

1 RESOLUTION NO. 2016-103

2 SPONSOR Mr. Pry

3 DATE April 11, 2016

4 COMMITTEE Public Works

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6
7 **A Resolution confirming an award by the Board of Control of a five-year lease/purchase**
8 **agreement with U.S. Bancorp Government Leasing and Finance, Inc., for equipment for**
9 **the County Executive's Department of Sanitary Sewer Services supplied by Jack Doheny**
10 **Companies, Inc., under State Term pricing, for a total amount not to exceed \$423,473.35,**
11 **and authorizing the Executive to dispose of said equipment pursuant to Section 177.18(e) of**
12 **the Codified Ordinances of the County of Summit at the end of the five-year lease/purchase**
13 **term, for the Executive's Department of Sanitary Sewer Services, and declaring an**
14 **emergency.**

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16 WHEREAS, the Board of Control, at its meeting held on March 23, 2016, awarded a
17 five-year lease/purchase agreement with U.S. Bancorp Government Leasing and Finance, Inc.,
18 for a 2015 Vactor Manufacturing Model 2110 Plus PD Blower Combination Sewer Cleaner
19 mounted on a Kenworth T-800 series tandem axle cab and chassis (the "Equipment") supplied by
20 Jack Doheny Companies, Inc., under State Term pricing, with a guaranteed trade-in value of
21 \$164,000.00, for five annual lease payments of \$51,894.67, with an interest rate of 2.65%, for a
22 total amount not to exceed \$423,473.35, subject to confirmation by County Council; and

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24 WHEREAS, Section 177.18(e) of the Codified Ordinances of the County of Summit
25 provides that the Executive may, with the approval of County Council, dispose of personal
26 property which is not needed for public use, without conducting a public auction or sealed bids
27 provided the Council finds good cause as to why a public auction or sealed bid is not warranted
28 to dispose of surplus equipment; and

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30 WHEREAS, Jack Doheny Companies, Inc. has guaranteed a trade-in value for the
31 Equipment, in the amount of \$164,000.00; and

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33 WHEREAS, at the end of the five-year lease/purchase term, the County will have the
34 option to purchase the Equipment with a final payment of \$164,000.00 and sell the Equipment or
35 trade-in the Equipment to Jack Doheny Companies, Inc. for \$164,000.00; and

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37 WHEREAS, the Executive requests that this Council find pursuant to Section 177.18(e)
38 that good cause exists that, at the end of the five-year lease/purchase term, a public auction or
39 sealed bid is not warranted for the disposal of the Equipment for the aforementioned reasons; and

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41 WHEREAS, the Executive further requests that this Council authorize him at the end of
42 the five-year lease/purchase term to sell the Equipment for \$164,000.00 or trade-in the
43 Equipment to Jack Doheny Companies for \$164,000.00 without a public auction or sealed bid;
44 and

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46 WHEREAS, this Council finds and determines after reviewing all pertinent information
47 that it is necessary and in the best interest of the County of Summit to confirm the award by the
48 Board of Control of a five-year lease/purchase agreement with U.S. Bancorp Government
49 Leasing and Finance, Inc., for the Equipment and to authorize the Executive at the end of the
50 five-year lease/purchase term to sell or trade-in the Equipment to Jack Doheny Companies for
51 \$164,000.00 without a public auction or sealed bid;

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

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7 SECTION 1

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9 This Council hereby confirms the award by the Board of Control of a five-year
10 lease/purchase agreement with U.S. Bancorp Government Leasing and Finance, Inc., for a 2015
11 Vactor Manufacturing Model 2110 Plus PD Blower Combination Sewer Cleaner mounted on a
12 Kenworth T-800 series tandem axle cab and chassis supplied by Jack Doheny Companies, Inc.,
13 under State Term pricing, for five annual lease payments of \$51,894.67, and a final payment of
14 \$164,000.00, with an interest rate of 2.65%, for a total amount not to exceed \$423,473.35. The
15 County Executive is hereby authorized to execute said five-year lease/purchase agreement with
16 U.S. Bancorp Government Leasing and Finance, Inc. and any other necessary documents with
17 U.S. Bancorp Government Leasing and Finance, Inc. and/or Jack Doheny Companies, Inc. for
18 the lease/purchase of the aforementioned equipment.

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20 SECTION 2

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22 This Council hereby finds, pursuant to Section 177.18(e) of the Codified Ordinances of
23 the County of Summit that good cause exists that, at the end of the five-year lease/purchase term,
24 a public auction or sealed bid is not warranted for the disposal of the Equipment because the
25 option to purchase the Equipment with a final payment of \$164,000.00 and sell the Equipment or
26 trade-in the Equipment to Jack Doheny Companies, Inc. at the guaranteed amount of
27 \$164,000.00. The Executive is hereby authorized pursuant to Section 177.18(e) to sell the
28 Equipment for \$164,000.00 or trade-in the Equipment to Jack Doheny Companies or to another
29 vendor for an amount equal to or greater than \$164,000.00 at the end of the five-year
30 lease/purchase term without a public auction or sealed bid.

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32 SECTION 3

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34 This Resolution is hereby declared an emergency in the interest of the health, safety and
35 welfare of the citizens of the County of Summit and for the further purpose of immediately
36 authorizing the Executive to execute a necessary lease/purchase agreement for the Equipment for
37 the Department of Sanitary Sewer Services and to dispose of the Equipment by sale or trade-in at
38 the end of the five-year lease/purchase term.

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40 SECTION 4

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

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4 SECTION 5

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6 It is found and determined that all formal actions of this Council concerning and relating
7 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
8 deliberations of this Council and of any of its committees that resulted in such formal action,
9 were in meetings open to the public, in compliance with all legal requirements, including Section
10 121.22 of the Ohio Revised Code.

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13 INTRODUCED March 28, 2016

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15 ADOPTED April 11, 2016

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CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

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22 APPROVED April 12, 2016

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EXECUTIVE

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29 ENACTED EFFECTIVE April 12, 2016

Voice VOTE: 8-0-1 YES: Crawford, Donofrio, Kostandaras, Prentice,
Rodgers, Schmidt, Walters, Wilhite
ABSTAIN: Feeman
ABSENT: Lee, Shapiro