

1 ORDINANCE NO 2012-332

First Reading Passage Requested
(J. Dodson)

2
3 SPONSOR Mr. Pry

4
5 DATE August 27, 2012

COMMITTEE Planning

6
7 **An Ordinance enacting Section 177.25 of the Codified Ordinances of the County of**
8 **Summit, entitled "Moving Ohio Forward Grant Program; Procurement of Demolition and**
9 **Asbestos Assessment and Remediation Services," for the Executive's Department of**
10 **Community and Economic Development, and declaring an emergency.**

11
12 WHEREAS, on behalf of Ohio taxpayers, the Ohio Attorney General has received
13 settlement funds through litigation against certain financial institutions; and

14
15 WHEREAS, the Ohio Attorney General used a portion of those settlement funds to create
16 the Moving Ohio Forward Grant Program to assist communities with demolishing abandoned,
17 vacant and blighted residential properties; and

18
19 WHEREAS, the moving Ohio Forward Grant Program is intended to help stabilize the
20 real estate market and declining property values by removing abandoned, vacant and blighted
21 residential structures from our community; and

22
23 WHEREAS, under the Moving Ohio Forward Grant Program, the sum of \$3,780,560 has
24 been allocated for use by communities in Summit County, and an additional \$3,280,560 in
25 required matching funds has been raised through commitments from local communities and the
26 Summit County Land Reutilization Corporation ("Summit CLRC"); and

27
28 WHEREAS, the Summit CLRC has applied as the lead applicant to receive the Moving
29 Ohio Forward Grant Program funds, and has been awarded said funds; and

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31 WHEREAS, the Summit CLRC has entered into an agreement with the Ohio Attorney
32 General for the receipt and use of the Moving Ohio Forward Grant Program funds; and

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34 WHEREAS, the Summit CLRC will enter into a subrecipient and administration
35 agreement with the County whereby the County Executive's Department of Community and
36 Economic Development will administer the Moving Ohio Forward Grant Program on behalf of
37 the Summit CLRC; and

38
39 WHEREAS, the Department of Community and Economic Development will enter into
40 subrecipient agreements with the municipalities and townships within Summit County who will
41 be utilizing said funds; and

42
43 WHEREAS, the Executive desires to amend Chapter 177 to provide a mechanism for the
44 County to solicit proposals from multiple vendors to perform demolition, asbestos abatement and
45 asbestos remediation work that is necessary as part of the Moving Ohio Forward Grant Program,
46 to negotiate prices with those vendors, enter into a master pricing agreement with those vendors
47 and make the same available to the municipalities and townships that will be subrecipients under
48 the Program; and

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4 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
5 that it is necessary, and in the best interest of the County to enact Section 177.25 of the Codified
6 Ordinances of the County of Summit, entitled "Moving Ohio Forward Grant Program;
7 Procurement of Demolition and Asbestos Assessment and Remediation Services."

8
9 NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit,
10 State of Ohio, that:

11
12 SECTION 1

13
14 Section 177.25 of the Codified Ordinances of the County of Summit, entitled "Moving
15 Ohio Forward Grant Program; Procurement of Demolition and Asbestos Assessment and
16 Remediation Services," is hereby enacted as follows:

17
18 **"177.25 MOVING OHIO FORWARD GRANT PROGRAM; PROCUREMENT OF**
19 **DEMOLITION AND ASBESTOS ASSESSMENT AND REMEDIATION**
20 **SERVICES**

21
22 (a) Purpose. The County Executive's Department of Community and
23 Economic Development has been authorized, pursuant to Resolution 2012-310 of this
24 Council, to serve as a subrecipient and administrator of the Ohio Attorney General's
25 Moving Ohio Forward Grant Program funds from the Summit County Land Reutilization
26 Corporation, and is further authorized by that Resolution to enter into subrecipient
27 agreements to pass through the Moving Ohio Forward Grant Program funds to
28 municipalities and townships in the County. Pursuant to those subrecipient agreements,
29 the municipalities and townships are responsible for administering the demolition
30 projects funded by the Moving Ohio Forward Grant Program, including the procurement
31 of demolition, asbestos assessment and asbestos remediation services. However,
32 pursuant to those agreements, the County may procure vendors to perform those services,
33 establish a cost for services with those vendors, enter into a master pricing agreement
34 with those vendors and permit the municipalities and townships that serve as
35 subrecipients to utilize the vendors and pricing established by the master pricing
36 agreement. The purpose of this Section is to establish the method and process for
37 procuring the demolition, asbestos assessment and asbestos remediation services from the
38 aforementioned vendors.

39
40 (b) Procurement. Pursuant to section 177.08(a) through (e) of this chapter, the
41 Executive may issue a request for proposals and receive proposals for demolition,
42 asbestos assessment and asbestos remediation services associated with the Moving Ohio
43 Forward Grant Program that would be made available to subrecipient municipalities and
44 townships under a master pricing agreement. Upon receipt of proposals, the Executive
45 shall review the proposals, negotiate compensation and submit a recommendation for one
46 or more vendors pursuant to section 177.08(f) of this chapter. Specifically, the request
47 for proposals may request per housing unit or per unit of measurement (i.e. square
48 footage) pricing, or any combination thereof. The recommendation to the Board of
49 Control will be a recommendation to enter into a master pricing agreement with the
50 vendor(s) that would be made available to subrecipient municipalities and townships.
51 Any award of a master pricing agreement approved by the Board of Control shall be
52 approved by Council prior to execution by the Executive.

1 ORDINANCE NO. 2012-332

2 PAGE THREE

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4 SECTION 1 (cont'd.)

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6 (c) Master Pricing Agreement. Any master pricing agreement approved
7 pursuant to this Section shall be entered into by the Executive and, pursuant to section
8 9.48 of the Ohio Revised Code, all subrecipient municipalities and townships of the
9 Moving Ohio Forward Grant Program may participate in the master pricing agreement
10 for demolition projects performed under their control without any additional fee being
11 paid to the County.”

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13 SECTION 2

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15 This Ordinance is hereby declared to be an emergency measure in the interest of the
16 health, safety and welfare of the citizens of the County of Summit, Ohio, and for the further
17 reason that it is necessary in order to immediately enact Section 177.25 of the Codified
18 Ordinances in order to assist municipalities and townships that are subrecipients of the Moving
19 Ohio Forward Grant Program and ensure that the funds received through that program are spent
20 as expeditiously as possible.

21
22 SECTION 3

23
24 Provided this Ordinance receives the affirmative vote of eight members, it shall take
25 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
26 effect and be in force at the earliest time provided by law.

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28 SECTION 4

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30 It is found and determined that all formal actions of this Council concerning and relating
31 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
32 were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised
33 Code.

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36 INTRODUCED August 27, 2012

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38 ADOPTED August 27, 2012

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43 CLERK OF COUNCIL

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50 PRESIDENT OF COUNCIL

51 APPROVED August 28, 2012

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ENACTED EFFECTIVE August 28, 2012

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