former public official or employee who personally participated as a public official or employee through decision, approval, disapproval, recommendation, the rendering of advice, the development or adoption of solid waste management plans, investigation, inspection, or other substantial exercise of administrative discretion under Chapter 343. or 3734. of the Revised Code shall represent a person who is the owner or operator of a facility, as defined in section 3734.01 of the Revised Code, or who is an applicant for a permit or license for a facility under that chapter, on any matter in which the public official or employee personally participated as a public official or employee.

(4) For a period of one year after the conclusion of employment or service as a member or employee of the general assembly, no former member or employee of the general assembly shall represent, or act in a representative capacity for, any person on any matter before the general assembly, any committee of the general assembly, or the controlling board. Division (A)(4) of this section does not apply to or affect a person who separates from service with the general assembly on or before December 31, 1995. As used in division (A)(4) of this section "person" does not include any state agency or political subdivision of the state.



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(5) As used in divisions (A)(1), (2), and (3) of this section, "matter" includes any case, proceeding, application, determination, issue, or question, but does not include the proposal, consideration, or enactment of statutes, rules, ordinances, resolutions, or charter or constitutional amendments. As used in division (A)(4) of this section, "matter" includes the proposal, consideration, or enactment of statutes, resolutions, or constitutional amendments. As used in division (A) of this section, "represent" includes any formal or informal appearance before, or any written or oral communication with, any public agency on behalf of any person.

(6) Nothing contained in division (A) of this section shall prohibit, during such period, a former public official or employee from being retained or employed to represent, assist, or act in a representative capacity for the public agency by which the public official or employee was employed or on which the public official or employee served.

(7) Division (A) of this section shall not be construed to prohibit the performance of ministerial functions, including, but not limited to, the filing or amendment of tax returns, applications for permits and licenses, incorporation papers, and other similar documents.

(8) Division (A) of this section does not prohibit a nonelected public official or employee of a state agency, as defined in section 1.60 of the Revised Code, from becoming a public official or employee of another state agency. Division (A) of this section does not prohibit such an official or employee from representing or acting in a representative capacity for the official's or employee's new state agency on any matter in which the public official or employee personally participated as a public official or employee at the official's or employee's former state agency. However, no public official or employee of a state agency shall, during public employment or for twelve months thereafter, represent or act in a representative capacity for the official's or employee's new state agency on any audit or investigation pertaining to the official's or employee's new state agency in which the public official or employee personally participated at the official's or employee's former state agency through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of administrative discretion.

(9) Division (A) of this section does not prohibit a nonelected public official or employee of a political subdivision from becoming a public official or employee of a different department, division,



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agency, office, or unit of the same political subdivision. Division (A) of this section does not prohibit such an official or employee from representing or acting in a representative capacity for the official's or employee's new department, division, agency, office, or unit on any matter in which the public official or employee personally participated as a public official or employee at the official's or employee's former department, division, agency, office, or unit of the same political subdivision. As used in this division, "political subdivision" means a county, township, municipal corporation, or any other body corporate and politic that is responsible for government activities in a geographic area smaller than that of the state.

(10) No present or former Ohio casino control commission official shall, during public service or for two years thereafter, represent a client, be employed or compensated by a person regulated by the commission, or act in a representative capacity for any person on any matter before or concerning the commission.

No present or former commission employee shall, during public employment or for two years thereafter, represent a client or act in a representative capacity on any matter in which the employee personally participated as a commission employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of administrative discretion.

(B) No present or former public official or employee shall disclose or use, without appropriate authorization, any information acquired by the public official or employee in the course of the public official's or employee's official duties that is confidential because of statutory provisions, or that has been clearly designated to the public official or employee as confidential when that confidential designation is warranted because of the status of the proceedings or the circumstances under which the information was received and preserving its confidentiality is necessary to the proper conduct of government business.

(C) No public official or employee shall participate within the scope of duties as a public official or employee, except through ministerial functions as defined in division (A) of this section, in any license or rate-making proceeding that directly affects the license or rates of any person, partnership, trust, business trust, corporation, or association in which the public official or employee or immediate family owns or controls more than five per cent. No public official or employee shall



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participate within the scope of duties as a public official or employee, except through ministerial functions as defined in division (A) of this section, in any license or rate-making proceeding that directly affects the license or rates of any person to whom the public official or employee or immediate family, or a partnership, trust, business trust, corporation, or association of which the public official or employee or the public official's or employee's immediate family owns or controls more than five per cent, has sold goods or services totaling more than one thousand dollars during the preceding year, unless the public official or employee has filed a written statement acknowledging that sale with the clerk or secretary of the public agency and the statement is entered in any public record of the agency's proceedings. This division shall not be construed to require the disclosure of clients of attorneys or persons licensed under section 4732.12 of the Revised Code, or patients of persons licensed under section 4731.14 of the Revised Code.

(D) No public official or employee shall use or authorize the use of the authority or influence of office or employment to secure anything of value or the promise or offer of anything of value that is of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties.

(E) No public official or employee shall solicit or accept anything of value that is of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties.

(F) No person shall promise or give to a public official or employee anything of value that is of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties.

(G) In the absence of bribery or another offense under the Revised Code or a purpose to defraud, contributions made to a campaign committee, political party, legislative campaign fund, political action committee, or political contributing entity on behalf of an elected public officer or other public official or employee who seeks elective office shall be considered to accrue ordinarily to the public official or employee for the purposes of divisions (D), (E), and (F) of this section.

As used in this division, "contributions," "campaign committee," "political party," "legislative campaign fund," "political action committee," and "political contributing entity" have the same



meanings as in section 3517.01 of the Revised Code.

(H)(1) No public official or employee, except for the president or other chief administrative officer of or a member of a board of trustees of a state institution of higher education as defined in section 3345.011 of the Revised Code, who is required to file a financial disclosure statement under section 102.02 of the Revised Code shall solicit or accept, and no person shall give to that public official or employee, an honorarium. Except as provided in division (H)(2) of this section, this division and divisions (D), (E), and (F) of this section do not prohibit a public official or employee who is required to file a financial disclosure statement under section 102.02 of the Revised Code from accepting and do not prohibit a person from giving to that public official or employee the payment of actual travel expenses, including any expenses incurred in connection with the travel for lodging, and meals, food, and beverages provided to the public official or employee at a meeting at which the public official or employee participates in a panel, seminar, or speaking engagement or provided to the public official or employee at a meeting or convention of a national organization to which any state agency, including, but not limited to, any state legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues. Except as provided in division (H)(2) of this section, this division and divisions (D), (E), and (F) of this section do not prohibit a public official or employee who is not required to file a financial disclosure statement under section 102.02 of the Revised Code from accepting and do not prohibit a person from promising or giving to that public official or employee an honorarium or the payment of travel, meal, and lodging expenses if the honorarium, expenses, or both were paid in recognition of demonstrable business, professional, or esthetic interests of the public official or employee that exist apart from public office or employment, including, but not limited to, such a demonstrable interest in public speaking and were not paid by any person or other entity, or by any representative or association of those persons or entities, that is regulated by, doing business with, or seeking to do business with the department, division, institution, board, commission, authority, bureau, or other instrumentality of the governmental entity with which the public official or employee serves.

(2) No person who is a member of the board of a state retirement system, a state retirement system investment officer, or an employee of a state retirement system whose position involves substantial and material exercise of discretion in the investment of retirement system funds shall solicit or accept, and no person shall give to that board member, officer, or employee, payment of actual travel expenses, including expenses incurred with the travel for lodging, meals, food, and beverages.



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(I) A public official or employee may accept travel, meals, and lodging or expenses or reimbursement of expenses for travel, meals, and lodging in connection with conferences, seminars, and similar events related to official duties if the travel, meals, and lodging, expenses, or reimbursement is not of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties. The house of representatives and senate, in their code of ethics, and the Ohio ethics commission, under section 111.15 of the Revised Code, may adopt rules setting standards and conditions for the furnishing and acceptance of such travel, meals, and lodging, expenses, or reimbursement.

A person who acts in compliance with this division and any applicable rules adopted under it, or any applicable, similar rules adopted by the supreme court governing judicial officers and employees, does not violate division (D), (E), or (F) of this section. This division does not preclude any person from seeking an advisory opinion from the appropriate ethics commission under section 102.08 of the Revised Code.

(J) For purposes of divisions (D), (E), and (F) of this section, the membership of a public official or employee in an organization shall not be considered, in and of itself, to be of such a character as to manifest a substantial and improper influence on the public official or employee with respect to that person's duties. As used in this division, "organization" means a church or a religious, benevolent, fraternal, or professional organization that is tax exempt under subsection 501(a) and described in subsection 501(c)(3), (4), (8), (10), or (19) of the "Internal Revenue Code of 1986." This division does not apply to a public official or employee who is an employee of an organization, serves as a trustee, director, or officer of an organization, or otherwise holds a fiduciary relationship with an organization. This division does not allow a public official or employee who is a member of an organization to participate, formally or informally, in deliberations, discussions, or voting on a matter or to use the public official's or employee's official position with regard to the interests of the organization on the matter if the public official or employee has assumed a particular responsibility in the organization with respect to the matter or if the matter would affect that person's personal, pecuniary interests.

(K) It is not a violation of this section for a prosecuting attorney to appoint assistants and employees in accordance with division (B) of section 309.06 and section 2921.421 of the Revised Code, for a



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chief legal officer of a municipal corporation or an official designated as prosecutor in a municipal corporation to appoint assistants and employees in accordance with sections 733.621 and 2921.421 of the Revised Code, for a township law director appointed under section 504.15 of the Revised Code to appoint assistants and employees in accordance with sections 504.151 and 2921.421 of the Revised Code, or for a coroner to appoint assistants and employees in accordance with division (B) of section 313.05 of the Revised Code.

As used in this division, "chief legal officer" has the same meaning as in section 733.621 of the Revised Code.

(L) No present public official or employee with a casino gaming regulatory function shall indirectly invest, by way of an entity the public official or employee has an ownership interest or control in, or directly invest in a casino operator, management company, holding company, casino facility, or gaming-related vendor. No present public official or employee with a casino gaming regulatory function shall directly or indirectly have a financial interest in, have an ownership interest in, be the creditor or hold a debt instrument issued by, or have an interest in a contractual or service relationship with a casino operator, management company, holding company, casino facility, or gaming-related vendor. This section does not prohibit or limit permitted passive investing by the public official or employee.

As used in this division, "passive investing" means investment by the public official or employee by means of a mutual fund in which the public official or employee has no control of the investments or investment decisions. "Casino operator," "holding company," "management company," "casino facility," and "gaming-related vendor" have the same meanings as in section 3772.01 of the Revised Code.

(M) A member of the Ohio casino control commission, the executive director of the commission, or an employee of the commission shall not:

(1) Accept anything of value, including but not limited to a gift, gratuity, emolument, or employment from a casino operator, management company, or other person subject to the jurisdiction of the commission, or from an officer, attorney, agent, or employee of a casino operator, management company, or other person subject to the jurisdiction of the commission;



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(2) Solicit, suggest, request, or recommend, directly or indirectly, to a casino operator, management company, or other person subject to the jurisdiction of the commission, or to an officer, attorney, agent, or employee of a casino operator, management company, or other person subject to the jurisdiction of the commission, the appointment of a person to an office, place, position, or employment;

(3) Participate in casino gaming or any other amusement or activity at a casino facility in this state or at an affiliate gaming facility of a licensed casino operator, wherever located.



Ohio Revised Code

Section 102.04 No compensation to elected or appointed state official other than from agency served.

Effective: October 20, 1980

Legislation: Senate Bill 425 - 113th General Assembly

(A) Except as provided in division (D) of this section, no person elected or appointed to an office of or employed by the general assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts, shall receive or agree to receive directly or indirectly compensation other than from the agency with which he serves for any service rendered or to be rendered by him personally in any case, proceeding, application, or other matter that is before the general assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts.

(B) Except as provided in division (D) of this section, no person elected or appointed to an office of or employed by the general assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts, shall sell or agree to sell, except through competitive bidding, any goods or services to the general assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts.

(C) Except as provided in division (D) of this section, no person who is elected or appointed to an office of or employed by a county, township, municipal corporation, or any other governmental entity, excluding the courts, shall receive or agree to receive directly or indirectly compensation other than from the agency with which he serves for any service rendered or to be rendered by him personally in any case, proceeding, application, or other matter which is before any agency, department, board, bureau, commission, or other instrumentality, excluding the courts, of the entity of which he is an officer or employee.

(D) A public official who is appointed to a nonelective office or a public employee shall be exempted from division (A), (B), or (C) of this section if both of the following apply:

(1) The agency to which the official or employee wants to sell the goods or services, or before which the matter that involves the rendering of his services is pending, is an agency other than the one with




which he serves;

(2) Prior to rendering the personal services or selling or agreeing to sell the goods or services, he files a statement with the appropriate ethics commission, with the public agency with which he serves, and with the public agency before which the matter is pending or that is purchasing or has agreed to purchase goods or services.

The required statement shall contain the official's or employee's name and home address, the name and mailing address of the public agencies with which he serves and before which the matter is pending or that is purchasing or has agreed to purchase goods or services, and a brief description of the pending matter and of the personal services to be rendered or a brief description of the goods or services to be purchased. The statement shall also contain the public official's or employee's declaration that he disqualifies himself for a period of two years from any participation as such public official or employee in any matter involving any public official or employee of the agency before which the present matter is pending or to which goods or services are to be sold. The two-year period shall run from the date of the most recently filed statement regarding the agency before which the matter was pending or to which the goods or services were to be sold. No person shall be required to file statements under this division with the same public agency regarding a particular matter more than once in a calendar year.

(E) No public official or employee who files a statement or is required to file a statement under division (D) of this section shall knowingly fail to disqualify himself from any participation as a public official or employee of the agency with which he serves in any matter involving any official or employee of an agency before which a matter for which he rendered personal services was pending or of a public agency that purchased or agreed to purchase goods or services.

(F) This section shall not be construed to prohibit the performance of ministerial functions including, but not limited to, the filing, or amendment of tax returns, applications for permits and licenses, incorporation papers, and other documents.

 In observance of the holiday, our call center will be closed on Thursday, Nov. 27th, and will reopen with limited hours on Friday, Nov. 28th, from 8 a.m. to 5 p.m.

Contact us

Ohio Bureau of Workers' Compensation / For employers / Rules and policies / **State construction contractor drug-free guidelines**

In this section

State construction contractor drug-free guidelines

State construction contractor drug-free guidelines

Ohio law states that all **employers** who bid or work on state construction projects must have a drug-free workplace program no matter how many employees they have. This applies to contractors and all levels of subcontractors who want to:

- Work on a State of Ohio construction project
- Bid on and/or provide labor services
- Supervise workers on state construction sites

Eligibility requirements to bid or work on state construction jobs

To be eligible as an employer to bid or work on state construction jobs, you must:

- Establish and maintain an active Ohio workers' compensation policy and be in good standing
- Apply for and meet the requirements of our Substance Use Prevention and Recovery (SUPR) Program Basic level, Advanced level, or Comparable level
- Report progress to us on an annual report and provide supporting documentation

Note: Employers participating at the **SUPR Basic level** may be eligible for a **4% premium bonus** if they satisfy all program requirements. Employers participating at the **SUPR Advanced level** may be eligible for a **7% premium bonus** if they satisfy all program requirements.

State construction contractor look-up

We maintain a database of contractors and subcontractors approved to bid and work on state construction or public improvement projects.

State contracting authorities will not allow a contractor or a subcontractor to bid or work on a public improvement project unless our [state construction contractor look-up](#) lists the contractor or subcontractor as approved.

Ensuring contractors' subcontractors are approved

If you're a contractor bringing a lower-tier subcontractor onto a state construction project, you have the same requirement to verify the subcontractor has a drug-free program approved by us.

If contractors do not comply with this requirement, the state considers them in breach of their contracts and may bar contractors/subcontractors from bidding on or working on state projects for up to five years.

Contractors may use the [state construction contractor look-up](#) to verify a subcontractor's drug-free program.

State construction sites and random drug testing

All employees and supervisors on state construction sites are subject to random drug testing. The contract for each project will specify the percentage of employees subject to random testing. However, state contracting authorities have agreed to test 5% of the total workers' pool on each state project over the lifetime of each project.

How to apply for SUPR Basic level, Advanced level, Comparable level

1. Complete an [Application for the Substance Use Prevention and Recovery program \(U-140\)](#).
2. Check the box on the application to request the level of participation. SUPR may be right for you if:
 - You want a premium bonus for successfully completing the program
 - You're willing to exceed the minimum requirements to bid or work on state construction jobs
3. Check the box on the application to request comparable participation. The comparable program may be right for you if:
 - You only want to fulfill the minimum requirements needed to bid or work on state construction jobs
 - You're a self-insuring employer. The comparable program is the only option for self-insuring employers
4. Check "Yes" to be placed on our State of Ohio construction contractor/subcontractor database.

SUPR program requirements

The Basic and Advanced levels have more requirements, but successful participants may get a premium bonus for an unlimited number of years and may be eligible for reimbursement for policy review/development, employee and supervisor education, drug testing, and substance use assessments. Comparable program participants do not receive premium bonuses. However, participating in SUPR at the Comparable level makes you eligible to bid and work on state construction sites and receive reimbursements for completed activities. See the [Substance Use Prevention and Recovery program requirements page](#) for detailed program requirements.

Ohio Bureau of Workers' Compensation

30 W. Spring St., Columbus, OH 43215-2256



Resources

[Injured workers' rights](#)
[Ohio Industrial Commission](#)
[Ombuds Office](#)
[Help Center](#)
[Ohio workers' comp laws](#)

Agency

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Ohio Revised Code

Section 153.03 Contracts to require drug-free workplace program.

Effective: September 29, 2011

Legislation: House Bill 153 - 129th General Assembly

(A) As used in this section:

- (1) "Contracting authority" means any state agency or other state instrumentality that is authorized to award a public improvement contract.
- (2) "Bidder" means a person who submits a bid to a contracting authority to perform work under a public improvement contract.
- (3) "Contractor" means any person with whom a contracting authority has entered into a public improvement contract to provide labor for a public improvement and includes a construction manager at risk and a design-build firm.
- (4) "Subcontractor" means any person who undertakes to provide any part of the labor on the site of a public improvement under a contract with any person other than the contracting authority, including all such persons in any tier.
- (5) "Construction manager" has the same meaning as in section 9.33 of the Revised Code.
- (6) "Construction manager at risk" has the same meaning as in section 9.33 of the Revised Code.
- (7) "Design-build firm" has the same meaning as in section 153.65 of the Revised Code.
- (8) "Labor" means any activity performed by a person that contributes to the direct installation of a product, component, or system, or that contributes to the direct removal of a product, component, or system.
- (9) "Public improvement contract" means any contract that is financed in whole or in part with money appropriated by the general assembly, or that is financed in any manner by a contracting



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authority, and that is awarded by a contracting authority for the construction, alteration, or repair of any public building, public highway, or other public improvement.

(10) "State agency" means every organized body, office, or agency established by the laws of this state for the exercise of any function of state government.

(B) A contracting authority shall not award a public improvement contract to a bidder, and a construction manager at risk or design-build firm shall not award a subcontract, unless the contract or subcontract contains both of the following:

(1) The statements described in division (E) of this section;

(2) Terms that require the contractor or subcontractor to be enrolled in and be in good standing in the drug-free workplace program of the bureau of workers' compensation or a comparable program approved by the bureau that requires an employer to do all of the following:

(a) Develop, implement, and provide to all employees a written substance use policy that conveys full and fair disclosure of the employer's expectations that no employee be at work with alcohol or drugs in the employee's system, and specifies the consequences for violating the policy.

(b) Conduct drug and alcohol tests on employees in accordance with division (B)(2)(c) of this section and under the following conditions:

(i) Prior to an individual's employment or during an employee's probationary period for employment, which shall not exceed one hundred twenty days after the probationary period begins;

(ii) At random intervals while an employee provides labor or on-site supervision of labor for a public improvement contract. The employer shall use the neutral selection procedures required by the United States department of transportation to determine which employees to test and when to test those employees.

(iii) After an accident at the site where labor is being performed pursuant to a public improvement contract. For purposes of this division, "accident" has the meaning established in rules the



administrator of workers' compensation adopts pursuant to Chapters 4121. and 4123. of the Revised Code for the bureau's drug-free workplace program, as those rules exist on March 30, 2007.

(iv) When the employer, construction manager, construction manager at risk, or design-build firm has reasonable suspicion that prior to an accident an employee may be in violation of the employer's written substance use policy. For purposes of this division, "reasonable suspicion" has the meaning established in rules the administrator adopts pursuant to Chapters 4121. and 4123. of the Revised Code for the bureau's drug-free workplace program, as those rules exist on March 30, 2007.

(v) Prior to an employee returning to a work site to provide labor for a public improvement contract after the employee tested positive for drugs or alcohol, and again after the employee returns to that site to provide labor under that contract, as required by either the employer, construction manager, construction manager at risk, design-build firm, or conditions in the contract.

(c) Use the following types of tests when conducting a test on an employee under the conditions described in division (B)(2)(b) of this section:

(i) Drug and alcohol testing that uses the federal testing model that the administrator has incorporated into the bureau's drug-free workplace program;

(ii) Testing to determine whether the concentration of alcohol on an employee's breath is equal to or in excess of the level specified in division (A)(1)(d) or (h) of section 4511.19 of the Revised Code, which is obtained through an evidentiary breath test conducted by a breath alcohol technician using breath testing equipment that meets standards established by the United States department of transportation, or, if such technician and equipment are unavailable, a blood test may be used to determine whether the concentration of alcohol in an employee's blood is equal to or in excess of the level specified in division (A)(1)(b) or (f) of section 4511.19 of the Revised Code.

(d) Require all employees to receive at least one hour of training that increases awareness of and attempts to deter substance abuse and supplies information about employee assistance to deal with substance abuse problems, and require all supervisors to receive one additional hour of training in skill building to teach a supervisor how to observe and document employee behavior and intervene



when reasonable suspicion exists of substance use;

(e) Require all supervisors and employees to receive the training described in division (B)(2)(d) of this section before work for a public improvement contract commences or during the term of a public improvement contract;

(f) Require that the training described in division (B)(2)(d) of this section be provided using material prepared by an individual who has credentials or experience in substance abuse training;

(g) Assist employees by providing, at a minimum, a list of community resources from which an employee may obtain help with substance abuse problems, except that this requirement does not preclude an employer from having a policy that allows an employer to terminate an employee's employment the first time the employee tests positive for drugs or alcohol or if an employee refuses to be tested for drugs, alcohol, or both.

(C) Any time the United States department of health and human services changes the federal testing model that the administrator has incorporated into the bureau's drug-free workplace program in a manner that allows additional or new products, protocols, procedures, and standards in the model, the administrator may adopt rules establishing standards to allow employers to use those additional or new products, protocols, procedures, or standards to satisfy the requirements of division (B)(2)(c) of this section, and the bureau may approve an employer's drug-free workplace program that meets the administrator's standards and the other requirements specified in division (B)(2) of this section.

(D) A contracting authority shall ensure that money appropriated by the general assembly for the contracting authority's public improvement contract or, in the case of a state institution of higher education, the institution's financing for the public improvement contract, is not expended unless the contractor for that contract is enrolled in and in good standing in a drug-free workplace program described in division (B) of this section. Prior to awarding a contract to a bidder, a contracting authority shall verify that the bidder is enrolled in and in good standing in such a program.

(E) A contracting authority shall include all of the following statements in the public improvement contract entered into between the contracting authority and a contractor for the public improvement:



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- (1) "Each contractor shall require all subcontractors with whom the contractor is in contract for the public improvement to be enrolled in and be in good standing in the Bureau of Workers' Compensation's Drug-Free Workplace Program or a comparable program approved by the Bureau that meets the requirements specified in section 153.03 of the Revised Code prior to a subcontractor providing labor at the project site of the public improvement."
- (2) "Each subcontractor shall require all lower-tier subcontractors with whom the subcontractor is in contract for the public improvement to be enrolled in and be in good standing in the Bureau of Workers' Compensation's Drug-Free Workplace Program or a comparable program approved by the Bureau that meets the requirements specified in section 153.03 of the Revised Code prior to a lower-tier subcontractor providing labor at the project site of the public improvement."
- (3) "Failure of a contractor to require a subcontractor to be enrolled in and be in good standing in the Bureau of Workers' Compensation's Drug-Free Workplace Program or a comparable program approved by the Bureau that meets the requirements specified in section 153.03 of the Revised Code prior to the time that the subcontractor provides labor at the project site will result in the contractor being found in breach of the contract and that breach shall be used in the responsibility analysis of that contractor or the subcontractor who was not enrolled in a program for future contracts with the state for five years after the date of the breach."
- (4) "Failure of a subcontractor to require a lower-tier subcontractor to be enrolled in and be in good standing in the Bureau of Workers' Compensation's Drug-Free Workplace Program or a comparable program approved by the Bureau that meets the requirements specified in section 153.03 of the Revised Code prior to the time that the lower-tier subcontractor provides labor at the project site will result in the subcontractor being found in breach of the contract and that breach shall be used in the responsibility analysis of that subcontractor or the lower-tier subcontractor who was not enrolled in a program for future contracts with the state for five years after the date of the breach."
- (F) In the event a construction manager, construction manager at risk, or design-build firm intends and is authorized to provide labor for a public improvement contract, a contracting authority shall verify, prior to awarding a contract for construction management services or design-build services, that the construction manager, construction manager at risk, or design-build firm was enrolled in and in good standing in a drug-free workplace program described in division (B) of this section



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prior to entering into the public improvement contract. The contracting authority shall not award a contract for construction manager services or design-build services if the construction manager, construction manager at risk, or design-build firm is not enrolled in or in good standing in such a program.

BID GUARANTY AND
CONTRACT BOND

(Section 153.571 Ohio Revised Code)

KNOWN ALL MEN BY THESE PRESENTS, that we, the undersigned

(Name and Address)

as Principal and _____

(Name of Surety)

_____ as Surety,
are hereby held and firmly bound unto Pike County, Ohio, hereinafter
called Obligee, in the penal sum of the dollar amount of the bid
submitted by the Principal

to the Obligee on _____

(Date of Bid Proposal)

to undertake the project known as:

"RIVER ROAD SLIP REPAIR, PIK-CR52-02.18"

The penal sum referred to herein shall be the dollar amount of the
Principal's bid to the Obligee, incorporating any additive or deductive
alternate proposals made by the Principal on the date referred to
above to the Obligee, which are accepted by the Obligee. In no case
shall the penal sum exceed the amount of _____

_____ dollars \$ _____

(If the above line is left blank, the penal sum will be the full amount of
the Principal's bid, including alternates. Alternatively, if completed, the
amount stated must not be less than the full amount of the bid,
including alternates, in dollars and cents. A percentage is not
acceptable.) For the payment of the penal sum well and truly to be
made, we hereby jointly and severally bind ourselves, our heirs,
executors, administrators, successors, and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas
the above named Principal has submitted a bid on the above
referenced project;

NOW, THEREFORE, if the Obligee accepts the bid of the Principal and
the Principal fails to enter into a proper contract in accordance with the
bid, plans, details, specifications, and bills of material; and in the
event the Principal pays to the Obligee the difference not to exceed ten
percent of the penalty hereof between the amount specified in the bid
and such larger amount for which the Obligee may in good faith
contract with the next lowest bidder to perform the work covered by
the bid; or in the event the Obligee does not award the contract to the
next lowest bidder and resubmits the project for bidding, the Principal
will pay the Obligee the difference not to exceed ten percent of the
penalty hereof between the amount specified in the bid, or the costs,
in connection with the resubmission, of printing new contract
documents, required advertising and printing and mailing notices to

prospective bidders, whichever is less, then this obligation shall be void, otherwise to remain in full force and effect if the Obligee accepts the bid of the Principal and the Principal within fifteen days after the awarding of the contract, enters into a proper contract in accordance with the bid, plans, details, specifications, and bills of material, which said contract is made a part of this bond the same as though set forth herein; and

IF THE SAID Principal shall well and faithfully perform each and every condition of such contract; and indemnify the Obligee against all damage suffered by failure to perform such contract according to the provisions thereof and in accordance with the plans, details, specifications, and bills of material therefor; and shall pay all lawful claims of subcontractors, materialmen or laborers, for labor performed and materials furnished in the carrying forward, performing, or completing of said contract; we agreeing and assenting that this undertaking shall be for the benefit of any materialman or laborer having a just claim, as well as for the Obligee herein; then this obligation shall be void, otherwise the same shall remain in full force and effect, it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

THE SAID Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the terms of said contract or in or to the plans and specifications therefore shall in any way affect the obligations of said Surety on this bond, and it does hereby waive notice of any such modifications, omissions or additions to the terms of the contract or to the work or to the specifications.

SIGNED AND SEALED this _____ day of _____, 2026.

PRINCIPAL

BY: _____

TITLE: _____

SURETY: _____

SURETY COMPANY ADDRESS:

Street

BY: _____

Attorney-in-Fact

City State Zip

SURETY AGENT'S ADDRESS

Agency Name

Street

City State Zip

COUNTY OF PIKE
PROPOSAL AND CONTRACT DOCUMENTS
INSTRUCTIONS TO BIDDERS

1. Each bid shall be made on the form hereto attached and shall be enclosed in a sealed envelope and endorsed on the outside of the envelope.
2. Each bid shall be accompanied by a certified check, cashier's check, or cash in the amount equal to ten percent (10%) of the total amount bid, or be accompanied by a surety bond as required in the "Legal Notice". A bond form is included with this solicitation for use in submitting the required bonds.
3. Each bid shall contain the full name of every person or company interested in the bid.
4. Each bid shall state the Unit Price for each item of work enumerated in the bid proposal, which price shall be in full for all necessary material, labor, and equipment required for complete execution of the work.
5. Bond will be required of the successful bidder in an amount equal to 100 percent of the amount of the contract price, conditioned upon the faithful performance of the contract and full payment of all claims of sub-contractors, materialmen and laborers on account of the work covered by the contract; the surety upon said bond is to be an authorized surety or Guaranty Company authorized to do business in the State of Ohio, satisfactory to the Pike County Commissioners. The Contractor shall guarantee for a period of one year from the date of completion of the proposed work that it is free from any defects due to faulty materials or workmanship. The Contractor shall promptly make corrections as may be necessary by reason of such defects. The Engineer will give notice of observed defects with reasonable promptness. In the event that the Contractor should fail to make repairs, adjustments or other work which may be made necessary by such defects, the Engineer may do so and charge the Contractor the cost thereby incurred. The Contract Bond shall remain in full force and effect through the guarantee period.
6. All blanks in the contract documents must be properly filled in. Where alternate bids are permitted, the filling in of either alternate will be sufficient. No additional prices or qualifying clauses shall be written in.
7. The County reserves the right to accept any proposal made for the work advertised at any time within 15 days after the opening of bids.
8. The contractor shall procure and furnish liability insurance including Public Liability, Property Damage, and Vehicle Liability, in a minimum amount of \$2,000,000.00 combined single limit, (CSL), to satisfactorily cover any and all claims, against himself, and Pike County arising from the performance of this contract, or in any way connected therewith. Evidence of insurance coverage must be submitted prior to the performance of any work under this contract.

The insurance requirements specified herein shall also apply to any subcontractor utilized on this project. Evidence of insurance coverage in a minimum amount of \$1,000,000.00 combined single limit, (CSL) must be submitted by any subcontractor utilized on the project prior to the performance of any work by the subcontractor under this contract. The coverage shall include liability insurance coverage for Public Liability, Property Damage, and Vehicle Liability Insurance.

The contractor for this project and any subcontractor(s) utilized on this project shall indemnify and hold harmless Pike County from any and all claims arising out of the contractor's performance of this contract.

9. Employees of any contractor or subcontractor, working under this contract shall be protected by Workers Compensation in accordance with the laws of the State of Ohio. Such protection shall remain in full force and effect during the term of the contract. Evidence of Workers Compensation coverage must be submitted by the contractor and all subcontractors to be utilized on the project prior to the performance of any work under this contract.
10. Prevailing wage rates to be paid under this contract shall be those ascertained by the Ohio Department of Commerce, Wage and Hour Bureau provided for in Sections 4115.03 to 4115.16 of the Revised Code of Ohio. Current wage rates are included in this solicitation.
11. Work must be completed by **October 16, 2026. ODOT Schedule of Liquidated Damages will be strictly enforced for completion date after October 16, 2026, per ODOT State of Ohio Department of Transportation Construction and Material Specifications 2023, 108.07 Failure to Complete on Time, Pages 65-67.**
12. No bid will be allowed to be withdrawn for any reason after it has been opened.
13. **Payment Terms.** The contractor may submit requests for progress payments based upon the amount of work complete as of the first of each month. The request shall be submitted in triplicate utilizing the contractor's standard invoice forms. No request will be processed for payment unless the amount of the request meets with the approval of the Pike County Engineer. Payments will be made approximately 60 days following approval of the request by the Pike County Engineer. All payment requests must be accompanied by a completed waiver of lien certification utilizing forms to be provided by the Pike County Engineer. The contract will terminate with final payment.

Retainage. Retainage will be withheld from progress payments in compliance with Sections 153.12, 153.13, 153.14, and 153.63 of the Ohio Revised Code. Copies of the referenced code sections are included with this solicitation for review by all bidders.
14. The contractor shall have completed the work on or before the calendar date specified in the proposal or on or before a later date if a contract extension has been granted by the County Engineer, otherwise the Engineer shall proceed as provided in 108.07 or 108.08 of the Ohio Department of Transportation Construction and Material Specifications.

15. The method of performance of work as stated in the contract documents shall conform to the 2023 Standard Specifications of the State of Ohio Department of Transportation except as noted herein. Any variation must be approved by the County Engineer.
16. A County inspector shall be present at all times while work is being performed. Legible delivery tickets for all materials (asphalt, pipe, concrete, stone, etc.) incorporated into the project shall be delivered to the County inspector. Tickets for work done without an inspector present shall not be included in any estimate for payment unless this requirement is waived by the Pike County Engineer. The inspector has the right to make changes as deemed necessary, and to decide if the work may proceed. No claims for damages will be accepted for losses caused by any such ordered shut down or delays. A 24 hour prior notice of time and place of work is to be given to the Pike County Engineering Department.
17. The contractor shall furnish all lights, signs and barricades, tools, equipment, labor and incidentals, necessary for the proper completion of the project. The cost of the above items shall be included in the unit price bid for each individual item of work contained in the bid proposal.
18. When work is shut down the contractor shall provide all lights, signs, barricades etc. necessary to sufficiently protect the traveling public.
19. Mechanics and laborers are to be paid the prevailing rate of wages as required in Section 4115.06, Ohio Revised Code. Reference Item No. 10 on Sheet IB-2 for additional information.
20. Reference the attached document FC-1 entitled "Agreement Unit Price Contract ". This document shall be used, unaltered, to formalize the contract agreement between the Pike County Commissioners and the successful bidder.
21. Ohio Products. The contractor shall, to the extent practical, use Ohio products, materials, services and labor in connection with the performance of this project.
22. The Pike County Engineer reserves the right to have any materials utilized on the project tested for compliance with the project specifications. The testing may be done by a independent testing laboratory as designated by the Pike County Engineer.
23. Prior to the start of construction on this project, the contractor shall supply a list of all subcontractors which are to be utilized. The listing will detail the work to be performed by the subcontractors and the amount of each subcontract. All subcontractors will be bound by all of the terms of this contract, including but not limited to the project schedule, prevailing wage requirements, liability insurance requirements, workers compensation requirements, use of Ohio Products, etc.
24. Prior to the start of construction on this project, the contractor shall supply a list of all major materialmen which are to be utilized, and a list of the materials which each materialman will supply.
25. Prior to the start of construction on this project, the contractor shall submit a bar chart type schedule to the Pike County Engineer for review and approval.

26. Reference Ohio Revised Code Section 5719.042, a copy of which is included with this solicitation. Prior to the signing of a contract for this project, the successful bidder shall submit a notarized statement, utilizing Contractor's letterhead, disclosing the status of the Contractor's Personal Property tax obligations.
27. **Reference the attached document entitled, "State of Ohio Equal Employment Opportunity Requirements & Bid Conditions for OPWC-Assisted Construction Projects", which is included in this bid package. These forms must be completed and delivered with any bid proposal which is submitted.**

The bidder's failure to complete and submit these forms as a part of its bid response, including providing the required Certificate of Compliance, election of one of the two Bidder's Affirmative Action Requirements, adoption of the Bidder's EEO Covenants, and completion of the Bidder's Certification may cause the bidder's proposal to be rejected as being non-responsive to the State's Equal Employment Opportunity Requirements and in non-compliance with the State Equal Employment Opportunity Bid Conditions.

Should there be any questions regarding the use, meaning, or completion of any portion of these forms, the best answers can be received from the Equal Opportunity Division at 30 East Broad Street, 18th Floor, Columbus, Ohio, 43266-0408. Phone: (614) 466-8380.

28. Temporary toilet facilities shall be provided by the contractor on this project in the form of portable toilet (s). The cost of temporary toilet facilities shall be included in the Lump Sum Amount Bid for Mobilization, Item No. 624.
29. Utility relocation, if required, shall be coordinated by, and be the responsibility of the Pike County Highway Department.
30. **Liquidated Damages.** In the event that the successful contractor fails to meet the completion date as per Item No. 32 on sheet IB-5, Liquidated Damages shall be enforced in accordance with Section 108.07 of the Ohio Department of Transportation's Construction and Material Specifications.
31. **Unbalanced Bids.** Section 102.08 of the Construction and Material Specifications provides for the disqualification of a bidder with obviously unbalanced bid prices. Generally, mathematically unbalanced bid prices are those that do not reasonably reflect the cost of the item bid, inclusive of labor, profit, overheads and material costs. Some examples of a mathematically unbalanced bid are "front-end loading" and "covering" (moving money from one item to another). By NOTICE, all bidders have been advised to bid at least the cost of the materials for every item bid. To do otherwise is to risk the rejection of your bid proposal on the grounds of unbalancing bid prices. Further, all bidders are advised that rejection of your bid proposal will result if the Pike County Engineer determines that the bid prices submitted are "materially unbalanced". A bid is materially unbalanced if there is a reasonable doubt that award to the bidder submitting the mathematically unbalanced bid will result in the lowest ultimate cost to Pike County.

32. Road closure will be allowed for this project. All contract work must be completed no later than **November 15, 2024**. The contractor is to provide road closure and detour signing as per the project plans. The cost of the road closure shall be included in the Lump Sum Bid Amounts for Item 614, Maintaining Traffic and Item 614, Detour Signing.
33. The contractor shall be responsible for compliance with all applicable Equal Employment Opportunity laws, Affirmative Action Laws, Civil Rights Laws, and the Americans with Disabilities Act, and shall hold Pike County and the Pike County Engineer harmless in the event the contractor should fail to comply with any such laws.
34. Experience Statement. Prior to the start of construction of this project, the contractor shall submit evidence of its experiences on projects of similar size and complexity.
35. The successful contractor for this project shall be responsible for compliance with the State of Ohio's Public Employment Risk Reduction Program including conformance with all State and Federal OSHA Health and Safety Regulations. The contractor shall hold Pike County and the Pike County Engineer harmless in the event the contractor should fail to comply with said regulations.

36. "DOMESTIC STEEL USE REQUIREMENTS AS SPECIFIED IN SECTION 153.011 OF THE REVISED CODE APPLY TO THIS PROJECT. COPIES OF SECTION 153.011 OF THE REVISED CODE CAN BE OBTAINED FROM ANY OF THE OFFICES OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES."
37. Reference the document entitled, "Campaign Contributions Limitations Certification" which is included with this bid package. The referenced certification must be completed and submitted to Pike County by the successful bidder in order for their bid to be considered for award of a construction contract by Pike County.
38. Reference the document entitled "Non-Discrimination Statement, ORC 153.59" which is included with this bid package. The referenced certification statement must be completed and submitted to Pike County by the successful bidder in order for their bid to be considered for award of a construction contract by Pike County.
39. Equal Employment Opportunity- All contractors and sub-contractors involved with this project will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, disability, age, veteran status, or ancestry. All contractors and subcontractors involved with this project shall ensure that applicants for employment are considered for employment and that employees are treated during employment, without regard to their race, religion, color, sex, national origin, disability, age, veteran status, or ancestry. All contractors and subcontractors involved with this project will require all of their subcontractors for any part of the work to incorporate these requirements in all subcontracts for such work.

40. Reference Ohio Revised Code Section 153.03 and the document entitled, "Ohio law requires a Drug-free program for all state construction projects" both of which are included with this bid package. Evidence of compliance as defined by the State of Ohio must be submitted by the successful bidder for this project in order for their bid to be considered for award of a construction contract by Pike County.

Additionally, evidence of compliance as defined by the State of Ohio must be submitted by any subcontractor to be utilized on the project before said subcontractor does any work on this project.

41. Reference the document entitled "Affidavit" and Ohio Revised Code Sections 102.03, representation by present or former public official or employee prohibited, and 102.04, no compensation to elected or appointed State official other than from agency served which are included with this bid package. The referenced affidavit must be completed and submitted to Pike County by the successful bidder in order for their bid to be considered for award of a construction contract by Pike County.

Additionally, the referenced Affidavit must be completed and submitted to Pike County by any subcontractor to be utilized on the project before said subcontractor does any work on this project.

42. Legal Load Limits. All bidders are to bid the proposed project with the understanding that all loads on Pike County Roads will be within the legal load limits established by the State of Ohio.

43. In furtherance of Item No. 614-Maintaining Traffic, the successful contractor for this project shall maintain access to all private driveways located near the project site at all times. As a minimum the contractor shall utilize flagman, arrange traffic barricades, and furnish and install #304 aggregate base on an as needed/as directed basis to maintain access to all private driveways near the project site while work is being done on the project. All costs for maintaining access to private driveways as required herein shall be included in the Lump Sum Bid Amount for Item No. 614 Maintaining Traffic.

44. The Pike County Highway has cut trees as needed for the project leaving debris to be removed by the successful contractor.

45. BUY AMERICAN PROVISIONS

Pursuant to the Build America, Buy America provision of the Infrastructure Investment and Jobs Act of 2021 and the regulations at 41 U.S.C. Section 8303, to the greatest extent feasible.

- 1) Every contract for the construction, alteration or repair of any public building or work in the United States, in which total federal assistance exceeds \$250,000 shall contain a provision that in the performance of the work the contractor, subcontractors, material men, or suppliers shall use only:
 - a. Unmanufactured articles and materials, and supplies that have been mined or produced in the United States; and
 - b. Manufactured articles and materials, and supplies that have been manufactured in the United States substantially all from articles and materials, and supplies mined, produced or manufactured in the United States.
- 2) Every contract will comply with the following domestic preference requirements on a phased implementation schedule according to HUD's Phased Implementation Waiver 6331-N-10A:
 - a. Effective July 1, 2023: A; iron or steel items used in covered projects must be produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occur in the United States.
 - b. Effective July 1, 2024: All manufactured products used in the covered projects must be produced in the United States. This means the manufactured product was manufactured in the United States, the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product.
 - c. Effective July 1, 2025: All construction materials used in covered projects must be manufactured in the United States. This means that all manufacturing processes for the construction material occurred in the United States.

**Agreement
Unit Price Contract**

THIS AGREEMENT MADE THIS _____ DAY OF _____ between the County of Pike, State of Ohio, hereinafter called the party of the first part and _____ and their successors, executors, administrators, and assigns, hereinafter called the party of the second part.

WITNESSETH: That for and in consideration of the payments hereinafter mentioned, to be made by party of the first part, party of the second part agrees to furnish all materials and labor necessary to perform the following:

River Road Slip Repair, PIK-CRCR52-02.18

in Pike County, State of Ohio, according to the plans and specifications and estimates and to the satisfaction and acceptance of the party of the first part and subject to inspection at all times and in accordance with "Instructions to Bidders" as outlined in the "Bid Proposal and Contract Documents".

The party of the second part further covenants and agrees that the following papers shall be bound with or accompany, and are an essential part of the contract: Instructions to Bidders, Plans, Specifications, Supplemental Specifications, Bid Bond, Performance Bond, Bid Proposal, and Agreement-Unit Price Contract.

Completion Date: **October 16, 2026**

NOTE: ODOT SCHEDULE OF LIQUIDATED DAMAGES WILL BE STRICTLY ENFORCED FOR A COMPLETION DATE AFTER OCTOBER 16, 2026. SEE STATE OF OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION AND MATERIAL SPECIFICATIONS 2023, SECTION 108.07, FAILURE TO COMPLETE ON TIME, PAGES 65-67

This contract shall be subject to Sec. 5555.67 of the Ohio Revised Code and if this contract is not completed within the time herein specified, the terms of said Sec. 5555.67 shall apply and shall be followed.

In consideration of the premises the party of the first part agrees to pay to the party of the second part the appropriate sum of _____, (\$_____). The actual sum to be paid, however, will be the aggregate total determined by the work actually performed by the party of the second part calculated upon the unit price set out in his proposal hereto attached and made part hereof.

IN WITNESS WHEREOF, the party of the first part has hereunto subscribed by the Board of Pike County Commissioners, and the party of the second part has affixed their name.

Attest:

**County of Pike
State of Ohio**

Tony Montgomery, Pike County Commissioner

Jerry Miller, Pike County Commissioner

Jeff Chattin, Pike County Commissioner

The Pike County Prosecutor has reviewed this contract and hereby approves same as to form.

Contractor

Pike County Prosecuting Attorney

By
FC-1