

CITY OF FOSTORIA, OHIO

Resolution No. 2020-_____

Sponsored by: _____

Requested By: Engineering

A RESOLUTION

A Resolution authorizing the acceptance/approval to enter into a Water Pollution Control Loan Fund (WPCLF) Agreement for supplemental design and construction services of the CSO #2 and #3 Elimination Project, otherwise publicized as the LTCP Improvements, Phase 1 Project; and designating a dedicated repayment source for the loan and declaring an emergency to exist,

WHEREAS, the City of Fostoria submitted a 2017-2019 CSO Project Nomination Form through the WPCLF in December 2016; and

WHEREAS, the City of Fostoria was approved on the WPCLF program year 2017 project list for a 0% interest rate on \$655,215.00 for a design loan for a 5-year term and is included on the program year 2019 intended project list for a 0% interest rate on \$9,510,000.00 for a construction loan for a 20-30-year term once all programmatic requirements are met for both the design loan and construction loan, and

WHEREAS, the City of Fostoria was approved on the WPCLF program year 2019 to increase the 0% interest rate to \$989,565.00 for supplemental design loan and maintaining the 5-year term and approved on the WPCLF program year 2019 intended project list for a 0% interest rate for a construction loan, maximum of \$13,000,000 less appropriated design loan associated to the project, for a 20-30-year term once all programmatic requirements are met for both the design loan and construction loan, and

WHEREAS, the City of Fostoria intends to submit the loan appropriation to the WPCLF program of the above referenced project to include construction phase services. Publicly solicited bids for the above referenced project were opened on October 17, 2019. 6 bids were received with the apparent low bid of \$11,247,000.00. Kirk Bros. Co. Inc. of Findlay, Ohio was the apparent low bidder, and

WHEREAS, the City of Fostoria intends to retain professional services for construction related administrative and observation services for \$920,000.00, for a total construction loan appropriation of \$12,167,000.00, and total project loan to date appropriation (i.e. sum of design loan and construction loan and contingency) of \$13,600,000.00.

WHEREAS, once the City's loan applications are submitted to WPCLF and the projects meets all funding requirements and all programmatic requirements have been met, WPLCF will make the funds available to finance the construction of the above referenced project, and

WHEREAS, the WPCLF requires the government authority to pass legislation for application of a 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 City of Fostoria, Seneca, Hancock, and Wood Counties, Ohio:

SECTION 1. That the Mayor be and is hereby authorized to apply for a construction WPCLF loan, sign all documents for and enter into a WPCLF with the Ohio Environmental Protection Agency for the construction of CSO #2 and #3 Elimination Project, otherwise publicized as the LTCP Improvements, Phase 1 Project, on behalf of the City of Fostoria, Ohio.

SECTION 2. That the dedicated source of repayment will be the Fund 520 and/or Fund 521.

SECTION 3: This Resolution is declared to be an emergency measure necessary for the preservation of the public health, safety and welfare. The reason for such emergency lies in the fact that the application must be completed prior to the application deadline.

THEREFORE, upon the affirmative vote of two-thirds (2/3) of all members elected to Council and signature by the Mayor, this Resolution shall go into immediate force and effect.

Passed this _____ day of _____, 2020.

Steve Kauffman, Council President

ATTEST:

Tamara L. Drake, Clerk of Council

Filed with me and approved by me this _____ day of _____, 2020.

Eric J. Keckler, Mayor