

1 RESOLUTION NO. 2023-079

2
3 SPONSOR Executive Shapiro

4
5 DATE March 20, 2023

COMMITTEE Public Works

6
7 **A Resolution confirming the award by the Board of Control of a professional service**
8 **contract with Environmental Design Group, LLC, as a Best Practical Source, and to**
9 **authorize the Executive to apply for and execute a Water Pollution Control Loan Fund**
10 **Loan Agreement for a loan in an amount not to exceed \$476,523.65, to finance the**
11 **engineering design and surveying services for Project Q-536 Copley Road Sanitary Sewer**
12 **Infrastructure Improvements, located in Copley Township, in Council District 5, for the**
13 **Executive's Department of Sanitary Sewer Services, and declaring an emergency.**

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15 WHEREAS, this Council previously adopted Resolution No. 2022-368 to authorize the
16 Executive to execute a Cooperative Funding Intergovernmental Agreement with Copley
17 Township that provides the County shall lead the design for the extension of sanitary sewer
18 services within certain areas in Copley Township for Project Q-536 Copley Road Sanitary Sewer
19 Infrastructure Improvements (“Q-536 Project”); and

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21 WHEREAS, the Executive intends to apply for a Water Pollution Control Loan Fund
22 (“WPCLF”) loan, with the Ohio Environmental Protection Agency and the Ohio Water
23 Development Authority, to finance the engineering design and surveying services for the Q-536
24 Project, for a 5 year loan term, in an amount not to exceed \$476,523.65 (“Design Loan”) and
25 Copley Township shall repay the entire Design Loan by paying the annual debt service until the
26 Design Loan is paid in full; and

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28 WHEREAS, WPCLF requires the legislative authority of the County to adopt legislation
29 for the application of loans, the execution of agreements and the designation of repayment
30 sources; and

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32 WHEREAS, the Executive wishes to enter into a contract with Environmental Design
33 Group, LLC to provide professional services for the engineering design and surveying services
34 for the Q-536 Project; and

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36 WHEREAS, Environmental Design Group, LLC is a Best Practical Source pursuant to
37 Sections of 177.07(a) and 177.01(h)(4)D of the Codified Ordinances of the County of Summit
38 because Environmental Design Group, LLC was previously hired by Copley Township to
39 provide the Sanitary Master Plan which outlines sewer planning projects and possesses specific
40 knowledge necessary for the continuation of the Q-536 Project which is the most expedient and
41 cost effective manner to proceed with the project; and

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43 WHEREAS, the Board of Control at its meeting held on March 15, 2023, awarded a
44 professional service contract with Environmental Design Group, LLC, as a Best Practical
45 Source, for engineering design and surveying services for the Q-536 Project, located in Copley
46 Township, in Council District 5, in an amount not to exceed \$476,523.65; and

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48 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
49 that it is necessary and in the best interest of the County to authorize the Executive to apply for
50 and execute the Water Pollution Control Loan Fund Loan Agreement for the Design Loan and
51 designate repayment from the Sanitary Sewer Enterprise Fund and execute the aforementioned

1 professional service contract with Environmental Design Group, LLC.;

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

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9 SECTION 1

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11 The award by the Board of Control of a professional service contract with Environmental
12 Design Group, LLC, as a Best Practical Source, for engineering design and surveying services
13 for Project Q-536 Copley Road Sanitary Sewer Infrastructure Improvements, located in Copley
14 Township, in Council District 5, in an amount not to exceed \$476,523.65, is hereby confirmed
15 and the Executive is authorized to execute said professional service contract and any other
16 necessary related documents.

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18 SECTION 2

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20 The Executive is hereby authorized to apply for and execute a Water Pollution Control
21 Loan Fund Loan Agreement and any other necessary documents with the Ohio Environmental
22 Protection Agency and the Ohio Water Development Authority for a loan, with a term of 5
23 years, in an amount not to exceed \$476,523.65, to finance the engineering design and surveying
24 services for Project Q-536 Copley Road Sanitary Sewer Infrastructure Improvements, located in
25 Copley Township, in Council District 5, a copy of which is attached hereto as Exhibit A, and
26 incorporated fully herein, with such modifications and revisions as shall be in furtherance of the
27 provisions of the loan agreement and not substantially adverse to the County. This Council
28 further designates the Sanitary Sewer Enterprise Fund as the dedicated source of repayment for
29 the Water Pollution Control Loan Fund loan.

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31 SECTION 3

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33 This Resolution is declared an emergency in the interest of the health, safety and welfare
34 of the residents of the County of Summit and for the further reason to immediately execute a
35 necessary agreement and loan document so that the project may proceed in a timely manner.

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37 SECTION 4

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

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43 SECTION 5

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

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INTRODUCED March 20, 2023

ADOPTED April 3, 2023

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CLERK OF COUNCIL

FOR Rita S. Darr
PRESIDENT OF COUNCIL

APPROVED April 3, 2023

Steve Shapiro
EXECUTIVE

ENACTED EFFECTIVE April 4, 2023