

On the motion of _____, seconded by _____,
the following resolution was adopted.

**RESOLUTION APPROVING AND ADOPTING THE MSD 2021-2025
CAPITAL IMPROVEMENT PROGRAM FOR THE METROPOLITAN
SEWER DISTRICT OF GREATER CINCINNATI, HAMILTON COUNTY
OHIO, BY THE BOARD OF COUNTY COMMISSIONERS WITH
CONDITIONS AND DIRECTIVES TO MSD**

AND APPROPRIATING FUNDS THEREFOR

BY THE BOARD:

WHEREAS, the Metropolitan Sewer District of Greater Cincinnati (“MSD”) was created and exists as a County Sewer District under Chapter 6117 of the Ohio Revised Code; and,

WHEREAS the City of Cincinnati (“City”), by Ordinance of City Council adopted April 10, 1968, consented to be included in the County Sewer District now known as the Metropolitan Sewer District of Greater Cincinnati; and,

WHEREAS, the Board of County Commissioners, Hamilton County, Ohio (“Board”) is a party to an agreement dated April 10, 1968, with the City pursuant to which the Board exercises authority and control as the statutory owner and principal of MSD, and the City provides certain management and operations services on its behalf (the “Agreement”); and,

WHEREAS, Section V.3.a of the Agreement provides that the City will annually prepare a Capital Improvement Program (“MSD CIP”) on which the Board will hold a public hearing; and,

WHEREAS, Section V.3.b of the Agreement provides that the Board shall hold a public hearing on the MSD CIP as submitted and shall “adopt, or modify and adopt the capital improvement program for the sewer system”; and,

WHEREAS, the Director of MSD has submitted a Capital Improvement Program for the years 2021-2025 to this Board; and,

WHEREAS, this Board has reviewed the Fiscal Years (“FY”) 2021-2025 MSD CIP as submitted by MSD; and,

WHEREAS, after legal advertisement, this Board did conduct public hearings on December 3, and December 10, 2020 on the FY 2021–2025 MSD CIP, at which hearings all persons desiring to ask questions and make statements were afforded such opportunity; and,

WHEREAS, this Board did, on December 10, 2020, conclude the public hearings

on the FY 2021-2025 MSD CIP; and,

WHEREAS, this Board, finding the FY 2021–2025 MSD CIP requires modifications and clarification and directs MSD to comply with and execute the conditions defined as resolved in this resolution for the 2021-2025 Capital Improvement Program (CIP) Book for the Metropolitan Sewer District of Greater Cincinnati, Hamilton County, Ohio”, dated December 16, 2020, and,

WHEREAS, by approving this 2021-2025 MSD CIP, the Board is also specifically authorizing the preparation of detailed plans, specifications, estimates of costs, and where appropriate, preparation of tentative assessments, subject to the conditions of the Board, for the projects contained and outlined in **Exhibit A**, for 2021, which are attached hereto and by reference made a part thereof, subject to the modifications, terms, conditions, and restrictions contained in this Resolution; and,

WHEREAS, by approving this 2021–2025 MSD CIP, the Board is also specifically approving the detailed plans, specifications, and estimates of cost, subject to the conditions of the Board, for the projects contained and outlined in **Exhibit B**, subject to the conditions of the Board, which are attached hereto and by reference made a part thereof; and,

WHEREAS, by approving this 2021–2025 MSD CIP, the Board is also specifically approving the use of Programmatic Contingency to cover needed contingency for all projects legislated, consistent with the requirements of Section 2405-2(A)(3), “Contingency” of the rules and regulations governing the design, construction, maintenance, operation and use of sanitary and combined sewers for MSD (“MSD Rules and Regulations”); and,

WHEREAS, by approving this 2021–2025 MSD CIP, the Board is requiring that any project, when ordered constructed, have specific authorization and appropriation of funds through legislation passed by the Board, subject to the modifications, terms, conditions, and restrictions contained in this Resolution; and,

WHEREAS, by approving this 2021–2025 MSD CIP, the Board is specifically approving the amounts for certain projects identified in **Exhibits A and B** with modifications as specified in this Resolution; and,

WHEREAS, by approving this 2021–2025 MSD CIP, the Board is specifically approving only the CIP for the year 2021 and the CIP outyears for 2022–2025 are for information only and are subject to change pending future determined priorities and Consent Decree compliance; and,

WHEREAS, where conflicts exist between this Resolution and any Exhibits attached hereto, this Resolution shall control; and,

WHEREAS, by approving this 2021–2025 MSD CIP, the Board is approving, in concept only, the submitted project list and total project cost estimates not contained in

Exhibits A or B, and any such project not contained in these Exhibits, when ordered designed or constructed, will require specific authorization and appropriation of funds through legislation passed by the Board; and,

WHEREAS, the respective Project[s'] and Allowance[s'] activities as contained in **Exhibit A, Exhibit B**, or funds for use as **Programmatic Contingency**, are for the purpose of acquiring, constructing, and improving capital assets to be used in the operation and maintenance of the MSD, a County Sewer District under Chapter 6117 Revised Code of Ohio and in compliance with Section 133.01(Z) R.C.; and,

WHEREAS, it has been determined sufficient unappropriated funds are available for use by MSD to temporarily finance construction costs prior to the issuance of long-term revenue and/or special assessment bonds.

NOW, THEREFORE BE IT RESOLVED, the Board of County Commissioners of Hamilton County, Ohio does hereby:

SECTION 1. Approve and adopt the 2021–2025 MSD CIP, which is inclusive of **Exhibits A and B and Programmatic Contingency** with conditions by the Board as illustrated in the attached 2021–2025 CIP Book.

SECTION 2. Authorize and direct the County Administrator on behalf of the Board of County Commissioners to ensure the required modifications and clarifications outlined in this Resolution are completed and the conditions followed.

SECTION 3. Adopt this 2021–2025 MSD CIP as a program incorporating projects and authorizing expenditures consistent with the County's Phase 2A plan submitted to the Consent Decree Regulators, including spending commitments for Bridge projects (as defined in the Regulator's June 29, 2018 letter). The 2021–2025 MSD CIP is a directive from the Board by which MSD will develop and construct its capital projects. By adopting the 2021–2025 MSD CIP with conditions and required modifications, the Board directs MSD to timely, cost effectively, and accurately implement the 2021 CIP Program.

SECTION 4. Direct MSD to bring forth no later than January 10, 2021 an amendment to the 2021-2025 CIP that addresses the following inadvertent omissions. The project facts sheets for the Addyston Extraneous Stormwater Removal (no project number), MCWWTP High Rate Treatment Pump Station (10144888) and CSO 488 490 I-75 Reconstruction Coordination (11142741) projects will be updated as currently agreed to by MSD and the County. Additionally, two projects, with fact sheets, will be added to the attached 2021-2025 CIP Book, as agreed: 1) SSO 603 and 704 Improvements (planning) (10240275) funded at \$350,000 and 2) HSTS Elimination 2021 Allowance (10190321) funded at \$2,102,000.

SECTION 5. Direct MSD, by February 10, 2020, to produce and provide a Program Management Report to the Board to demonstrate how the 2021 CIP will be delivered, including identification of anticipated challenges, if any.

SECTION 6.

Direct MSD and County Administration to implement improved project coordination measures. The Board desires to continue to improve project communication and coordination and maintain alignment during a project's development. If project issues arise, they will be addressed as early as possible during project development. These goals will be accomplished through the use of MSD's new Project Delivery System and, with the understanding, that prior to the consideration of a candidate project being approved for planning, beginning design, or advancing design, MSD will provide the County with appropriate information and in a reasonable time for review prior to the project meetings. For any legacy projects that may not pass through the Project Delivery System, the County and MSD will perform the same coordination touchpoints as described. At any time during project development, if a project's scope and/or cost are a significant departure from what the Board originally authorized, MSD will timely notify the County of this project change and provide the details for County review. MSD and the County will determine the appropriate next steps.

SECTION 7. Direct MSD to utilize the funds in the Prioritized Wastewater Collection System Improvements 2021 Allowance (10281321) to address:

- a. Emergency Sewer Repairs, in accordance with Ohio Revised Code, to quickly respond to sudden, unexpected sewer system failures which may threaten public health, welfare or safety by setting aside \$5 million from this allowance funding specifically for this purpose. The \$5 million can be reallocated to non-emergency work as the year progresses if there is an unused balance.
- b. WWC High Risk Assets for sewer segments rated to be at high or extreme risk of failure to repair or replace complete sewer segments (manhole to manhole) or portions of the system to cost effectively extend asset life of existing high-risk assets while protecting and preserving public health and the environment.
- c. Privately owned building sewers within the public right-of-way, consistent with MSD Rules and Regulations, Section 2008.

MSD will provide timely monthly reports to the County, regarding the use of these funds and will provide the County with additional information as requested.

SECTION 8. Direct MSD to utilize the Main Sewer Renewal Program 2021 allowance (10180121) to address only sewer segments rated to be at high or extreme risk of failure, to the greatest extent practicable, for full length segment lining (manhole to manhole) and point lining. MSD will provide a detailed monthly report to the County regarding the use of these funds and will provide County with additional information as requested.

SECTION 9. Direct that all previously authorized planning, design, engineering ("PDE") projects where funds have not been encumbered by date of adoption of this Resolution are automatically de-legislated, de-authorized and terminated unless expressly authorized by the Board.

SECTION 10. Direct that all construction projects not funded and legislated during the year

authorized by date of adoption of this Resolution are automatically de-legislated, de-authorized and terminated unless expressly authorized by the Board.

SECTION 11. Direct that MSD comply with all Board adopted MSD Rules and Regulations, and all applicable Ohio laws in the expenditure of all funds and monies, including but not limited to Rule 2407 (Stormwater Separation) and Rule 2405-9 (Memorandum of Understanding).

SECTION 12. Direct all Allowance budgets are annual budgets and shall not be carried over into the new fiscal year unless approved in advance by the Board. Invoices submitted to MSD for work performed in 2020 should be submitted by January 31, 2021. Invoices submitted after January 2021 shall be funded, if approved by the Board, from the 2021 MSD CIP funds.

SECTION 13. Direct MSD to collaborate with the County Administration or appointed designees that any appropriated funds utilized by MSD for any task or activity from the 10190221 Phase 2 WWIP Planning 2021, must first be agreed by the County before those funds are obligated.

SECTION 14. Acknowledge Hamilton County, Ohio (the “County”) may be expected to pay and/or incur costs with respect to the Project (“Prior Capital Expenditures”) on or after the date of this Resolution and prior to the issuance of the obligations (the “Obligations”) which will finance the projects defined in **Exhibits A, B,** and for **Programmatic Contingency.**

SECTION 15. Approve the use of the Obligations in the maximum principal amount of seventy-two million, five hundred forty-two thousand, three hundred ninety-one dollars (\$72,542,391.00) to finance the costs of the Projects contained in **Exhibits A, B,** and for **Programmatic Contingency,** and declares its intent that any Prior Capital Expenditures made by the County will be made in anticipation of the issuance of such Obligations to reimburse said prior Capital Expenditures. This declaration is made pursuant to Treas. Reg. Section 1.150-2 or any successor thereto.

SECTION 16. Authorize and direct the County Administrator, the Director or Interim Director of the Metropolitan Sewer District, the Director of Finance of the City of Cincinnati, the County Auditor and/or US Bank, N.A., as Trustee, each as applicable, to reimburse, not later than 18 months after the later of (i) the date the original expenditure was paid or (ii) the date the item was placed in service, only those Prior Capital Expenditures from Projects contained in **Exhibits A, B, and Programmatic Contingency** and made with respect to assets having a reasonably expected economic life of at least one year, and, in addition, eligible preliminary expenditures paid and incurred in connection with the Project from the Revenue Fund, Replacement and Improvement Account and/or the Surplus Account.

SECTION 17. Find and determine, consistent with the County’s budgetary and financial circumstances, that it does not have funds currently available and does not expect to have

funds available in the future that may be allocated on a long-term basis, other than the proceeds of the Obligations, to finance the Prior Capital Expenditures from Projects contained in **Exhibits A, B**, and for **Programmatic Contingency**.

SECTION 18. Direct the County Administrator, the Director or Interim Director of the Metropolitan Sewer District, the Director of Finance of the City of Cincinnati, the County Auditor and/or US Bank, N.A., as Trustee, each as applicable, to take the following action at the time the Prior Capital Expenditures from Projects contained in **Exhibits A, B**, and for **Programmatic Contingency** are reimbursed from proceeds of the Obligations only if said reimbursement relieves the proceeds used for reimbursement from any restrictions imposed by both legal documents under which the Obligations were issued and applicable state law: (1) evidence the reimbursement on the books and records maintained with respect to the Obligations, and (2) identify either the actual prior expenditure to be reimbursed or, in the case of reimbursement of a fund or account, the fund or account from which the expenditure was paid.

BE IT FURTHER RESOLVED that:

1. The sum of seventy-two million, five hundred forty-two thousand, three hundred ninety-one dollars (\$72,542,391.00) currently existing in unappropriated funds available for use by the Metropolitan Sewer District in Capital Improvement Fund 704 maintained by the City of Cincinnati, and the Surplus Account held at US Bank is hereby appropriated to pay costs for planning, design, easement acquisition, and/or other related pre-construction activity costs incurred in connection with the 2021–2025 MSD CIP as outlined in **Exhibit A**, the construction costs of projects as identified in **Exhibit B**, and for **Programmatic Contingency**.
2. Of the \$72,542,391.00 being appropriated, \$42,569,391.00 is to be used for either (a) planning activities and studies; (b) the preparation of detailed project plans, specifications, cost estimate; (c) project easement acquisition; or (d) a combination of only these project activities for 38 projects contained in and outlined in **Exhibit A**.
3. Of the \$72,542,391.00 being appropriated, \$24,973,000.00 is to be used for construction activities of four projects contained in and outlined in **Exhibit B**.
4. Of the \$72,542,391.00 being appropriated, \$5,000,000.00 is for use for MSD Programmatic Contingency as per the requirements of 2405-2(A)(3), “Contingency” of the MSD Rules and Regulations.

BE IT FURTHER RESOLVED the books, records and proceedings of the County with respect to this Resolution shall be made reasonably available by the County, for inspection by the general public at the County’s administrative office every business day

during normal business hours commencing no later than 30 days after the passage of this resolution. Said books, records and proceedings of the County with respect to this Resolution will continue to be reasonably available to the general public until the date of issuance of the Obligations.

BE IT FURTHER RESOLVED, the Clerk of the Board be and hereby is authorized and directed to certify copies of this executed Resolution to Jeff Aluotto, County Administrator; Holly Christmann, Assistant County Administrator, Paula Boggs Muething, Cincinnati City Manager, and Diana Christy, Director of MSD;

BE IT FURTHER RESOLVED, that this Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Board of County Commissioners, and that all deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

ADOPTED at a regularly scheduled meeting of the Board of County Commissioners of Hamilton County, Ohio this 17th day of December 2020.

Ms. Driehaus _____ Ms. Summerow-Dumas _____ Ms. Parks _____

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED the foregoing is a true and correct transcript of a resolution adopted by this Board of County Commissioners in session this 17th day of December 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Office of County Commissioners of Hamilton County, Ohio this 17th day of December 2020.

Jacqueline Panioto, Clerk
Board of County Commissioners
Hamilton County, Ohio

On the motion of _____, seconded by _____,
the following resolution was adopted.

**RESOLUTION AUTHORIZING THE PREPARATION OF
DETAILED PLANS, SPECIFICATIONS, ESTIMATES OF COST,
AND/OR OTHER RELEVANT DOCUMENTS FOR THE
2021-2025 CAPITAL IMPROVEMENT PROGRAM OF**

THE METROPOLITAN SEWER DISTRICT OF GREATER CINCINNATI

WHEREAS, the Board of County Commissioners of Hamilton County, Ohio (the “Board”) did, by resolution adopted on a date even herewith, approve the 2021-2025 Capital Improvement Program (“CIP”) for the Metropolitan Sewer District of Greater Cincinnati (“MSD”); and

WHEREAS, the Board wishes to proceed with the completion of detailed plans, specifications, other relevant documents, cost estimates, right-of-way activities, administrative and other miscellaneous activities associated with and necessary to the projects contained in **Exhibit A**, as adopted by the Board, located in the Metropolitan Sewer District, attached hereto and by this reference incorporated herein.

NOW, THEREFORE, BE IT RESOLVED, by this Board of County Commissioners of Hamilton County, Ohio, that the Director of the Metropolitan Sewer District of Greater Cincinnati be, and he or she is hereby authorized and directed to complete preparation and submit forthwith, for the consideration and approval of this Board, detail plans, specifications, estimate of cost, and/or other relevant documents for projects contained in **Exhibit A**, as adopted by the Board.

BE IT FURTHER RESOLVED, that this Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Board of County Commissioners and that all deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

ADOPTED at a regularly adjourned meeting of the Board of County Commissioners of Hamilton County, Ohio, this 17th day of December 2020.

Ms. Driehaus _____ Ms. Summerow-Dumas _____ Ms. Parks _____

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED the foregoing is a true and correct transcript of a resolution adopted by this Board of County Commissioners in session this 17th day of December 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Office of County Commissioners of Hamilton County, Ohio this 17th day of December 2020.

Jacqueline Panioto, Clerk
Board of County Commissioners
Hamilton County, Ohio

On the motion of _____, seconded by _____,
the following resolution was adopted.

**RESOLUTION APPROVING THE DETAILED PLANS, SPECIFICATIONS,
ESTIMATES OF COST, AND/OR OTHER RELEVANT DOCUMENTS FOR THE
2021-2025 CAPITAL IMPROVEMENT PROGRAM EXHIBIT B, FOR**

THE METROPOLITAN SEWER DISTRICT OF GREATER CINCINNATI

WHEREAS, the Board of County Commissioners of Hamilton County, Ohio (the “Board”) did, by resolution adopted on a date even herewith, approve the 2021 - 2025 Capital Improvement Program (“CIP”) with conditions and modifications for the Metropolitan Sewer District of Greater Cincinnati (“MSD”); and

WHEREAS, said projects as contained in **Exhibit B**, as adopted by the Board, are for the purpose of acquiring, constructing, and improving capital assets to be used in the operation and maintenance of the MSD, as operated by this Board under Chapter 6117 Revised Code of Ohio and in compliance with Section 133.01(Z) R.C.

NOW, THEREFORE, BE IT RESOLVED, by this Board of County Commissioners of Hamilton County, Ohio, that the aforesaid detailed plans, specifications estimate of cost, and/or other relevant documents for the sanitary sewer projects contained in **Exhibit B**, as adopted by the Board, be, and the same are, hereby approved by this Board of County Commissioners.

BE IT FURTHER RESOLVED, that this Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Board of County Commissioners and that all deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

ADOPTED at a regularly adjourned meeting of the Board of County Commissioners of Hamilton County, Ohio, this 17th day of December 2020.

Ms. Driehaus _____ Ms. Summerow-Dumas _____ Ms. Parks _____

CERTIFICATE OF CLERK

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Office of County Commissioners of Hamilton County, Ohio this 17th day of December 2020.

Jacqueline Panioto, Clerk
Board of County Commissioners
Hamilton County, Ohio

On the motion of _____, seconded by _____,
the following resolution was adopted.

**RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT
SEWER PROJECTS IDENTIFIED IN EXHIBIT B OF THE
2021-2025 CAPITAL IMPROVEMENT PLAN FOR**

**THE METROPOLITAN SEWER DISTRICT OF GREATER CINCINNATI
HAMILTON, COUNTY, OHIO**

AND DETERMINING TO PROCEED WITH THE IMPROVEMENTS

WHEREAS, this Board of County Commissioners of Hamilton County, Ohio has heretofore approved a General Plan for the construction, maintenance, and operation of a sanitary sewer system in the Metropolitan Sewer District of Greater Cincinnati, Hamilton County, Ohio (the "Metropolitan Sewer District" or "MSD"); and

WHEREAS, the Board of County Commissioners of Hamilton County, Ohio did approve, on a date even herewith the detailed plans, specifications, estimates of cost, and/or other relevant documents for the sanitary sewer projects as contained in **Exhibit B** as adopted by the Board, which is a part of the approved 2021-2025 MSD CIP as adopted by the Board; and

WHEREAS, said projects as contained in **Exhibit B** as by the Board are for the purpose of acquiring, constructing, and improving capital assets to be used in the operation and maintenance of the MSD, as operated by this Board under Chapter 6117 Revised Code of Ohio and in compliance with Section 133.01(Z) R.C.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hamilton County:

SECTION 1. That it is hereby declared necessary for the preservation and promotion of the public health and welfare to proceed with the construction of the sanitary sewer projects contained in **Exhibit B** as adopted by the Board.

SECTION 2. That the construction of the projects contained in **Exhibit B** as adopted by the Board, together with the necessary appurtenances thereto, shall be in accordance with the General Plan of sewerage of the Metropolitan Sewer District of Greater Cincinnati.

SECTION 3. The total estimated cost of construction, including engineering and incidental expenses, is more fully described in **Exhibit B** as adopted by the Board.

SECTION 4. That to provide a means to pay for the said improvements contained in **Exhibit B** as adopted by the Board, bonds and certificates of indebtedness in anticipation thereof may be issued in accordance with Chapters 6117 and 133 of the Ohio Revised Code which will be

retired from unencumbered sewerage service charge revenues of the Metropolitan Sewer District. No part of the cost of the said improvements shall be assessed against the benefited properties.

SECTION 5. That said projects as contained in **Exhibit B** as adopted by the Board, together with the necessary appurtenances thereto, shall be located as more fully described under the “EXPLANATION/DESCRIPTION” and the “LOCATION” columns of each project in said Exhibit and of the materials set forth in the approved detailed plans, specifications, and/or other relevant documents.

BE IT FURTHER RESOLVED, that said projects as contained in **Exhibit B** as adopted by the Board in the Metropolitan Sewer District, be and the same is hereby ordered to be constructed in accordance with the detailed plans, specifications, and/or other relevant documents heretofore adopted and approved by this Board, which hereby ratifies the same.

BE IT FURTHER RESOLVED, that this Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Board of County Commissioners and that all deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

ADOPTED at a regularly adjourned meeting of the Board of County Commissioners of Hamilton County, Ohio, 17th day of December 2020.

Ms. Driehaus_____ Ms. Summerow-Dumas_____ Ms. Parks_____

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED the foregoing is a true and correct transcript of a resolution adopted by this Board of County Commissioners in session this 17th day of December 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Office of County Commissioners of Hamilton County, Ohio this 17th day of December 2020.

Jacqueline Panioto, Clerk
Board of County Commissioners
Hamilton County, Ohio

On the motion of _____, seconded by _____,
the following resolution was adopted.

**RESOLUTION AUTHORIZING THE CITY MANAGER
TO ADVERTISE FOR BIDS**

WHEREAS, on a date even herewith this Board of County Commissioners of Hamilton County, Ohio (“Board”), determined to proceed with the construction of projects as contained in **Exhibit B** as adopted by the Board, which is a part of the approved 2021-2025 Capital Improvement Program for the Metropolitan Sewer District of Greater Cincinnati (“MSD”) as adopted by the Board, in accordance with the detailed plans, specifications, estimate of cost, and/or other relevant documents, heretofore approved and ratified; and

WHEREAS, said projects as contained in **Exhibit B** as adopted by the Board are for the purpose of acquiring, constructing, and improving capital assets to be used in the operation and maintenance of the MSD, as operated by this Board under Chapter 6117 Revised Code of Ohio and in compliance with Section 133.01(Z) R.C.; and

WHEREAS, it is deemed advisable to proceed at once with the next legislative step required by law, which is the offering of said contract for competitive bidding.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Hamilton County, Ohio, that the City Manager of Cincinnati, Ohio, is hereby authorized to proceed at once, at the earliest possible time, in accordance with the pertinent competitive bidding procedures and requirements, to advertise the contract for said projects as contained in **Exhibit B** as adopted by the Board, in the Metropolitan Sewer District of Greater Cincinnati.

BE IT FURTHER RESOLVED, that this Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Board of County Commissioners and that all deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

ADOPTED at a regularly adjourned meeting of the Board of County Commissioners of Hamilton County, Ohio, this 17th day of December 2020.

Ms. Driehaus _____ Ms. Summerow-Dumas _____ Ms. Parks _____

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED the foregoing is a true and correct transcript of a resolution adopted by this Board of County Commissioners in session this 17th day of December 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Office of County Commissioners of Hamilton County, Ohio this 17th day of December 2020.

Jacqueline Panioto, Clerk
Board of County Commissioners
Hamilton County, Ohio