

RESOLUTION FCR 2022-14

RESOLUTION OF FLOYD COUNTY COMMISSIONERS AWARDDING A
BOT AGREEMENT WITH RESPECT TO A GOVERNMENT ADMINISTRATION AND LIFE
CENTER PROJECT

WHEREAS, IC 5-23 (the "Act") authorizes political subdivisions, including Counties, to adopt certain powers with respect to the entry into operating agreements and BOT agreements;

WHEREAS, Floyd County Commissioners (the "Commissioners"), as the governing body for Floyd County (the "County") have adopted the provisions of the Act to advance the economic development and further the purposes of the County;

WHEREAS, the Commissioners have solicited and reviewed proposals for a BOT Agreement to provide for the design, financing, construction and transfer to the Commissioners of a Government Administration and Life Center Project (the "BOT Agreement"); and

WHEREAS, on August 8, 2022, the Review Committee appointed by the President of the Floyd County Commissioners issued a report recommending the acceptance of the proposal for entry into a BOT Agreement submitted by Floyd County Development, LLC (Koetter Group, Red Draw Development and EOP Architects) (the "Offerors"), in a form to be finally negotiated by a Working Group appointed by the President of the Commissioners and legal counsel (the "Proposal");

WHEREAS, pursuant to IC 5-23-5-9, the Commission has published notice of a public hearing with respect to the Review Committee's recommendation to accept the Proposal (the "Public Hearing"); and

WHEREAS, the Commission has made available to the public for seven (7) days the report of the Review Committee for public review and inspection; and

WHEREAS, the Commission has held the Public Hearing on the date hereof and considered all public comments with respect to the recommendation to accept the Proposal; and

WHEREAS, the Commission wishes to accept the recommendation of the Review Committee and Award the BOT Agreement to Floyd County Development, LLC (Koetter Group, Red Draw Development and EOP Architects).

Now, THEREFORE, BE IT RESOLVED by the Floyd County Commissioners, as the governing body of Floyd County, as follows:

1. Pursuant to IC 5-23-5-11, the Commission hereby determines that the most appropriate response to the request for proposals is to accept the Proposal and award the BOT Agreement to the Offerors, with such terms as are set forth in the Proposal, with such changes as the Working Group appointed by the President of the Commissioners and legal counsel deems necessary or advisable.

2. The President of the Commission and the Working Group appointed by the President of the Commission are hereby authorized to negotiate on behalf of the Commission the final form of BOT Agreement and such other agreements and documents as are necessary to implement the BOT Agreement and finally execute the BOT Agreement and related necessary documents and agreements, including but not limited to a scoping agreement.

3. This resolution shall take effect immediately upon its adoption by the Commission.

DULY ADOPTED on this 16th day of August, 2022, by the Floyd County Commissioners of Floyd County, Indiana.



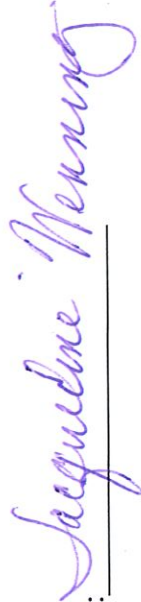
President, Floyd County Commissioners



Commissioner



Commissioner

Attest: 

Attest: