

RESOLUTION 2020-12

RESOLUTION SELECTING ENVOY AS PRIVATE PARTNER FOR BOT TRANSACTION FOR COURTHOUSE ANNEX PROJECT

Whereas, on January 27, 2020, the Montgomery County Board of Commissioners (“County”) adopted Ordinance 2020-4 authorizing participation in Public-Private Agreements and adopting a policy therefor; and

Whereas, also on January 27, the Board approved its participation in a Build Operate Transfer transaction, directed the issuance of a Request for Information concerning the Courthouse Annex project, directed the Auditor to publish notice of the Request for Information, and appointed a Courthouse Annex Project Advisory Committee to evaluate private partner submissions, interview prospective private partners and make a recommendation to the Board; and

Whereas, on April 3, 2020, the Advisory Committee recommended that Envoy be selected as the private partner, and the Auditor caused notice to be published of a public hearing on the selection of the private partner; and

Whereas, the Board conducted a public hearing on April 13, 2020 on the recommendation of the Advisory Committee; and

Whereas, the Board, having considered the submission of Envoy and considered its qualifications and public comment made at the hearing, finds as follows:

1. Envoy has the experience in developing, constructing and developing projects similar to the annex project;

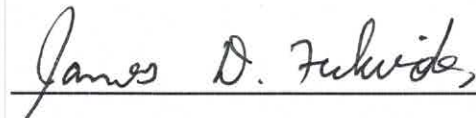
2. Envoy has sufficient experience in participating in public-private partnerships such as the partnership proposed for the annex project;
3. Envoy's reputation for performing work similar projects is good;
4. Envoy has demonstrated that it has the ability and capacity to perform the proposed work in a timely manner;
5. Envoy's design vision for the project is consistent with the Commissioners' vision;
6. Envoy's plan of work is consistent with the Commissioners' expectations;
7. Envoy's design and construction timetables are consistent with the Commissioners' expectations;
8. Envoy's estimated cost of the project is consistent with the Commissioners' expectations;
9. Envoy's proposed terms and conditions for the transfer of the project to the Commissioners after construction and for repayment of the cost of the project are consistent with the Commissioners' expectations;
10. Envoy's general terms and conditions for the project are consistent with the Commissioners' requirements;
11. Envoy's submission to the request was responsive and complete;
12. Envoy has the financial ability and responsibility to carry out the project; and
13. Envoy should be selected to be the private partner for the project.

IT IS, THEREFORE, RESOLVED that Envoy is hereby selected as the private partner for the Courthouse Annex Project.

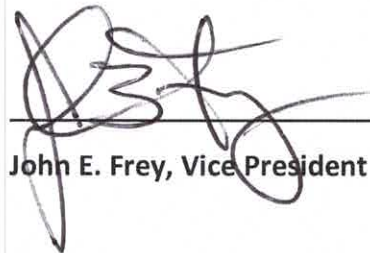
IT IS, FURTHER RESOLVED that the County Administrator will negotiate the final terms of the agreement with Envoy, taking into account the recommendations of the County Attorney, and submit the final agreement for consideration by the Board.

Approved this 13th day of April, 2020.

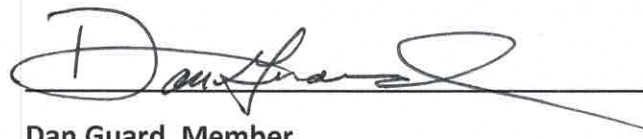
MONTGOMERY COUNTY BOARD OF COMMISSIONERS



James D. Fulwider, President

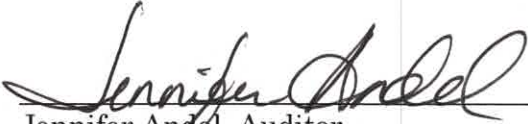


John E. Frey, Vice President



Dan Guard, Member

Attest:



Jennifer Andel, Auditor