

1 RESOLUTION NO. 2013-178

Late Filing

2
3 SPONSOR Mr. Pry

4
5 DATE April 29, 2013

COMMITTEE Finance

6
7 **A Resolution authorizing the County Executive to execute an assignment of a professional**
8 **service contract with The E Group to Summit Energy Services, Inc. for consulting services**
9 **related to the County of Summit's natural gas aggregation program which has a term from**
10 **2/1/12 through 1/31/14 for the Executive's Department of Law, Insurance and Risk**
11 **Management, and declaring an emergency.**

12
13 WHEREAS, County Council previously adopted Resolution No. 2012-051, which
14 confirmed the award by the Board of Control of a professional service contract with The E
15 Group to provide consulting services related to the County of Summit's natural gas aggregation
16 program, for a fee in the amount of \$0.04156 per MCF, payable from Direct Energy Services,
17 LLC for the length of the supply agreement, which has a term from 2/1/12 through 1/31/14; and

18
19 WHEREAS, the County Executive executed an Energy Procurement Services Agreement
20 and Statement of Work dated 2/14/12 (collectively the "Agreement"); and

21
22 WHEREAS, Section 10.1 of the Agreement allows assignment of the Agreement by one
23 party upon the written consent of the other party; and

24
25 WHEREAS, FirstEnergy Solutions Corp., the parent company of The E Group, is
26 winding up its natural gas aggregation consulting business and has requested that the County
27 consent to the assignment of the Agreement to Summit Energy Services, Inc., a subsidiary of
28 Schneider Electric, with corporate headquarters in Louisville, Kentucky, to which FirstEnergy
29 Solutions Corp. has sold certain assets; and

30
31 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
32 that it is necessary and in the best interest of the County of Summit to authorize the County
33 Executive to execute an assignment of the Agreement to Summit Energy Services, Inc.;

34
35 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
36 of Ohio, that:

37
38 SECTION 1

39
40 The County Executive is hereby authorized to execute an assignment of a professional
41 service contract with The E Group to Summit Energy Services, Inc. for consulting services
42 related to the County of Summit's natural gas aggregation program, for a fee in the amount of
43 \$0.04156 per MCF, payable from Direct Energy Services, LLC for the length of the supply
44 agreement, which has a term from 2/1/12 through 1/31/14.

45
46 SECTION 2

47
48 This Resolution is hereby declared an emergency in the interest of the health, safety and
49 welfare of the citizens of the County of Summit, and for the further reason that it necessary to
50 immediately authorize the Executive to execute an assignment of a professional service contract
51 with The E-Group to Summit Energy Services, Inc. for consulting services for the County's

1 RESOLUTION NO. 2013-178

2 PAGE TWO

3
4 SECTION 2 (Cont.)

5
6 natural gas aggregation program because FirstEnergy Solutions Corp., the parent company of
7 The E Group, is winding up its natural gas aggregation consulting services business.

8
9 SECTION 3

10
11 Provided this Resolution receives the affirmative vote of eight members, it shall take
12 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
13 effect and be in force at the earliest time provided by law.

14
15 SECTION 4

16
17 It is found and determined that all formal actions of this Council concerning and relating
18 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
19 deliberations of this Council and of any of its committees that resulted in such formal action,
20 were in meetings open to the public, in compliance with all legal requirements, including Section
21 121.22 of the Ohio Revised Code.

22
23 INTRODUCED April 15, 2013

24
25 ADOPTED April 29, 2013

26
27
28
29
30 
CLERK OF COUNCIL


PRESIDENT OF COUNCIL

31
32 APPROVED April 30, 2013

33
34
35
36
37 
EXECUTIVE

Enacted Effective: April 30, 2013

Voice Vote: 11-0 YES: Comunale, Crawford, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro