

**A RESOLUTION AUTHORIZING (CONTRACTOR NAME) TO SUBMIT
TO THE OHIO FACILITIES CONSTRUCTION COMMISSION, ON THE
SCHOOL DISTRICT'S BEHALF, A REQUEST FOR APPROVAL TO
PARTICIPATE IN THE SCHOOL ALTERNATIVE FUEL PROGRAM**

WHEREAS, Am. Sub. House Bill 49 from the 132nd General Assembly amended Sections 133.06, 3313.72, and 3313.46 of the Ohio Revised Code to allow school districts to incur indebtedness for alternative fuel vehicle projects, and

WHEREAS, the Board may contract with a person experienced in the implementation of student transportation to produce a report that includes an analysis of and recommendations for the use of alternative fuel vehicles by the school district ("Report"), and

WHEREAS, the Board selected (Contractor Name) (the "Contractor"), a person or firm experienced in the implementation of student transportation (as defined in Section 3313.372(A) of the Revised Code) to produce the Report, and

WHEREAS, this Board, after receiving that Report, finds that the amount of money the School District would spend on purchasing alternative fuel vehicles or vehicle conversions is not likely to exceed the amount of money it would save in fuel and resultant operational and maintenance costs over the ensuing 5 years, and desires to submit to the OFCC its findings and a request for approval to incur indebtedness to finance the purchase of new alternative fuel vehicles or vehicle conversions for the purpose of reducing fuel costs.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the (School District Name), (County Name) County, Ohio, that:

Section 1. Board Finding. The Report includes cost estimates detailing the return on investment over the life of the alternative fuel vehicles and environmental impact of alternative fuel vehicles, estimates of all costs associated with alternative fuel transportation, including facility modifications and vehicle purchase costs or conversion costs in the amount of \$(enter \$ amount), including costs of design, engineering, installation, maintenance, rebates, auditing, repairs and interest, and concludes that energy consumption and resultant operational and maintenance costs, as defined by the Ohio Facilities Construction Commission, would be reduced by at least \$(enter \$ amount) over a 5-year period.

Section 2. Authorization to Make Application to Participate in School Alternative Fuel Program. This Board authorizes (Contractor Name) to submit to the OFCC its findings and request, on the School District's behalf, approval to incur indebtedness to finance the purchase of new alternative fuel vehicles or vehicle conversions for the purpose of reducing fuel costs (i.e. to participate in the School Alternative Fuel Program).

Section 3. Board Intentions Regarding Contract for Purchasing Alternative Fuel Vehicles or Vehicle Conversion. It is the current intention of this Board that should the School District's application to participate in the School Alternative Fuel Program be approved, it will authorize and enter into one or more contracts for the purchase of new alternative fuel vehicles or

vehicle conversions for the purpose of reducing fuel costs as described in the above recitals through competitive bidding under Section 3313.46(A) of the Revised Code unless the Board follows the exception provided in Section 3313.46(B)(3) of the Revised Code. The Board acknowledges that its agreement with the Contractor must contain language required by the OFCC addressing the Contractor's responsibility to warrant and guarantee the savings in reducing fuel costs, and that the Contractor be responsible for remedying shortfalls in savings.

Section 4. Reporting of Reduced Fuel Costs and Cost Savings. As long as any of the obligations issued by the School District to finance approved purchase of new alternative fuel vehicles or vehicle conversions for the purpose of reducing fuel costs under the School Alternative Fuel Program are outstanding, this Board shall monitor the purchase of new alternative fuel vehicles or vehicle conversions, the associated environmental impact, and return on investment that have implemented, and shall maintain and annually update, and furnish to the OFCC or its designee a report in a form and manner prescribed by the OFCC if the OFCC verifies that the certified annual reports fulfill the guarantee required for 5 consecutive years, documenting the reductions in fuel costs and costs savings achieved, which cost savings shall also be certified by the Treasurer of this Board. The initial report shall be submitted to the OFCC within ninety (90) days following the one-year anniversary of the final completion of the work.

Section 5. (Option 1) Seeking School District Board Approval Before OFCC Approval. If seeking School District Board approval before OFCC approval, a statement that if OFCC's review results in a material change to the project's scope, cost, or savings, the School District must submit an amended resolution for board of education approval.

Section 5. (Option 2) Receiving OFCC Approval Before Board Approval. If receiving OFCC approval before board approval, a statement that the board's approval is for an amount not to exceed the project cost presented in its submittal to OFCC, and that the final scope, cost and savings may be less if the project still pays for itself out of savings within a 5 year period.

Section 6. Prior Acts Ratified and Confirmed. Any actions previously taken by School District officials or agents of this Board in furtherance of the matters set forth in this Resolution are hereby approved, ratified and confirmed.

Section 7. Compliance with Open Meeting Requirements. This Board finds and determines that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were held, in meetings open to the public, in compliance with the law.

Section 8. Captions and Headings. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof.

Section 9. Effective Date. This Resolution shall be in full force and effect from and immediately upon its adoption.

Supplemental Section. (Required if District is in Fiscal Watch) If a district is in fiscal watch, a statement acknowledging that, although the district is in fiscal watch under ORC 3316.03(A), it has determined that the expenditure of funds for this project is in the best interest of the school district.

Supplemental Section. (Required if District is in Fiscal Emergency) If a district is in fiscal emergency, a statement that the project has been approved by the district's financial planning and supervision commission established under ORC 3316.03(B).

Supplemental Section. (Required if an Academic Distress Commission has been Established for the District) If an academic distress commission has been established for the district, a statement that the project has been approved by the district's academic distress commission established under ORC 3302.10.

Motioned by:

Seconded by: