

The Board of Education of the Northwest Local School District, Counties of Hamilton and Butler, Ohio, met in _____ session at _____ o'clock _____.m. on the 18th day of November, 2024, at _____, with the following members present:

_____ moved the adoption of the following resolution:

**NORTHWEST LOCAL SCHOOL DISTRICT
RESOLUTION NO. _____**

**A RESOLUTION DECLARING URGENT NECESSITY AND
AUTHORIZING THE TREASURER TO ISSUE A PURCHASE ORDER
AND/OR PURSUE FINANCING OPTIONS FOR ADMINISTRATIVE
OFFICE LEASEHOLD TENANT IMPROVEMENTS**

WHEREAS, the Northwest Local School District (the “*School District*”), Counties of Hamilton and Butler, Ohio, must repurpose its current administrative office space to accommodate preschool students, and therefore, the School District must make tenant leasehold improvements and/or renovations in an expedient manner in order to provide adequate administrative office space under a lease (the “*Project*”); and

WHEREAS, the Project is needed in order to: (a) ensure adequate office facilities for administrative office personnel during the 2024-25 school year; (b) ensure a safe and secure educational environment for preschool students during the 2024-25 school year, avoiding temporary or long-term interruption of educational activities; and (c) proceed with the expedient completion of the Project during the 2024-25 school year; and

WHEREAS, the current estimated time frame for completion of the Project is prior to the commencement of the second half of the school year in January 2025, which if delayed, the completion of the Project will put the School District “at risk” for temporary or long-term interruption of educational and/or operational school activities or delays with respect to the Project (collectively, the “*Reasons for Urgent Necessity*”); and

WHEREAS, this Board of Education acknowledges that Section 3313.46(A) of the Ohio Revised Code requires a competitive bidding process for the performance and completion of the Project; however, as a result of the Reasons for Urgent Necessity, it is necessary to proceed with the acquisition and construction of the Project in an expedited manner and to issue a purchase order or purchase orders and/or pursue other financings alternatives for the completion of the Project; and

WHEREAS, based upon the Reasons for Urgent Necessity, this Board of Education now desires to determine and to declare that (a) the tenant improvements and/or renovations to the new administrative office space constitutes an urgent necessity and (b) it is necessary to proceed with the acquisition and construction of the Project without competitive bidding pursuant to the urgent necessity exception to competitive bidding set forth in Section 3313.46(A) of the Ohio Revised Code; and

WHEREAS, this Board of Education further desires to determine that the fiscal officer of the School District is authorized to issue and execute a purchase order or orders to one or more contractors or vendors providing the Project and/or to pursue other financing options for the acquisition and construction of the Project;

NOW, THEREFORE BE IT RESOLVED, by the Board of Education that after careful consideration and evaluation of the information before it, by at least a majority of its members, hereby resolves, that:

SECTION 1. Based upon information and recommendations from School District administration and pursuant to Section 3313.46(A) of the Ohio Revised Code, including the Reasons for Urgent Necessity, this Board of Education hereby determines and declares that: (a) the need to provide adequate space in an efficient and safe manner for preschool students, and as a result, the need to provide tenant improvements and/or renovations for newly leased administrative office space constitutes an urgent necessity and (b) it is necessary to proceed with the acquisition and construction of the Project without competitive bidding pursuant to the urgent necessity exception to competitive bidding set forth in Section 3313.46(A) of the Ohio Revised Code; and as a result, this Board of Education hereby authorizes the School District to proceed with the acquisition and construction of the Project in an expedited manner by virtue of issuing a purchase order or purchase orders and/or pursuing other financing alternatives for the Project; and further to undertake these measures without regard to the competitive bidding processes set forth by Ohio law in order to provide for the direct and timely acquisition and construction of the Project. The Board of Education further determines that compliance with the competitive bidding requirements of Sections 3313.46 or any other options and processes for procurement set forth in the Ohio Revised Code could reasonably be expected to significantly and materially delay the acquisition and construction of the Project, potentially resulting in a temporary or long-term interruption of educational activities of the School District or delays with respect to the Project. The acquisition and construction of the Project is an urgent necessity which requires dispensing of the normal competitive bidding processes for the safety and welfare of the students of the School District.

SECTION 2. This Board of Education hereby accepts the recommendation of School District administration to authorize the fiscal officer of the School District to issue a purchase order (or orders) to a contractor(s) or a vendor(s) and/or to pursue other financing options for the acquisition and construction of the Project, and to proceed with the acquisition and construction of the Project in accordance with the contractor(s)/vendor(s) identified by the School District's insurance carrier.

SECTION 3. This Board of Education hereby authorizes the Treasurer to sign a purchase order or purchase orders, and each of the Superintendent, Board President, Treasurer, and/or Business/Facilities Manager, or any combination, are authorized to sign such other paperwork, contracts and instruments in furtherance of that purchase order and the purposes of this resolution.

SECTION 4. This Board of Education hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of Education; and that all deliberations of this Board of Education 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.

SECTION 5. This resolution shall be in full force and effect from and immediately after its adoption.

_____ seconded the motion and the roll being called upon the question of the adoption of the resolution, the vote resulted as follows:

AYES: _____
NAYS: _____

**BOARD OF EDUCATION OF
NORTHWEST LOCAL SCHOOL
DISTRICT**

Board President

ADOPTED this _____ day of November, 2024.

Treasurer

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of a resolution adopted at a meeting held on the 18th day of November, 2024, together with a true and correct extract from the minutes of said meeting to the extent pertinent to consideration and adoption of said resolution.

Treasurer

As prepared by: Dinsmore & Shohl LLP