

1 RESOLUTION NO. 2024-101

2

3 SPONSOR Executive Shapiro

4

5 DATE April 1, 2024

COMMITTEE Public Works

6

7 **A Resolution authorizing the Executive to advertise for bids for the construction of Project**
8 **Q-453 Fishcreek Wastewater Treatment Plant #25 for an estimated total cost not to exceed**
9 **\$5,900,000.00, and to authorize the Executive to apply for and execute a Water Pollution**
10 **Control Loan Fund Agreement for a loan in an amount not to exceed \$8,100,000.00 to fund**
11 **the project, located in the City of Stow, in Council District 3, and repealing Resolution No.**
12 **2023-152 and Resolution No. 2020-067, for the Executive's Department of Sanitary Sewer**
13 **Services, and declaring an emergency.**

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15 WHEREAS, this Council previously approved Resolution No. 2020-067, authorizing the
16 Executive to advertise for bids for the construction of improvements to the Fishcreek Wastewater
17 Treatment Plant #25 in the amount of \$3,500,000.00 (“Q-453 Project”); that authorization was
18 repealed by Resolution No. 2023-152 which increased the bid amount to \$4,000,000.00; and

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20 WHEREAS, in anticipation of commencing the Q-453 Project, this Council previously
21 approved Resolution No. 2019-376, authorizing the Executive to apply for a Water Pollution
22 Control Loan Fund Agreement (“WPCLF”) loan in the amount of \$3,500,000.00; that
23 authorization was repealed by Resolution No. 2023-152, which increased the amount to
24 \$4,000,000.00; and

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26 WHEREAS, as a result of additional scope added to the project to further enhance
27 reclamation quality, the Q-453 Project now includes total costs for construction, engineering
28 services and technical services, for a total cost of \$8,100,000.00; and

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30 WHEREAS, the Executive wishes to advertise for bids for an estimated total cost not to
31 exceed \$5,900,000.00 for construction to improve and rehabilitate the plant facility, including the
32 replacement of piping and pumps for the digesters, oxidation ditch, mechanical equipment and
33 sludge pump station equipment, for Project Q-453 Fishcreek Wastewater Treatment Plant #25,
34 located in the City of Stow, in Council District 3; and

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36 WHEREAS, Section 177.05 of the Codified Ordinance of the County of Summit requires
37 this Council’s authorization for the County to advertise for bids for construction contracts in
38 excess of \$75,000.00; and

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40 WHEREAS, copies of the plans and specifications for the Q-453 Project are on file with
41 the Clerk of Council; and

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43 WHEREAS, the County intends to apply for a WPCLF loan, with the Ohio
44 Environmental Protection Agency and the Ohio Water Development Authority, for a 20-year
45 loan term, to fund the Q-453 Project for the cost of construction and additional costs for
46 engineering services and technical services, in a total amount not to exceed \$8,100,000.00, which
47 will be in place of the loan previously authorized by Resolution. No. 2019-376; and

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49 WHEREAS, a WPCLF loan requires the legislative authority of the County to adopt
50 legislation for the application of loans, the execution of agreements and the designation of
51 repayment sources; and

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4 WHEREAS, it is necessary to repeal Resolution No. 2020-067, which previously
5 authorized the County to advertise for bids for the Q-453 Project at an estimated total cost not to
6 exceed \$3,500,000.00 and repeal Resolution No. 2023-152 which increased the amount to
7 \$4,000,000.00, due to additional work that is necessary to complete the project; and

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9 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
10 that it is necessary and in the best interest of the County to authorize the Executive to advertise
11 for bids for the construction of the Q-453 Project for an estimated total cost not to exceed
12 \$5,900,000.00, to apply for and execute the Water Pollution Control Loan Fund Agreement for
13 the Q-453 Project for the costs of construction, engineering services and technical services, in a
14 total amount not to exceed \$8,100,000.00 and designate repayment from the Sanitary Sewer
15 Enterprise Fund, and, as a result of the foregoing, to repeal Resolution No. 2020-067 and repeal
16 Resolution No. 2023-152;

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

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21 SECTION 1

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23 Resolution No. 2020-067 and Resolution No. 2023-152 are hereby repealed in their
24 entirety.

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26 SECTION 2

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28 The Executive is hereby authorized to advertise for bids for the construction of Project Q-
29 453 Fishcreek Wastewater Treatment Plant #25 (“Q-453 Project”), located in the City of Stow, in
30 Council District 3, for an estimated total cost not to exceed \$5,900,000.00.

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32 SECTION 3

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34 The Executive is hereby authorized to apply for and execute a Water Pollution Control
35 Loan Fund Agreement with the Ohio Environmental Protection Agency and the Ohio Water
36 Development Authority for a loan, with a term of 20 years, for the costs of construction,
37 engineering services and technical services, in an amount not to exceed \$8,100,000.00, to fund
38 Project Q-453, a copy of which is attached hereto as Exhibit A, with such modifications and
39 revisions as shall be in furtherance of the provisions of the loan agreement and not substantially
40 adverse to the County, and any other necessary documents related to the loan. This Council
41 further designates the Sanitary Sewer Enterprise Fund as the dedicated source of repayment for
42 the Water Pollution Control Loan Fund loan.

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44 SECTION 4

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46 This Resolution is declared an emergency in the interest of the health, safety and welfare
47 of the residents of the County of Summit and for the further reason to immediately advertise for
48 bids for the construction of Project Q-453 and execute a necessary agreement and loan document
49 so that the project may proceed in a timely manner.

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4 SECTION 5

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

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10 SECTION 6

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12 It is found and determined that all formal actions of the Council concerning and relating
13 to the adoption of the Resolution were adopted in an open meeting of this Council, and that all
14 deliberations of this Council and of any of its committees that resulted in such formal action,
15 were in meetings open to the public, in compliance with all legal requirements, including Section
16 121.22 of the Ohio Revised Code.

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18 INTRODUCED April 1, 2024

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20 ADOPTED _____

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CLERK OF COUNCIL

PRESIDENT OF COUNCIL

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26 APPROVED _____

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EXECUTIVE

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31 ENACTED EFFECTIVE _____

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