

1 RESOLUTION NO. 2013-479

Late Filing

2
3 SPONSOR Mr. Pry

4
5 DATE November 4, 2013

COMMITTEE Finance

6
7 **A Resolution awarding a professional service agreement, subject to approval by the Board**
8 **of Control, with Buckeye Energy Brokers, Inc., to provide consulting services related to the**
9 **County of Summit's natural gas aggregation program, for a fee in the amount of \$0.04156**
10 **per MCF, payable by the selected supplier for the length of the supply agreement, which**
11 **has a term commencing February 1, 2014, for the Executive's Department of Law,**
12 **Insurance and Risk Management, and declaring an emergency.**

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14 WHEREAS, in 2002 voters in the townships of Northfield Center, Twinsburg, Boston,
15 Coventry, Springfield, Copley, Franklin, Richfield and the Village of New Franklin approved a
16 ballot measure authorizing the County to aggregate their retail natural gas loads and to enter into
17 service agreements to facilitate the sale and purchase of natural gas and further, that such
18 aggregation would occur automatically except where any person elects to opt out, as provided by
19 Section 4929.26 of the Ohio Revised Code (the "Program"); and

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21 WHEREAS, in 2004 the voters of Bath Township also approved an opt-out natural gas
22 aggregation ballot measure whereby Bath Township joined the Program; and

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24 WHEREAS, Franklin Township and the Village of New Franklin merged in 2005 into the
25 Village of New Franklin and in 2006, became the City of New Franklin; and

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27 WHEREAS, the County is interested in reducing overall energy costs for its citizens; and

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29 WHEREAS, under the Program, the County enters into an energy supply agreement with
30 a supplier of natural gas ("Master Agreement); and

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32 WHEREAS, Buckeye Energy Brokers, Inc. ("Broker") is certified by the Public Utilities
33 Commission of Ohio and offers energy brokerage and natural gas aggregation services
34 ("Services") that may reduce the cost per energy unit consumed; and

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36 WHEREAS, Section 177.07(a)(11) exempts contracts for utility aggregation services
37 from competitive bidding; and

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39 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
40 that it is necessary and in the best interest of the County of Summit award the aforementioned
41 professional service agreement with Broker to provide consulting services related to the County
42 of Summit's natural gas aggregation program, subject to confirmation by the Board of Control;

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44 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
45 of Ohio, that:
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1 RESOLUTION NO. 2013-479

2 PAGE TWO

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4 SECTION 1

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6 Subject to confirmation by the Board of Control, a professional services agreement is
7 hereby awarded to Buckeye Energy Brokers, Inc., to provide consulting services related to the
8 County of Summit's natural gas aggregation program, for a fee in the amount of \$0.04156 per
9 MCF, payable by selected suppliers for the length of the Master Agreement, which commences
10 2/1/14, and the County Executive is authorized to execute such contract.

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12 SECTION 2

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14 This Resolution is hereby declared an emergency in the interest of the health, safety and
15 welfare of the citizens of the County of Summit, and for the further reason that it necessary to
16 immediately authorize the Executive to execute a professional service contract with Buckeye
17 Energy, for consulting services for the County's natural gas aggregation program because the
18 current consulting contract expires on 1/31/14.

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20 SECTION 3

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

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26 SECTION 4

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28 It is found and determined that all formal actions of this Council concerning and relating
29 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
30 deliberations of this Council and of any of its committees that resulted in such formal action,
31 were in meetings open to the public, in compliance with all legal requirements, including Section
32 121.22 of the Ohio Revised Code.

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34 INTRODUCED October 21, 2013

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36 ADOPTED November 4, 2013

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40 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

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50 APPROVED November 6, 2013

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EXECUTIVE

ENACTED EFFECTIVE November 6, 2013

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