

1 RESOLUTION NO. 2015-350

2
3 SPONSOR Mr. Pry

4
5 DATE August 31, 2015

COMMITTEE Rules

6
7 **A Resolution confirming the award by the Board of Control of Change Order No. 2 to a**
8 **professional service contract with Roetzel & Andress, LPA to provide legal representation**
9 **and services to the County of Summit related to a lawsuit, Lyn Watters v. Summit County,**
10 **Ohio, et al., in an amount not to exceed \$25,000.00 (200% cumulative increase), for a total**
11 **amount not to exceed \$75,000.00, for the Executive's Department of Law, Insurance and**
12 **Risk Management, and declaring an emergency.**

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14 WHEREAS, the Board of Control previously adopted Directive No. 291-14, which
15 awarded a professional service contract with Roetzel & Andress, LPA to provide legal
16 representation and services to the County of Summit related to a lawsuit, Lyn Watters v. Summit
17 County, Ohio, et al., Case No. 5:14CV2390, before Magistrate George J. Limbert in the United
18 States District Court for the Northern District of Ohio, in an amount not to exceed \$25,000.00;
19 and

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21 WHEREAS, this Council previously adopted Resolution No. 2015-141, which confirmed
22 the award by the Board of Control of Change Order No. 1 to the aforementioned professional
23 service contract, in an amount not to exceed \$25,000.00 (for an increase of 100%), for a total
24 amount not to exceed \$50,000.00; and

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26 WHEREAS, the Board of Control, at its August 5, 2015 meeting, awarded Change Order
27 No. 2 to said professional service contract, in an amount not to exceed \$25,000.00 (200%
28 cumulative increase), for a total amount not to exceed \$75,000.00, subject to confirmation by
29 County Council; and

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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 confirm the award by the
33 Board of Control of Change Order No. 2 to the aforementioned professional service contract
34 with Roetzel & Andress, LPA;

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

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38 SECTION 1

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40 The award by the Board of Control of Change Order No. 2 to a professional service
41 contract with Roetzel & Andress, LPA to provide legal representation and services to the County
42 of Summit related to a lawsuit, Lyn Watters v. Summit County, Ohio, et al., Case No.
43 5:14CV2390, before Magistrate George J. Limbert in the United States District Court for the
44 Northern District of Ohio, in an amount not to exceed \$25,000.00 (200% cumulative increase),
45 for a total amount not to exceed \$75,000.00, is hereby confirmed and the County Executive is
46 hereby authorized to execute said Change Order No. 2.
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1 RESOLUTION NO. 2015-350

2 PAGE TWO

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4 SECTION 2

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6 This Resolution is hereby declared to be an emergency in the interest of the health, safety
7 and welfare of the citizens of the County of Summit and for the further reason that it is necessary
8 to immediately confirm Change Order No. 2 to a necessary professional service contract with
9 Roetzel & Andress, LPA to provide legal representation and service to the County in a pending
10 lawsuit.

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12 SECTION 3

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

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18 SECTION 4

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

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27 INTRODUCED August 17, 2015

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29 ADOPTED August 31, 2015

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34 CLERK OF COUNCIL

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36 APPROVED September 1, 2015

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41 EXECUTIVE

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43 ENACTED EFFECTIVE September 1, 2015

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