

RESOLUTION NO.: 2021-R47
SPONSOR: MAYOR NEUGEBAUER AND
COUNCILMAN DAVE FRANCE
INTRODUCED: JUNE 22, 2021 **ASSIGNED TO:** _____

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT WITH GARDINER SERVICE COMPANY, LLC., FOR AN ENERGY SERVICE PERFORMANCE CONTRACT FOR THE LEASE-PURCHASE OF VARIOUS ENERGY EFFICIENCY IMPROVEMENTS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Green has been working with Gardiner Service Company, LLC (“Gardiner”) to develop energy savings through the implementation of LED lighting, automated control systems, and energy efficient equipment for the City’s facilities; and

WHEREAS, the City wishes to incorporate HVAC Ionization Purification Systems throughout employee occupied work areas; and

WHEREAS, Gardiner shall provide various equipment items and services to the City as described in the Scope of Work, a copy of which is attached hereto as Exhibit “A”; and

WHEREAS, the Equipment and Financing Proposal was selected from pricing pursuant to the City’s participation with Equalis (formerly Sourcing Alliance Cooperative Purchasing Program), which satisfies the requirements for competitive bidding; and

WHEREAS, the Administration has determined that it is in the best financial interests of the City to acquire the Equipment by Lease-Purchase by entering into one or more Agreements with Huntington Public Capital Corporation (“Huntington”), including a Master Lease Agreement, as set forth in the proposal submitted by Huntington Capital Corporation (the “Financing Proposal”), a copy of which is attached hereto as Exhibit “B” and is expanded upon with companion legislation 2021-12.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT AND STATE OF OHIO, THAT:

SECTION ONE:

Green City Council authorizes the Mayor to enter into a Lease-Purchase with Gardiner Service Company, LLC., for the Lease-Purchase of necessary equipment, materials, and labor as more fully described in “Exhibit A”, in an amount of Nine Hundred Eighty-Two Thousand Three Hundred Four Dollars (\$982,304.00) plus financing costs set forth in the Financing Proposal submitted by Huntington Capital Corporation for the energy portion of the Project. The Finance Director is authorized to make payments to Huntington Capital Corporation through the established purchase order procedure.

SECTION TWO:

Green City Council authorizes the Mayor to enter an Agreement with Gardiner Service Company, LLC., for the purchase and installation of necessary ionization equipment in the amount of One Hundred Fifty-Seven Thousand Nine Hundred Eighty-Seven Dollars (\$157, 987.00), a copy of which is attached hereto as Exhibit “A”, to be paid from the future American Rescue Plan Funds. The Finance Director is authorized to make payments to Gardiner Service Company, LLC through the established purchase order procedure.

SECTION THREE:

The requirement for competitive bidding is waived pursuant to Section 210.05 of the Codified Ordinances of the City of Green. This purchase is being made in accordance with the Cooperative Agreement Gardiner Contract No. 60-5601; Equalis/Sourcing Alliance Project No. SA - 1020 – 04, and Cooperative Agreement Gardiner Contract No. 60-5821; Equalis/Sourcing Alliance Project #SA-1020-09 a State of Ohio authorized Purchase Program, in which the City of Green is in good standing.

SECTION FOUR:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION FIVE:

Green City Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green and for the further reason that the need for this equipment is immediate. Provided that this legislation receives the affirmative vote of three-fourths (¾ths) of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: _____

Nichole Messner, Clerk of Council

Rocco Yeargin, Council President

APPROVED: _____, 2021

Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: _____, 2021

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ON ROLL CALL: Babbitt Brandenburg DeVitis France
 Meager Shaughnessy Yeargin

Suburbanite publication on _____ and _____

Nichole Messner, Clerk of Council

6/15/2021 Approved as to form and content by Lisa Carey Dean, Director of Law _____