RESOLUTION NO. 2014-527

SPONSOR Mr. Pry

DATE December 8, 2014 COMMITTEE Public Works

A Resolution authorizing the County Executive to enter into a supplemental Water Pollution Control Loan Fund loan agreement in an amount not to exceed $734,189.60 to finance Change Order No. 4 of the Springfield Waste Water Treatment Plant Improvement Project Q-949, located in Council District 8, for the Executive's Department of Environmental Services, and declaring an emergency.

WHEREAS, Resolution 2013-303 awarded construction of the Springfield Waste Water Treatment Plant Improvement Project Q-949 ("Project") to Kenmore Construction Co., that will repair, rehabilitate and/or replace equipment and structures which will return the Springfield Waste Water Treatment Plant, to proper operating condition and prevent potential EPA violations; and

WHEREAS, Resolution No. 2013-407 authorizes the County to enter into a Water Pollution Control Loan Fund ("WPCLF") loan not to exceed $5,159,134.29 to finance the design and construction of the Project; and

WHEREAS, The Ohio Environmental Protection Agency is now requiring the County to replace 3 rotating biological contractors ("RBCs") at the Springfield Waste Water Treatment Plant as part of the Project, which will cost $681,499.60; and

WHEREAS, samples of the metal collector mechanisms in the primary clarifiers, taken after commencement of the Project, have shown low levels of lead, and under OSHA requirements, these mechanisms must be sandblasted and recoated at a cost of $52,690.00; and

WHEREAS, WPCLF requires the County to apply for a supplemental loan to finance the above items as approved under Change Order No. 4, and further requires the County to pass legislation for application of the supplemental loan and the execution of an agreement as well as designating a dedicated repayment source;

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

SECTION 1

That the County Executive be and is hereby authorized to apply for a supplemental Water Pollution Control Loan Fund ("WPCLF") loan agreement, sign all documents for and enter into a Water Pollution Control Loan Fund loan with the Ohio Environmental Protection Agency and the Ohio Water Development Authority to finance Change Order No. 4 of the Springfield Waste Water Treatment Plant Improvement Project Q-949 ("Project") in an amount not to exceed $734,189.60, located in Council District 8.
SECTION 2

It is estimated that the total cost of Change Order No. 4 of the Project will not exceed $734,189.60. The interest rate for the 20-year loan shall not exceed 3.4 percent per year. The dedicated source of repayment will be the Sanitary Sewer Enterprise Fund.

SECTION 3

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 will immediately allow the County to replace 3 rotating biological contractors and sandblast and recoat the metal collector mechanisms in the primary clarifiers at the Springfield Waste Water Treatment Plant.

SECTION 4

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 5

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 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 November 24, 2014
ADOPTED December 8, 2014
CLERK OF COUNCIL
APPROVED December 9, 2014
EXECUTIVE
ENACTED EFFECTIVE December 9, 2014

Voice Vote: 8-0 YES: Comunale, Crawford, Feeman, Kurt, Lee, Roemer, Schmidt, Shapiro
ABSENT: Kostandaras, Prentice, Rodgers