ORDINANCE NO     2012-332                  First Reading Passage Requested
SPONSOR         Mr. Pry
DATE            August 27, 2012             COMMITTEE        Planning

An Ordinance enacting Section 177.25 of the Codified Ordinances of the County of Summit, entitled “Moving Ohio Forward Grant Program; Procurement of Demolition and Asbestos Assessment and Remediation Services,” for the Executive’s Department of Community and Economic Development, and declaring an emergency.

WHEREAS, on behalf of Ohio taxpayers, the Ohio Attorney General has received settlement funds through litigation against certain financial institutions; and

WHEREAS, the Ohio Attorney General used a portion of those settlement funds to create the Moving Ohio Forward Grant Program to assist communities with demolishing abandoned, vacant and blighted residential properties; and

WHEREAS, the Moving Ohio Forward Grant Program is intended to help stabilize the real estate market and declining property values by removing abandoned, vacant and blighted residential structures from our community; and

WHEREAS, under the Moving Ohio Forward Grant Program, the sum of $3,780,560 has been allocated for use by communities in Summit County, and an additional $3,280,560 in required matching funds has been raised through commitments from local communities and the Summit County Land Reutilization Corporation (“Summit CLRC”); and

WHEREAS, the Summit CLRC has applied as the lead applicant to receive the Moving Ohio Forward Grant Program funds, and has been awarded said funds; and

WHEREAS, the Summit CLRC has entered into an agreement with the Ohio Attorney General for the receipt and use of the Moving Ohio Forward Grant Program funds; and

WHEREAS, the Summit CLRC will enter into a subrecipient and administration agreement with the County whereby the County Executive’s Department of Community and Economic Development will administer the Moving Ohio Forward Grant Program on behalf of the Summit CLRC; and

WHEREAS, the Department of Community and Economic Development will enter into subrecipient agreements with the municipalities and townships within Summit County who will be utilizing said funds; and

WHEREAS, the Executive desires to amend Chapter 177 to provide a mechanism for the County to solicit proposals from multiple vendors to perform demolition, asbestos abatement and asbestos remediation work that is necessary as part of the Moving Ohio Forward Grant Program, to negotiate prices with those vendors, enter into a master pricing agreement with those vendors and make the same available to the municipalities and townships that will be subrecipients under the Program; and
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WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary, and in the best interest of the County to enact Section 177.25 of the Codified Ordinances of the County of Summit, entitled “Moving Ohio Forward Grant Program; Procurement of Demolition and Asbestos Assessment and Remediation Services.”

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

SECTION 1

Section 177.25 of the Codified Ordinances of the County of Summit, entitled “Moving Ohio Forward Grant Program; Procurement of Demolition and Asbestos Assessment and Remediation Services,” is hereby enacted as follows:

“I77.25 MOVING OHIO FORWARD GRANT PROGRAM; PROCUREMENT OF DEMOLITION AND ASBESTOS ASSESSMENT AND REMEDIATION SERVICES

(a) **Purpose.** The County Executive’s Department of Community and Economic Development has been authorized, pursuant to Resolution 2012-310 of this Council, to serve as a subrecipient and administrator of the Ohio Attorney General’s Moving Ohio Forward Grant Program funds from the Summit County Land Reutilization Corporation, and is further authorized by that Resolution to enter into subrecipient agreements to pass through the Moving Ohio Forward Grant Program funds to municipalities and townships in the County. Pursuant to those subrecipient agreements, the municipalities and townships are responsible for administering the demolition projects funded by the Moving Ohio Forward Grant Program, including the procurement of demolition, asbestos assessment and asbestos remediation services. However, pursuant to those agreements, the County may procure vendors to perform those services, establish a cost for services with those vendors, enter into a master pricing agreement with those vendors and permit the municipalities and townships that serve as subrecipients to utilize the vendors and pricing established by the master pricing agreement. The purpose of this Section is to establish the method and process for procuring the demolition, asbestos assessment and asbestos remediation services from the aforementioned vendors.

(b) **Procurement.** Pursuant to section 177.08(a) through (e) of this chapter, the Executive may issue a request for proposals and receive proposals for demolition, asbestos assessment and asbestos remediation services associated with the Moving Ohio Forward Grant Program that would be made available to subrecipient municipalities and townships under a master pricing agreement. Upon receipt of proposals, the Executive shall review the proposals, negotiate compensation and submit a recommendation for one or more vendors pursuant to section 177.08(f) of this chapter. Specifically, the request for proposals may request per housing unit or per unit of measurement (i.e. square footage) pricing, or any combination thereof. The recommendation to the Board of Control will be a recommendation to enter into a master pricing agreement with the vendor(s) that would be made available to subrecipient municipalities and townships. Any award of a master pricing agreement approved by the Board of Control shall be approved by Council prior to execution by the Executive.
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SECTION 1 (cont’d.)

(e) **Master Pricing Agreement.** Any master pricing agreement approved pursuant to this Section shall be entered into by the Executive and, pursuant to section 9.48 of the Ohio Revised Code, all subrecipient municipalities and townships of the Moving Ohio Forward Grant Program may participate in the master pricing agreement for demolition projects performed under their control without any additional fee being paid to the County.”

SECTION 2

This Ordinance is hereby declared to be an emergency measure in the interest of the health, safety and welfare of the citizens of the County of Summit, Ohio, and for the further reason that it is necessary in order to immediately enact Section 177.25 of the Codified Ordinances in order to assist municipalities and townships that are subrecipients of the Moving Ohio Forward Grant Program and ensure that the funds received through that program are spent as expeditiously as possible.

SECTION 3

Provided this Ordinance 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 Ordinance were adopted in an open meeting of this Council, and that all were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

INTRODUCED August 27, 2012

ADOPTED August 27, 2012

CLERK OF COUNCIL

APPROVED August 28, 2012

EXECUTIVE

ENACTED EFFECTIVE August 28, 2012

Voice Vote: 11-0. YES: Comunale, Crawford, Feeman, Kostandaras, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shaprio