

1 RESOLUTION NO. 2018-178

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3 SPONSOR Ms. Shapiro

4
5 DATE May 14, 2018

COMMITTEE Finance

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7 **A Resolution, pursuant to Section 177.18 of the Codified Ordinances of the County of**
8 **Summit, authorizing the disposal by the County Executive and Board of Elections of three**
9 **Election Systems & Software Model 650 high speed scanners, without conducting a public**
10 **auction or sealed bids, through a trade-in in the form of a \$20,000.00 total credit against**
11 **future purchases from said vendor, and authorizing the Executive to execute an Executive**
12 **Order concerning the same, for the Board of Elections, and declaring an emergency.**

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14 WHEREAS, the Summit County Board of Elections, at its April 10, 2018 meeting,
15 approved a trade-in of three Election Systems & Software (“ES&S”) Model 650 high speed
16 scanners, without conducting a public auction or sealed bids, through a trade-in in the form of a
17 credit of \$4,290.00/per unit, for a total credit of \$12,870.00 and a credit of \$7,130.00 for pre-paid
18 maintenance of the units, for a total \$20,000.00 credit against future purchases from ES&S; and

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20 WHEREAS, the Board of Elections has purchased three Model 850 high speed optical
21 scanners from ES&S for the purpose of tabulating absentee and provisional ballots and the Board
22 has not used the older Model 650 high speed scanners; and

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24 WHEREAS, the County Executive and the Board of Elections have determined that said
25 Model 650 high speed scanners are surplus personal property not needed for public use and
26 should be disposed of through the aforementioned trade-in; and

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28 WHEREAS, Section 177.18(b)(2) of the Codified Ordinances of the County of Summit
29 provides that where an individual item or lot of surplus property has an estimated fair market
30 value, as determined by the Executive, exceeding \$25,000.00, the Executive, with the approval
31 of Council, may sell or transfer such property; and

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33 WHEREAS, Section 177.18(e) of the Codified Ordinances provides that the Executive
34 may, with the approval of County Council, dispose of personal property which is not needed for
35 public use, without conducting a public auction or sealed bids provided the Council finds good
36 cause as to why a public auction or sealed bid is not warranted to dispose of surplus equipment;
37 and

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39 WHEREAS, this Council hereby finds, pursuant to Section 177.18(e), that good cause
40 exists that a public auction or sealed bid is not warranted for the disposal of said Model 650 high
41 speed scanners for the aforementioned reasons; and

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43 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
44 that it is necessary and in the best interest of the County to authorize the disposal by the County
45 Executive and Board of Elections of said Model 650 High Speed Scanners, without conducting a
46 public auction or sealed bids, through a trade-in in the form of a \$20,000.00 credit against future
47 purchases from ES&S, and to authorize the Executive to execute an Executive Order concerning
48 the same;

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4 NOW THEREFORE, BE IT RESOLVED, by the Council of the County of Summit, State
5 of Ohio, that:

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7 SECTION 1

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9 This Council hereby finds, pursuant to Section 177.18(e) of the Codified Ordinances of
10 the County of Summit, that good cause exists that a public auction or sealed bid is not warranted
11 for the disposal by the County Executive and Board of Elections of three Election Systems &
12 Software (“ES&S”) Model 650 High Speed Scanners, without conducting a public auction or
13 sealed bids, through a trade-in in the form of a credit of \$4,290.00/per unit, for a total credit of
14 \$12,870.00 and a credit of \$7,130.00 for pre-paid maintenance of the units, for a total \$20,000.00
15 credit against future purchases from ES&S. The County Executive and Board of Elections are
16 hereby authorized, pursuant to Sections 177.18 (b)(2) and (e) of the Codified Ordinances, to
17 dispose of said Model 650 High Speed Scanners, without conducting a public auction or sealed
18 bids, through a trade-in in the form of a total credit of \$20,000.00 against future purchases from
19 ES&S and the County Executive is hereby authorized to execute an Executive Order concerning
20 the same. A letter from ES&S offering said credit is attached to this Resolution as Exhibit A.

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22 SECTION 2

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24 This Resolution is hereby declared an emergency in the interest of the health, safety, and
25 welfare of the citizens of the County of Summit and for the further purpose of immediately
26 authorizing the Executive to dispose of three Model 650 High Speed Scanners by trade-in so that
27 Board of Elections may immediately use the total credit of \$20,000.00 to make necessary
28 purchases from ES&S.

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30 SECTION 3

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

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36 SECTION 4

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38 It is found and determined that all formal actions of this Council concerning and relating
39 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
40 deliberations of this Council and of any of its committees that resulted in such formal action,
41 were in meetings open to the public, in compliance with all legal requirements, including Section
42 121.22 of the Ohio Revised Code.
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5 INTRODUCED April 30, 2018

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7 ADOPTED May 14, 2018

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CLERK OF COUNCIL


PRESIDENT OF COUNCIL

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14 APPROVED May 15, 2018

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ENACTED EFFECTIVE May 15, 2018


EXECUTIVE

Voice Vote: 10-0 YES: Dickinson, Donofrio, Feeman, Koehler, Prentice,
Rodgers, Schmidt, Soyars, Walters, Wilhite
ABSENT: Hamilton