

RESOLUTION NO. 29-2022 (F), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to execute a contract with Guidehouse Inc. for consulting services related to the use of American Rescue Plan Act State and Local Fiscal Recovery Funding; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

WHEREAS, on March 11, 2021, the President of the United States, Joseph R. Biden, signed into law the American Rescue Plan Act of 2021 (hereafter “ARPA”), authorizing among other things the payment of direct subsidies to the general revenue funds of cities, counties, school districts, and other governmental entities; and

WHEREAS, the City of Cleveland Heights was awarded ARPA funding of approximately \$38.8 million, with one payment received in 2021 and the second and final payment to be made in 2022; and

WHEREAS, on May 10, 2021, the U.S. Treasury issued an Interim Final Rule to implement ARPA in Title 31, Part 35 of the Code of Federal Regulations (“CFR”), which becomes the final rule effective April 1, 2022 (“Final Rule”); and

WHEREAS, ARPA and the Final Rule provide that ARPA funds may be used for specific purposes including to respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality; for the provision of government services to the extent of the reduction in revenue due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; and to make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS, it is necessary to comply with the permissible use provisions of ARPA in designing programs utilizing ARPA funds, to properly report on the use of such funds, and to obligate and expend funds within the timeframes provided by law; and

WHEREAS, the City of Cleveland Heights wishes to utilize ARPA funds in ways that provide the maximum possible benefit to the City and its residents with regard to the effects of COVID described above, and to leverage such funds for maximum impact in accordance with the uses described above; and

WHEREAS, the City’s Mayor and Finance Director have identified a need for professional consulting services to assist the City in accomplishing its goals with regard to the use of ARPA funds and to ensure all funding requirements are satisfied; and

WHEREAS, Guidehouse is a consulting firm that provides services to the public and private sectors and has particular experience in providing services to state and local governments

RESOLUTION NO. 29-2022 (F), *First Reading*

in connection with ARPA State and Local Fiscal Recovery Funding and other COVID-related grant programs; and

WHEREAS, the City of Dayton, Ohio, has awarded a contract for ARPA funding consulting services to Guidehouse following a competitive bid process; and

WHEREAS, pursuant to Ohio Revised Code Section 9.48 and Section 171.02(b) of the Cleveland Heights Codified Ordinances the City may enter into a contract without competitive bidding if another political subdivision has entered into such contract pursuant to a competitive bid process and the Mayor finds that the services to be contracted can be obtained pursuant to such political subdivision contract at prices less than would be obtained by taking bids from private persons; and

WHEREAS, the Mayor has determined that the ARPA consulting services provided by Guidehouse pursuant to the contract with the City of Dayton are personal professional services that are available, upon the terms and conditions of that contract, at prices lower than would be obtained through a separate competitive bid process; and

WHEREAS, this Council wishes to authorize a contract with Guidehouse for ARPA consulting services consistent with that firm's contract with the City of Dayton, Ohio.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor shall be and is hereby authorized to execute any and all agreements or related documents with Guidehouse Inc. in an amount not to exceed Two Hundred and Fifty Thousand Dollars (\$250,000.00), for the purpose of providing consulting services related to the City's deployment of ARPA funding including proper funds use and eligibility questions, programs design, distribution of funds to intended beneficiaries, and measurement, reporting and recordkeeping requirements, along with any related services, all as described in the proposal of Guidehouse, and substantially in accordance with a form of agreement and statement of work based upon the Guidehouse agreement with the City of Dayton, Ohio and on file with the Director of Finance.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure for the immediate preservation of the public peace, health or safety of the City, such emergency being the need to develop programs, metrics and reporting systems for the City's use of ARPA funds at the earliest possible time given ARPA spending timeframes. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. 29-2022 (F), *First Reading*

MELODY JOY HART
President of Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor:

Approved: _____

KAHLIL SEREN
Mayor