

**RESOLUTION G2023-16**

**RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH PERRY AND ASSOCIATES (IPA), THE STATE AUDITOR KEITH FABER, AND THE BOARD OF TOWNSHIP TRUSTEES OF SYMMES TOWNSHIP TO AUDIT THE RECORDS OF THE TOWNSHIP FOR THE AUDIT PERIOD OF 2021 THROUGH 2026**

**WHEREAS**, the Auditor of State on October 12, 2022, issued a Request for Proposals for an engagement related to Symmes Township, including any components and other requirements stated in the Request for Proposal, pursuant to Sections 117.11 and 117.115 of the Ohio Revised Code, for fiscal periods January 1, 2021 through December 31, 2026; and

**WHEREAS**, IPA responded to the Request for Proposals with a formal proposal wherein they indicated their willingness to perform the engagement related to the Public Office in accordance with the items and conditions set forth in the Request for Proposals; and

**WHEREAS**, the Auditor of State, in consultation with the Public Office, has determined the IPA has submitted the proposal most advantageous to the Auditor and Public Office; and

**WHEREAS**, the Board of Trustees of Symmes Township, Hamilton County, Ohio, desires to enter into an agreement with Perry and Associates, CPAs and Keith Faber, Auditor of State to conduct an audit of Symmes Township for the Fiscal Years 2021 through 2026.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of Symmes Township, Hamilton County, Ohio:

**Section 1.** This Memorandum of Agreement, the Request for Proposals, the Proposal of the IPA, and any written documents supplementing, amending, or incorporating the Request for Proposal, the Proposal of the IPA, and the Memorandum of Agreement constitute the integrated written agreement of the parties, to be known as the “Contract”.

**Section 2.** The IPA shall, in consideration of the payments specified in the Proposal, and subject to the requirements of the Contract, perform the specified engagement related to the Public Office.

**Section 3.** Public Office will provide IPA with such payments, services and support as are specified in the Request for Proposals.

**Section 4.** The Auditor will provide the IPA with such services and support as are specified in the Request for Proposals.

**Section 5.** If applicable, pursuant to the agreement of the parties a subcontractor with respect to the Contract will be as stated below. Further pursuant to the RFP Terms of Engagement and this Contract, the IPA shall be and remain solely responsible to the Public Office and Auditor for the acts the IPA performs or faults of any subcontractor and of any subcontractor's officers, agents or employees, who are deemed to be agents or employees of the IPA to the extent of the subcontract. Each subcontractor shall jointly and severally agree that neither the Public Office nor the Auditor is obligated to pay or to be liable for the payment of any sums due to subcontractor.

**Section 6.** It is hereby certified that all formal actions of the Board of Trustees of Symmes Township, Hamilton County, Ohio relating to the adoption of this Resolution were taken in an open meeting of the Board and that all deliberations of the Board were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 7.** Upon majority vote does hereby dispense with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of this Resolution upon its first reading.

**Section 8.** This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

**ADOPTED: FEBRUARY 7, 2023 – RESOLUTION G2023-16**

Vote Record: Mr. Beck \_\_\_\_\_ Mr. Bryant \_\_\_\_\_ Ms. Leis \_\_\_\_\_

**BOARD OF TRUSTEES:**

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Philip J. Beck, President

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Kenneth N. Bryant, Vice-President

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Jodie L. Leis, Trustee

**ATTEST:**

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Joseph C. Grossi, Fiscal Officer

**APPROVED AS TO FORM:**

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Jeff Forbes, Law Director