RESOLUTION NO. 2012-051

SPONSOR Mr. Pry

DATE February 13, 2012 COMMITTEE Finance

A Resolution confirming an award by the Board of Control of a professional service contract with FirstEnergy Solutions Corporation, dba The E Group, to provide consulting services related to the County of Summit’s natural gas aggregation program, for a fee in the amount of $0.04156 per MCF, payable from Direct Energy Services, LLC, for the length of the supply agreement, which has a term from 2/1/12 through 1/31/14, for the Executive’s Department of Law, Insurance and Risk Management, and declaring an emergency.

WHEREAS, the Board of Control, at its meeting held on January 25, 2012, awarded a professional service contract with FirstEnergy Solutions Corporation, dba The E Group, to provide consulting services related to the County of Summit’s natural gas aggregation program, for a fee in the amount of $0.04156 per MCF, payable from Direct Energy Services, LLC, for the length of the supply agreement, which has a term from 2/1/12 through 1/31/14, subject to confirmation by County Council; and

WHEREAS, The E Group has previously provided consulting services to the County for its natural gas aggregation program; and

WHEREAS, Section 177.07(a)(11) exempts contracts for utility aggregation services from competitive bidding; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the County of Summit to confirm the award by the Board of Control of the aforementioned professional service contract with FirstEnergy Solutions Corporation, dba The E Group, to provide consulting services related to the County of Summit’s natural gas aggregation program;

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

SECTION 1

The award by the Board of Control of a professional service contract with FirstEnergy Solutions Corporation, dba The E Group, to provide consulting services related to the County of Summit’s natural gas aggregation program, for a fee in the amount of $0.04156 per MCF, payable from Direct Energy Services, LLC, for the length of the supply agreement, which has a term from 2/1/12 through 1/31/14, is hereby confirmed and the County Executive is authorized to execute such contract.

SECTION 2

This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit, and for the further reason that it necessary to immediately authorize the Executive to execute a professional service contract with FirstEnergy Solutions Corporation, dba The E-Group, for consulting services for the County’s natural gas aggregation program because the current consulting contract expires on 1/31/12.
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SECTION 3

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

SECTION 4

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

INTRODUCED January 30, 2012

ADOPTED February 13, 2012

CLerk OF COUNCIL

APPROVED February 14, 2012

EXECUTIVE

ENACTED EFFECTIVE February 14, 2012

Voice Vote: 9-0 Yes: Comunale, Crawford, Feeman, Kostandaras Kurt, Lee, Rodgers, Roemer, Schmidt. Absent: Prentice, Shapiro