

1 RESOLUTION NO. 2018-324

2
3 SPONSOR Ms. Shapiro

4
5 DATE September 10, 2018 COMMITTEE Public Works

6
7 **A Resolution confirming an award by the Board of Control of a professional service**
8 **contract with H.R.Gray, for construction management services related to the Upper**
9 **Tuscarawas Waste Water Treatment Plant #36 RBC Project (Q-959), in an amount not to**
10 **exceed \$1,403,878.00, authorizing the County Executive to execute a WCPLF loan**
11 **agreement to fund said project, and appropriating funds, in Council District 8, for the**
12 **Executive's Department of Sanitary Sewer Services and declaring an emergency.**

13
14 WHEREAS, the Board of Control, at its meeting held August 8, 2018, awarded a
15 professional service contract with H.R.Gray, for construction management services related to the
16 Upper Tuscarawas Waste Water Treatment Plant #36 RBC Project (Q-959), in Council District
17 8, in an amount not to exceed \$1,403,878.00, subject to confirmation by County Council; and

18
19 WHEREAS, this Council finds and determines after reviewing all pertinent information,
20 that the aforementioned professional service contract with H.R. Gray, is necessary and in the best
21 interest of the County of Summit;

22
23 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
24 of Ohio, that:

25
26 SECTION 1

27
28 The award by the Board of Control of a professional service contract with H.R.Gray, for
29 construction management services related to the Upper Tuscarawas Waste Water Treatment
30 Plant #36 RBC Project (Q-959), in Council District 8, in an amount not to exceed \$1,403,878.00,
31 is hereby confirmed and the County Executive is hereby authorized to execute said contract. The
32 County Executive is further authorized to execute a WCPLF loan agreement to fund said project.

33
34 SECTION 2

35
36 Funds are hereby appropriated as follows:

37
38 Q-959 Upper Tuscarawas WWTP #36 RBC Replacement Project

| <u>ACCOUNT NO.</u> | <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|-------------------------|----------------------------|-----------------------|
| 53194-8510-19999 | Transfers in (Contingency) | \$ 70,193.90 |
| 53194-8510-19507 | Loan/ Reimbursement | <u>\$1,403,878.00</u> |
| Total Revenue | | <u>\$1,474,071.90</u> |
| 53194-8510-78518 | Contract Services | <u>\$1,474,071.90</u> |
| Total Appropriation | | <u>\$1,474,071.90</u> |
| 50001-8510-84999 | Transfers Out | \$ 70,193.90 |
| (Sewer Enterprise Fund) | | |

49
50
51
52

1 RESOLUTION NO. 2018-324

2 PAGE TWO

3
4 SECTION 3

5
6 This Council hereby makes the following declaration of official intent under United States
7 Treasury Regulations for purposes of Sections 103 and 141 to 150 of the Internal Revenue Code
8 of 1986 (the "Internal Revenue Code"):
9

10 This Council declares, on behalf of the County, that it reasonably expects the
11 expenditures related to the design, construction, improvement costs, equipment costs and
12 financing costs including, but not limited to, underwriting, legal, and advisory fees, and any
13 other costs related to the Upper Tuscarawas Waste Water Treatment Plant #36 RBC Project (Q-
14 959) also known as the Construction of a New Biological Nutrient Reduction System, will be
15 reimbursed with the proceeds of bonds (as defined in Section 150 of the Internal Revenue Code).
16 The maximum principal amount of bonds expected to be issued for the purposes described in this
17 Section 3 is not to exceed \$22,000,000.
18

19 SECTION 4

20
21 This Resolution is hereby declared an emergency in the interest of the health, safety and
22 welfare of the residents of the County of Summit, and for the further reason to immediately
23 authorize the aforementioned professional services contract to allow for the necessary services to
24 proceed as expeditiously as possible.
25

26 SECTION 5

27
28 Provided this Resolution receives the affirmative vote of eight members, it shall take effect
29 immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and
30 be in force at the earliest time provided by law.
31

32 SECTION 6

33
34 It is found and determined that all formal actions of this Council concerning and relating
35 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
36 deliberations of this Council and of any of its committees that resulted in such formal action,
37 were in meetings open to the public, in compliance with all legal requirements, including Section
38 121.22 of the Ohio Revised Code.
39
40
41
42
43
44
45
46
47
48
49
50
51
52


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

RESOLUTION NO. 2018-324

PAGE THREE

INTRODUCED August 20, 2018

ADOPTED September 10, 2018




CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED September 11, 2018



EXECUTIVE

ENACTED EFFECTIVE September 11, 2018

Voice Vote: YES 11-0 - Dickinson, Donofrio, Feeman, Hamilton, Koehler, Prentice, Rodgers, Schmidt, Soyars, Walters, Wilhite