

RESOLUTION NO. 2018-022

RESOLUTION OF BOARD OF COMMISSIONERS OF DELAWARE COUNTY
AWARDING A BUILD, OPERATE, TRANSFER (BOT) AGREEMENT WITH
RESPECT TO A JAIL AND RELATED JUSTICE CENTER

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

WHEREAS, the Board of Commissioners of Delaware County (the "Commissioners"), as the governing body for Delaware County (the "County") has 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 Delaware County Jail and Justice Center (the "BOT Agreement");

WHEREAS, on June 18, 2018, the Commissioners received a recommendation to accept the proposal for the BOT Agreement submitted by Delaware County Justice Partners, LLC (the "Offerors"), in substantially the form presented to the Commissioners on the date thereof (the "Proposal");

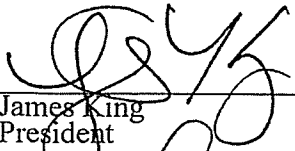
WHEREAS, pursuant to IC 5-23-5-9, the Commissioners have published notice of a public hearing with respect to the recommendation to accept the Proposal (the "Public Hearing"); and

WHEREAS, the Commissioners have held the Public Hearing on the date hereof and considered all public comments with respect to the recommendation to accept the Proposal.

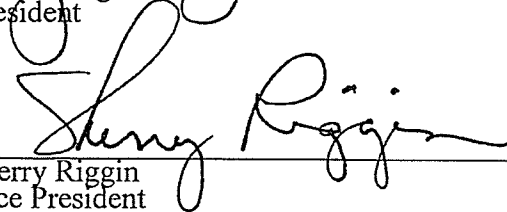
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Delaware County, as the executive body of Delaware County, as follows:

1. Pursuant to IC 5-23-5-11, the Commissioners hereby determine 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 President of the Commissioners deems necessary or advisable, contingent upon financing and the approval by the Delaware County Council.
2. The President of the Commissioners and counsel to the Commissioners are hereby authorized to negotiate on behalf of the Commissioners 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.
3. This resolution shall take effect immediately upon its adoption by the Commissioners pursuant to law.

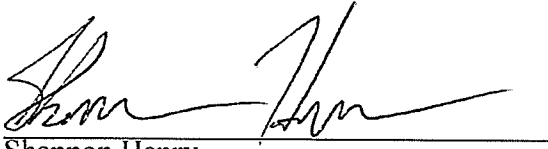
DULY ADOPTED by a vote of 5ayes (for) and 0nays (against), at a special meeting, on this 25th day of June, 2018, by the Board of Commissioners of Delaware County.



James King
President



Sherry Riggin
Vice President



Shannon Henry
Commissioner

Attest: 

Steven Craycraft
Delaware County Auditor