

1 RESOLUTION NO. 2020-249

2
3 SPONSOR Ms. Shapiro

4
5 DATE August 17, 2020 COMMITTEE Rules

6
7 **An amended Resolution confirming the award by the Board of Control, of Change Order**
8 **No. 3 to a professional service contract with Buckingham, Doolittle & Burroughs, LLC to**
9 **provide legal representation and services to Kassim Ahmed in a lawsuit, Holly Trivett**
10 **Fisher, et al. v. The Summit County Prosecutor's Office, et al., in an amount not to exceed**
11 **\$50,000.00 ~~\$25,000.00~~ (for a cumulative increase of 400%), for a total amount not to exceed**
12 **\$125,000.00, for the Executive's Department of Law and Risk Management, and declaring**
13 **an emergency.**

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15 WHEREAS, the County is required to provide legal representation and services to
16 Kassim Ahmed pursuant to Section 2744.07(A) of the Ohio Revised Code in a lawsuit, Holly
17 Trivett Fisher, et al. v. The Summit County Prosecutor's Office, et al., Case No. CV-2018-07-
18 2848 before Visiting Judge Janet R. Burnside (the "Lawsuit"), in the Court of Common Pleas;
19 and

20
21 WHEREAS, the Board of Control previously adopted Directive No. 244-18, which
22 awarded a professional service contract with Buckingham, Doolittle & Burroughs, LLC to
23 provide legal representation and services to Kassim Ahmed in the Lawsuit, in an amount not to
24 exceed \$25,000.00; and

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26 WHEREAS the Board of Control previously adopted Directive No. 392-18, which
27 awarded Change Order No. 1 to said professional service contract with Buckingham, Doolittle &
28 Burroughs, LLC, in an amount not to exceed \$25,000.00 (for a cumulative increase of 100%), for
29 a total amount not to exceed \$50,000.00; and

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31 WHEREAS, this Council previously adopted Resolution No. 2019-360, which confirmed
32 the award by the Board of Control of Change Order No. 2 to said professional service contract
33 with Buckingham, Doolittle & Burroughs, LLC, in an amount not to exceed \$25,000.00 (for a
34 cumulative increase of 200%), for a total amount not to exceed \$75,000.00; and

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36 WHEREAS, additional legal representation and services by Buckingham, Doolittle &
37 Burroughs, LLC are necessary in the Lawsuit, now that the Defendants' Motion to Dismiss was
38 partially overturned on appeal, Case No. CA-29340, before the Ninth District Court of Appeals
39 and returned to the Court of Common Pleas; and

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41 WHEREAS, the Board of Control, at its meeting held July 29, 2020, awarded Change
42 Order No. 3 to said professional service contract with Buckingham, Doolittle & Burroughs, LLC
43 to provide legal representation and services to Kassim Ahmed in the Lawsuit, in an amount not
44 to exceed \$50,000.00 (for a cumulative increase of 400%), for a total amount not to exceed
45 \$125,000.00; and

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47 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
48 that the aforementioned Change Order No. 3 to said professional service contract with
49 Buckingham, Doolittle & Burroughs, LLC to provide legal representation and services to Kassim
50 Ahmed in the Lawsuit, is necessary and in the best interest of the County of Summit;

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Voice Vote: YES: 10-0 - Dickinson, Donofrio, Feeman, Koehler,
McKenney, Prentice, Rodgers, Schmidt, Sims, Wilhite
ABSENT: Walters

1 RESOLUTION NO. 2020-249

2 PAGE TWO

3
4 NOW THEREFORE, BE IT RESOLVED, by the Council of the County of Summit, State
5 of Ohio, that:

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7 SECTION 1

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9 The award by the Board of Control of Change Order No. 3 to a professional service
10 contract with Buckingham, Doolittle & Burroughs, LLC to provide legal representation and
11 services to Kassim Ahmed in a lawsuit, Holly Trivett Fisher, et al. v. The Summit County
12 Prosecutor's Office, et al., Case No. CV-2018-07-2848, before Visiting Judge Janet R. Burnside,
13 which was on appeal, Case No CA-29340, before the Ninth District Court of Appeals and
14 returned to the Court of Common Pleas (the "Lawsuit"), in an amount not to exceed \$50,000.00
15 (for a cumulative increase of 400%), for a total amount not to exceed \$125,000.00, is hereby
16 confirmed and the Executive is hereby authorized to execute Change Order No. 3 and any
17 necessary related documents.

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19 SECTION 2

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21 This Resolution is hereby declared an emergency in the interest of health, safety and
22 welfare of the residents of the County of Summit, and for the further reason that it is necessary to
23 immediately provides additional required legal representation and services in the Lawsuit.

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25 SECTION 3

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

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31 SECTION 4

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33 It is found and determined that all formal actions of this Council concerning and relating
34 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
35 deliberations of this Council and of any of its committees that resulted in such formal action,
36 were in meetings open to the public, in compliance with all legal requirements, including Section
37 121.22 of the Ohio Revised Code.

38
39 INTRODUCED August 3, 2020

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41 ADOPTED August 17, 2020

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43 
44 CLERK OF COUNCIL

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47 PRESIDENT OF COUNCIL

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49 APPROVED August 19, 2020

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51 
52 EXECUTIVE

ENACTED EFFECTIVE August 19, 2020