

1 RESOLUTION NO. 2019-374

2
3 SPONSOR Ms. Shapiro

4
5 DATE October 7, 2019

COMMITTEE Public Works

6
7 **A Resolution confirming an award by the Board of Control of a construction contract with**
8 **Lockhart Concrete Co. in an amount not to exceed \$624,460.00 for the construction of the**
9 **Indian Creek Exposed Sanitary Sewer Project Q-180 – Contract 2 (the “Project”) located**
10 **in the City of Macedonia, in Council District 1, and authorizing the County Executive to**
11 **apply for and execute a Cooperative Agreement with the Ohio Water Development**
12 **Authority for a loan in an amount not to exceed \$686,906.00 to fund the Project, and**
13 **appropriating funds, for the Executive's Department of Sanitary Sewer Services, and**
14 **declaring an emergency.**

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16 WHEREAS, the Board of Control, at its meeting held September 18, 2019, awarded a
17 construction contract with Lockhart Concrete Co., for the Indian Creek Exposed Sanitary Sewer
18 Project Q-180 – Contract 2 (the “Project”), located in the City of Macedonia, in Council District
19 1, in an amount not to exceed \$624,460.00, subject to confirmation by County Council; and

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21 WHEREAS, the County intends to apply for an Ohio Water Development Authority
22 (“OWDA”) loan to finance the construction of the Project; and

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24 WHEREAS, the OWDA requires the legislative authority of the County to adopt
25 legislation for the application of loans, the execution of agreements, and the designation of
26 dedicated repayment sources; and

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28 WHEREAS, the amount of the OWDA loan must include a 10% contingency amount and
29 fees as required by OWDA, for a total loan amount not to exceed \$ 686,906.00; and

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31 WHEREAS, it is necessary to appropriate funds for the completion of the aforementioned
32 Project; and

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34 WHEREAS, this Council finds and determines, after reviewing all pertinent information
35 that it is necessary and in the best interest of the County of Summit to authorize the County
36 Executive to execute the construction contract with Lockhart Concrete Co., to authorize the
37 County Executive to apply for and execute a Cooperative Agreement with OWDA for the
38 aforementioned loan, and to appropriate funds;

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

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43 SECTION 1

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45 The award by the Board of Control of a construction contract with Lockhart Concrete
46 Co., for the Indian Creek Exposed Sanitary Sewer Project Q-180 – Contract 2 (the “Project”),
47 located in the City of Macedonia, in Council District 1, in an amount not to exceed \$624,460.00
48 is hereby confirmed and the County Executive is hereby authorized to execute said construction
49 contract.

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2 PAGE TWO

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4 SECTION 2

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6 The County Executive is hereby authorized to apply for and execute a Cooperative
7 Agreement with the Ohio Water Development Authority for a 20-year loan, in an amount not to
8 exceed \$686,906.00, to fund construction of the Indian Creek Exposed Sanitary Sewer Project Q-
9 180 – Contract 2 (the “Project”), located in the City of Macedonia, in Council District 1, which is
10 attached hereto as Exhibit A and incorporated fully herein, with such modifications and revisions
11 as shall be in furtherance of the provisions of said Cooperative Agreement and not substantially
12 adverse to the County, all of which shall be conclusively evidenced by the execution thereof by
13 the County Executive.

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15 SECTION 3

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17 Funds are hereby appropriated as follows:

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19 <u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
20 Indian Creek Exposed Sanitary Sewer Phase 2 (Project Q-180 – Contract 2)		
21 53203-8510-19504	OWDA Loan Proceeds	<u>\$686,906.00</u>
22 Total Revenue		<u>\$686,906.00</u>
23		
24 53203-8510-78501	Contract Projects	<u>\$686,906.00</u>
25 Total Expense		<u>\$686,906.00</u>
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27 SECTION 4

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29 The County Fiscal Officer is hereby authorized and directed to effect the within
30 appropriations and establish fund 53203.

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32 SECTION 5

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34 This Resolution is declared an emergency in the interest of the health, safety and welfare
35 of the residents of the County of Summit, and for the further reason to immediately allow the
36 Project to proceed in a timely manner.

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38 SECTION 6

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

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44 SECTION 7

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46 It is found and determined that all formal actions of the Council concerning and relating
47 to the adoption of the Resolution were adopted in an open meeting of this Council, and that all
48 deliberations of this Council and of any of its committees that resulted in such formal action,
49 were in meetings open to the public, in compliance with all legal requirements, including Section
50 121.22 of the Ohio Revised Code.

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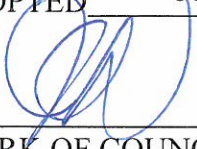
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2 PAGE THREE

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INTRODUCED September 23, 2019

ADOPTED October 7, 2019

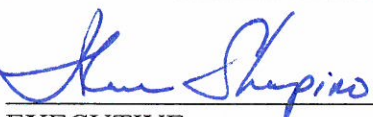


CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED October 10, 2019



EXECUTIVE

ENACTED EFFECTIVE October 10, 2019

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