

RESOLUTION NO. 34 , 2023

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO
A CONTRACT WITH SWIMSAFE POOL MANAGEMENT, INC.
FOR PROFESSIONAL SERVICES RELATED TO THE OPERATION
AND MANAGEMENT OF THE MONTGOMERY MUNICIPAL POOL**

WHEREAS, Section 9.03 of Article IX of the Charter of the City of Montgomery, Ohio, provides the method under which the City Manager shall make certain purchases and enter into contracts on behalf of the City; and

WHEREAS, it is appropriate to provide contract authority for professional services that are generally not subject to competitive bidding but will exceed a total of \$75,000 in a calendar year; and

WHEREAS, City Staff has solicited qualifications and proposals from contractors to manage and operate the City Pool, and Staff received proposals from two organizations including SwimSafe Pool Management, Inc. which has managed the City Pool very successfully over the past eight seasons; and

WHEREAS, the City Staff recommends, and Council concurs, that SwimSafe Pool Management, Inc. is the lowest and best responsive bidder based upon their proposed staffing, their history of experienced staffing to safely manage the pool, their demonstrated responsiveness to pool management issues, and their historic proactive approach to maintaining a safe Montgomery Municipal Pool; and

WHEREAS, it is the recommendation of Staff and the desire of the Council of the City of Montgomery to enter into a contract with SwimSafe Pool Management, Inc. to continue to perform professional services related to the operation and management of the Montgomery Municipal Pool for the years 2024 and 2025, with the City retaining the

option to terminate the agreement before either the second or third calendar years, and an option to extend the contract for up to two additional years at the discretion of the City.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Montgomery, Ohio, that:

SECTION 1. The City Manager is hereby authorized to enter into a contract with SwimSafe Pool Management, Inc. for professional services to the City of Montgomery for the years 2024 and 2025 according to the contract submitted by SwimSafe Pool Management, Inc. The City shall retain the option in its discretion to terminate the contract before either the 2024 or 2025 pool season, and if performance is satisfactory and competitive in the marketplace, to extend the contract for two additional years for the 2026 and 2027 seasons. The City may exercise the extension option by giving written notice by October 1st of years 2026 and 2027, accepting the annual renewal rate for each pool season at \$212,900.

SECTION 2. The City Manager is hereby authorized to pay SwimSafe Pool Management, Inc. according to the rates set forth in said contract.

SECTION 3. This Resolution shall be in full force and effect from and after its passage.

PASSED: November 1, 2023

ATTEST: Connie M. Gaylor
Connie M. Gaylor, Clerk of Council

Craig D. Margolis
Craig D. Margolis, Mayor

APPROVED AS TO FORM:

Terrence M. Donnellon
Terrence M. Donnellon, Law Director