

RESOLUTION NO. 2009-346

SPONSOR Mr. Pry & Council of the Whole

DATE September 28, 2009

COMMITTEE Planning

A Resolution confirming an award by the Board of Control of a construction contract with Augere Construction for the Animal Control Facility Project, 250 Opportunity Parkway, Akron, Ohio 44308, Council District 5, in an amount not to exceed \$2,368,592.00, and appropriating funds in the amount of \$2,487,000.00, for the Executive's Department of Administrative Services – Physical Plants, and declaring an emergency.

WHEREAS, the Board of Control, at its meeting held September 9, 2009, awarded a contract to provide the aforementioned facility, subject to confirmation by County Council; and

WHEREAS, the County intends to issue bonds to finance the cost of the project and to reimburse County funds from the proceeds of the bonds; and

WHEREAS, Resolution No. 2007-054 authorized the design of the project and authorized the County Executive to execute a declaration of official intent and any other necessary documents in connection with the reimbursement of county funds from the proceeds of any bonds issued by the County in connection with the Animal Control Facility Project and Resolution No. 2009-153 authorized the advertisement for bids; and

WHEREAS, the Animal Control Facility Project was included in the 2009 – 2014 Capital Improvements Plan, it is necessary to appropriate funds for the aforementioned contract plus a 5% reserve for contingencies in the total amount of \$2,487,000.00; and,

WHEREAS, County Council has determined by reviewing all pertinent information that the contract is necessary and in the best interest of the County of Summit;

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

SECTION 1

The award by the Board of Control of a construction contract with Augere Construction for the Animal Control Facility Project, 250 Opportunity Parkway, Akron, Ohio 44308, Council District 5, in an amount not to exceed \$2,368,592.00, is hereby confirmed and the County Executive is hereby authorized to execute such contract. The Executive is further authorized to execute a declaration of official intent and any other necessary documents to issue bonds to finance the cost of the contract and reimburse county funds from the proceeds of the bonds.

SECTION 2

Funds are hereby appropriated as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
Animal Control Facility Project 40241-811201-73501	Capital Outlay	\$2,487,000.00

SECTION 3

This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit, and for the further reason to immediately provide the aforementioned project.

SECTION 4

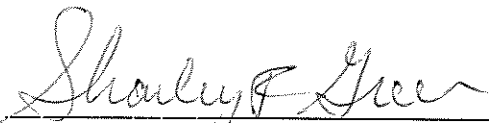
Provided this Resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

SECTION 5

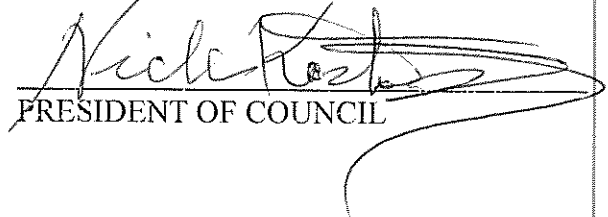
It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings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

INTRODUCED September 14, 2009

ADOPTED September 28, 2009



CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED September 28, 2009



EXECUTIVE

ENACTED EFFECTIVE September 28, 2009

Voice Vote: 8-0-1 YES: Crawford, Crossland, Feeman, Kostandaras, Prentice, Rodgers, Schmidt, Smith ABSTAIN: Comunale ABSENT: Shapiro, Poda