

## Minutes

Contracts and Purchasing Board

County Administration Building, 4th Floor

July 16, 2012 11:30 PM

I. Call to Order: The meeting was called to order at 11:38 AM, all members were present.

II. Review and Approve Minutes: The minutes were approved as written

III. Public Comment: There was no public comment

IV. Contracts and Awards

### A. Tabled Items

CPB2012-601 Office of Procurement & Diversity

a) submitting an RFP exemption for a U.S. Communities/joint cooperative purchase which will result in an award recommendation to Safeware, Inc in the amount of \$53,750.00 for purchase of 1-First Defender RMX SW specialized detection unit for the Department of Public Safety and Justice Services.

b) recommending an award on RQ24068 for a U.S. Communities/joint cooperative purchase to Safeware, Inc in the amount of \$53,750.00 for purchase of 1-First Defender RMX SW specialized detection unit for the Department of Public Safety and Justice Services Courts (Joint Cooperative Purchasing Program No. 4400001839/O2011-0044 Section 4.4(b)(19)).

Funding Source: 100% FY09 UASI federal funds

Approve

Disapprove

Hold

### B. Scheduled Items

CPB2012-643 Department of Health and Human Services Community Initiatives Division /Office of Early Childhood, submitting an amendment to Contract No. CE0900604-06 with Starting Point for administration of various initiatives of the Universal Pre-Kindergarten Program for the Invest in Children Program for the period 8/1/2009 - 7/31/2012 to change the scope of services and the terms, effective 8/1/2011, and for additional funds in the amount of \$24,906.00.

Funding Source: 100% Health and Human Service Levy

Approve

Disapprove

Hold

CPB2012-644 Department of Health and Human Services Community Initiatives Division/Office of Early Childhood, submitting a contract with JAGI Cleveland-Independence, LLC in the amount not-to-exceed \$7,645.00 for rental of meeting space and related services for the Invest in Children Program annual meeting to be held on 11/30/2012

Funding Source: 100% Grant Funds

Approve

Disapprove

Hold

CPB2012-645 Department of Information Technology Submitting an amendment to Contract No. CE1000256-01 with Service Express, Inc., state contract, for maintenance on the Sun Microsystems Server for various County departments for the period 2/1/2010 - 1/31/2013 to change the scope of services, effective 11/1/2011 and for additional funds in the amount of \$9,840.00.

Funding Source: 100% General Fund

Approve  
 Disapprove  
 Hold

CPB2012-646 Department of Information Technology Submitting a contract with SHI International Corp. in the amount not-to-exceed \$1,298.97 for licenses and maintenance of Visual Click DSRAZOR and CPTRAX software for the County Sheriff's Office for the period 12/11/2011 - 12/11/2013.  
Funding Source: 100% General Fund

Approve  
 Disapprove  
 Hold

CPB2012-647 Department of Public Safety and Justice Services Public Safety Grants, submitting an agreement with City of Maple Heights for the purchase of equipment, valued in the amount of \$3,390.00, for the FY2008 State Homeland Security Grant Program for the period 9/1/2008 - 3/31/2011.  
Funding Source: 100% FY2008 State Homeland Security Grant Program

Approve  
 Disapprove  
 Hold

CPB2012-648 Department of Public Safety and Justice Services Public Safety Grants, submitting agreements with various municipalities for reimbursement of eligible expenses in connection with the FY2010 State Homeland Security Grant Program for the period 8/1/2010 - 2/28/2013:  
a) City of Cleveland Heights in the amount not-to-exceed \$1,300.00.  
b) City of Shaker Heights in the amount not-to-exceed \$1,300.00.  
Funding Source: 100% FY2010 State Homeland Security Grant Program

Approve  
 Disapprove  
 Hold

CPB2012-649 Human Resource Commission Submitting a contract with The Archer Company, LLC for a classification and compensation study for the County Prosecutor's Office in the amount not-to-exceed \$12,000.00 \$21,000.00 for the period 7/16/2012 -12/31/2012.  
Funding Source: 100% General Fund

Approve  
 Disapprove  
 Hold

### C. Exemption Requests

CPB2012-650 Agency of the Inspector General1) Submitting a sole source exemption, which will result in an award recommendation on RQ24367 to West Publishing Corporation dba West, a Thomson Reuters business for CLEAR Government Fraud database in the amount of \$2,721.60.

2. What is the product/service that you seek to acquire?

The Agency of Inspector General ("AIG") is seeking to obtain a one (1) year subscription to the Thomson Reuters CLEAR for Government Fraud database ("CLEAR"). CLEAR compiles comprehensive data on business entities, including small and privately held companies and excluded parties lists and nonprofit

organizations. By subscribing to CLEAR, the AIG will be able to instantly access the following information regarding entities doing business with the County:

- Prior legal issues (e.g., criminal convictions of company principals);
- Negative statements in the media;
- Associate analytics (i.e., connections between people and businesses); and
- Company family tree (business connections within an organization).

The ability to quickly access this information will greatly enhance the AIG's ability to perform the contractor investigation and due diligence duties prescribed to the AIG under Section 4.12 of the Contracting and Purchasing Procedures Ordinance.

3. Will this purchase obligate Cuyahoga County to this or any other vendor for future purchases, for example, maintenance, licensing or continuing need?  Yes  No

The duration of this agreement is limited to one (1) year with no renewal options.

4. Why do you need to acquire these goods or services?

Section 4.12 of the Contracting and Purchasing Procedures Ordinance authorizes the AIG to audit, investigate, inspect and review the operations, activities, and performance of the contracting and procurement processes of Cuyahoga County government in order to detect corruption and fraud and insure compliance with the Contracting and Purchasing Procedures Ordinance. In addition, the Ethics Ordinance requires the AIG to maintain a database of approved county contractors. A subscription to CLEAR will greatly enhance the ability of the AIG to perform the investigation functions required by the Contracting and Purchasing Procedures Ordinance and the due diligence function required by the Ethics Ordinance. CLEAR will allow the AIG to quickly access the following critical information regarding a potential or existing county contractor:

- Whether the contractor has been implicated in the County corruption investigation or any other criminal activity relating to contracting;
- Whether the contractor has a negative performance history;
- Whether the company is affiliated with an company that is being used as an SBE sub contractor on a County project; and
- Who the actual principals of a contractor are and whether they have been implicated in any criminal or other negative activity relating to contracting.

5. Why are the requested goods/services the only ones that can satisfy your requirements?

What are the unique features of the product or service that are not available in any other product or service? Provide specific, quantifiable factors/qualifications.

CLEAR for Government Fraud was specifically designed to address the investigative needs of government investigators, healthcare investigators and procurement and contract managers. The specific types of data collected and the format that the data is presented in is uniquely designed for an office of inspector general or other similarly situated internal investigation unit. Of particular note is the uniqueness of the customization of the user interface for the product. The user interface provides the following unique elements:

- Quick Analysis Flags – save time by quickly classifying and understanding risks associated with a person or business;
- Web Analytics – simultaneously search the Web for online personal and business references, including social networks, blogs, watchlists, and more;
- Graphical Display – visualize connections between people and businesses; search into associates from the graphical display with a click;
- Negative News – access news data, including filtering capabilities, to quickly see news results with negative sentiments of your target;
- Associate Analytics – search out to 10 levels of key relationships from one place

- Address Map – plot all known addresses associated with a search subject with Google Maps to view a quick geographical representation of a person or business; and
- Company Family Tree – visualize business connections within an organization.

6. Were alternative goods/services evaluated? If yes, what were they and why were they unacceptable?

The closest competitive product (LexisNexis Accurint for Government Plus) was considered, but did not contain the full range of information (e.g., Negative News) provided by CLEAR. In addition, AIG staff is familiar with the Westlaw interface, as it has been used for over a year as the legal research database for the AIG. Most of the other investigation research databases available are designed for law enforcement purposes that do not specifically meet the needs of the AIG with regard to contractor research. In addition, the AIG would not qualify to access many of the law enforcement databases.

7. Identify specific steps taken to negate need for sole source provider.

N/A

8. Has your department bought these goods/services in the past?  Yes  No

N/A

9. What efforts have been made or are being made to reduce the Department’s reliance on a sole source provider for these goods/services in the future?

Upon the conclusion of this one (1) year contract, the AIG will again review the LexisNexis Accurint for Government Plus product to see what information has been added. In addition, the AIG will look for other comparable alternatives by surveying other inspector general offices.

10. What efforts were made to get the best possible price?

The AIG received a discounted rate due to its current use of the Westlaw legal research program.

11. Why is the price for this purchase considered to be fair and reasonable?

The AIG received a standard subscription rate with a discount for current use of the Westlaw legal research program.

12. Amount to be paid: \$2721.60/1 year (\$226.80 per month for one user)

Approve

Disapprove

Hold

CPB2012-651 Common Pleas Court Corrections Planning Board, submitting an RFP exemption, which will result in a contract with Cuyahoga Community Corrections Association (4CA) for residential halfway house substance abuse treatment services in the amount of \$425,000.00. for the period 7/1/2012 - 6/30/2013.

1. Description of Supplies or Services.

This contract will provide residential halfway house substance abuse treatment services.

The amount of the contract is \$425,000.00.

2. Estimated Dollar Value and Funding Source(s) including percentage breakdown

Estimated dollar value of this contract is \$425,000.00.

All monies are 100% funded by the Ohio Department of Rehabilitation and Correction’s Community Correction Act Grant FY2012.

3. Rationale Supporting the Use of the Selected Procurement Method

Previously this contract was exempted from competitive bid because it met the conditions contained in Section 3.4(b)(12) of the Board of Control, Contracting and Purchasing Ordinance. The contract is for criminal justice services, the contractor is a nonprofit corporation, and the program is funded by state grants.

4. What other available options and/or vendors were evaluated? If none, include the reasons why.

There are only 3 certified Halfway Houses in the City of Cleveland. All of the certified Halfway Houses are part of the provider panel within this contract.

5. What ultimately led you to this product or service? Why was the recommended vendor selected? Offenders placed into one of the three, Ohio Department of Rehabilitation and Correction certified halfway houses for residential substance abuse treatment services and mentally disordered substance abuse treatment services are expected to relieve overcrowding in the County jail while offering the most appropriate treatment services to the offenders to avoid recidivism. There are only 3 certified Halfway Houses in Cuyahoga County. All of the certified Halfway Houses are part of the provider panel within this contract.

6. Provide an explanation of unacceptable delays in fulfilling the County's need that would be incurred if award was made through a competitive bid.

Not applicable

7. Describe what future plans, if any, the County can take to permit competition before any subsequent purchases of the required supplies or services.

There are only 3 certified Halfway Houses in Cuyahoga County. All of the certified Halfway Houses are part of the provider panel within this contract.

Approve

Disapprove

Hold

CPB2012-652 County Prosecutor 1) Submitting a sole source exemption which will result in an award recommendation on RQ24269 to Porter Lee Corporation for support and maintenance on Crime Fighter BEAST Police Property Inventory System Evidence Management software in the amount of \$10,932.10 for the period\_\_\_\_\_.

2. What is the product/service that you seek to acquire?

The Crime Fighter Beast Police Property Inventory System developed by Porter Lee Corporation is evidence management software for law enforcement agencies and labs of all sizes. The system features powerful chain of custody tracking and comprehensive evidence management with reporting.

3. Will this purchase obligate Cuyahoga County to this or any other vendor for future purchases, for example, maintenance, licensing or continuing need?

Yes, this purchase includes ongoing software maintenance and support. This will ensure that our tools are always up to date, and that our investigators have vendor support for this critical function. Contractually, there is an "opt out" clause, if we desire to terminate maintenance and support.

4. Why do you need to acquire these goods or services?

At present, the Ohio Internet Crimes Against Children (ICAC) Task Force, under the direction of the Cuyahoga County Prosecutor's Office, processes thousands of pieces of evidence, including computers, laptops, and other electronic devices, confiscated from executed search warrants here in Cuyahoga County. Additionally, affiliated law enforcement agencies, located across Ohio, regularly bring evidence from their investigations to the Task Force for forensic analysis.

The basic "in-house" system used to manage evidence in the past is antiquated and can no longer effectively manage the increasing amounts of evidence that must be processed and reliably tracked. Between the evidence acquired as a result of our own investigations, and items needing forensic examination, an efficient, automated evidence management system is required.

This evidence was acquired during investigations by law enforcement because there is reason to believe that they were used in relation to a crime being committed against a child. This could include the creation of child pornography or the memorialization of a sexual crime against a child. This system will aid law enforcement by strengthening chain of custody tracking and by providing more efficient

evidence processing. Without effective evidence management, investigations and prosecutions could be jeopardized, potentially allowing those seeking to sexually harm our children to escape justice.

5. Why are the requested goods/services the only ones that can satisfy your requirements?

This system is used by multiple area law enforcement agencies, including the Cuyahoga County Sheriff's Office, Bay Village Police Department, North Olmsted Police Department, Avon Police Department, and the Strongsville Police Department as well as the State of Ohio Bureau of Criminal Investigation (BCI) Crime Laboratories.

Given the nature of the highly coordinated efforts between the Task Force and its partners, it is important to have all of these systems "talk" to each other in the most reliable way possible. Though interfaces are possible, having the same system will ensure the most seamless real-time exchange of information. The Sheriff's Office and BCI currently enjoy this compatibility and effective exchange of information. Once the Internet Crimes Against Children (ICAC) Task Force deploys this system, evidence management will be automated between all agencies using the BEAST system. This evidence management network under one vendor provides a key piece of the infrastructure required to protect our children as bring justice to online sexual predators.

6. Were alternative goods/services evaluated?

No other evidence management system possesses compatibility and information exchange without significant additional interface costs and complexity. Given the features, interoperability and cost, standardizing on the Porter Lee platform makes sound business sense.

It is impractical for the Cuyahoga County Prosecutor's Office to develop and support such a system in house. As such, there is not a direct applicable alternative.

7. Identify specific steps taken to negate need for sole source provider.

There is no viable alternative given the evidence management environment currently in place county wide. A patchwork evidence management environment composed of disparate systems and multiple vendors will never provide better consolidated evidence management than a system supported by a proven vendor's in this area.

8. Has your department bought these goods/services in the past? No

If yes, who was the contractor/supplier and was the requirement competitively bid or sole source? What was the last date and price paid for goods/services?

9. What efforts have been made or are being made to reduce the Department's reliance on a sole source provider for these goods/services in the future?

There is no viable alternative given the evidence management environment currently in place county wide. A patchwork evidence management environment composed of disparate systems and multiple vendors will never provide better consolidated evidence management than a system supported by a proven vendor's in this area. As long as support and maintenance costs remain stable and reasonable, and software quality remains high, it makes sense to stay with the proposed infrastructure until future business needs dictate otherwise.

10. What efforts were made to get the best possible price?

This purchase leverages the County's investment in the Sheriff's BEAST implementation. Also, only essential functionality is provided for in this purchase.

11. Why is the price for this purchase considered to be fair and reasonable?

The pricing is in line with the BEAST implementations for both the Cuyahoga County Sheriff's Office and Ohio BCI Crime Laboratories and is fair and reasonable given the scope of the project.

12. Amount to be paid: \$10,932.10

Approve

Disapprove

Hold

CPB2012-653 County Prosecutor 1) Submitting a sole source exemption which will result in an award recommendation to Access Data Group, LLC for license renewal of Forensic Tool Kit forensic recovery software for computer forensic recover and examination software in the amount of \$5,780.00 for the period\_\_\_\_\_.

2) What is the product/service that you seek to acquire?

This request is for the LICENSE RENEWAL of the software currently being used for COMPUTER FORENSIC RECOVERY and EXAMINATION of digital evidence, computer hard drives, and other devices which may contain evidence in criminal investigation being conducted by the Cuyahoga County Prosecutor's Office/Ohio ICAC Task Force.

3. Will this purchase obligate Cuyahoga County to this or any other vendor for future purchases, for example, maintenance, licensing or continuing need? X Yes D No

License renewal is required each year for a period of 1 year.

I am working on a 3-year renewal deal that will discount the cost, and will add a license for additional software for each license.

4. Why do you need to acquire these goods or services?

This software is needed to perform the daily tasks of the Ohio ICAC Task Force Forensic Unit. This is to recover the evidence needed for the prosecution of the offenders arrested by the Task Force.

5. Why are the requested goods/services the only ones that can satisfy your requirements?

What are the unique features of the product or service that are not available in any other product or service?

At the time of purchase and presently there are other COMPUTER FORENSIC EXAMINATION programs available at similar cost and yearly renewal expense. One such program is from Guidance Software called EnCase which is available for \$2995.00 plus a yearly maintenance of \$599.00. The ICAC Task Force currently has 3 licenses for this software as well. It is a best practice in the field of computer forensics to use more than one type of examination software. There are proprietary pieces to each program that offer features that the other does not, and can be used as a solution when one program fails to recover data. The Task Force primarily uses the FTK product as it is what is taught to examiners taking classes through the State of Ohio Peace Officer Training Academy, and so the majority of examiners statewide use the FTK product.

6. Were alternative goods/services evaluated?

Other COMPUTER FORENSIC EXAMINATION software that may be available on the market does not have any additional feature or abilities that are not already in the currently owned and used products.

7. Identify specific steps taken to negate need for sole source provider. This software is proprietary and there is no other vendor available for it.

8. Has your department bought these goods/services in the past? X Yes 0 No

The COMPUTER FORENSIC EXAMINATION program FTK (Forensic Tool Kit) was originally purchased around 2001 and has been renewed for 1-year periods every year since. This purchase was made from AccessData the SOLE SOURCE for the software. During this time the number of licenses purchased has increased to a total of 10 for the FTK program and 3 licenses for the MPE+ (Mobile Phone Examiner) program have been added to the Task Force.

The last renewal was in MARCH 2011 for 5 licenses at the cost of \$4200.00

9. What efforts have been made or are being made to reduce the Department's reliance on a sole source provider for these goods/services in the future?

Due to the nature of this software there are no other solutions at this time.

10. What efforts were made to get the best possible price?

This renewal is pro-rated as it is designed to extend the expiration dates of these 5 licenses to October of 2012 so that the Task Force can then renew all of its licenses at one time and receive a discount due to the number of owned licenses. This purchase also includes the purchase of one

additional license a discount of 33.22%, and will also allow it to be renewed in October 2012 to add to the discount for the renewal.

11. Why is the price for this purchase considered to be fair and reasonable? Refer to #5

The Digital Forensic Examination of evidence completed by the Ohio ICAC Task Force is specific to Law Enforcement. It involves the examination and review of evidence that has been obtained by court ordered search warrant, and the chain of custody is critical to proper evidence handling. This process is very time consuming, and would be cost prohibitive if performed by an outside source.

12) Amount to be paid :\$ 5,780.00

Approve

Disapprove

Hold

CPB2012-654 Department of Health & Human Services/ Division of Employment and Family Services, submitting an RFP exemption, which will result in a contract with Starting Point for referral agency services in the amount of \$70,704.00 for the period of 8/1/2012 - 7/31/2013.

1. Description of Supplies or Services (If contract amendment, please identify contract time period and/or scope change)

Starting Point operates a Comprehensive Child Care Resource and Referral Service. Their goal is to improve the accessibility of early childhood services by maintaining a telephone referral service whereby parents and others are provided accurate information on child care services; to increase the supply of affordable child care; to improve and enhance the overall quality of care; and to educate the public on the social/cultural, political and economic changes that affect the supply and demand for early childhood programs. Starting Point provides a focal point for future planning, advocacy and coordinating efforts related to all types of early childhood programming. In addition they provide on a limited basis, financial subsidies to low income families that may not qualify for government funded child care.

2. Estimated Dollar Value and Funding Source(s) including percentage breakdown (If amendment, please enter original contracted amount and additional amount, if any)

The estimated dollar value is \$70,704.00 and the funding source is 100% child care administration.

3. Rationale Supporting the Use of the Selected Procurement Method (include state contract # or GSA contract # and expiration date)

This procurement method best meets the requirement to contract with Starting Point.

4. What other available options and/or vendors were evaluated? If none, include the reasons why.  
No other vendors were evaluated. Starting Point has been designated by ODJFS through an RFP process, as the child care resource and referral service organization for service delivery area 3 which includes Cuyahoga County.

5. What ultimately led you to this product or service? Why was the recommended vendor selected?  
Starting Point has been the designated organization for this service.

6. Provide an explanation of unacceptable delays in fulfilling the County's need that would be incurred if award was made through a competitive bid.

None

7. Describe what future plans, if any, the County can take to permit competition before any subsequent purchases of the required supplies or services.

We have no plans to competitively procure this service unless ODJFS no longer issues an RFP for these services in our service delivery area.

Approve

Disapprove

Hold

CPB2012-655 Department of Information Technology 1. Submitting a sole source exemption, which will result in an award recommendation on RQ23773 to Fluke Electronics Corporation for maintenance and support of OptiView equipment in the amount of \$15,562,00. for the period of 4/16/2012 - 4/15/2013.

2. What is the product/service that you seek to acquire?

Fluke Network Gold Maintenance for calendar year 2012-2013 for all County-owned Fluke hardware software products.

3. Will this purchase obligate Cuyahoga County to this or any other vendor for future purchases, for example, maintenance, licensing or continuing need?  Yes  No

1 Year Maintenance 2012-2013 4/16/12 – 4/15/13

4. Why do you need to acquire these goods or services?

To maintain hardware & software and have capacity to upgrade software and replacement of failed hardware.

5. Why are the requested goods/services the only ones that can satisfy your requirements?

No other renewal maintenance options for Fluke Equipment.

6. Were alternative goods/services evaluated?

Not an option as there is no other maintenance contracts for Fluke Equipment.

7. Identify specific steps taken to negate need for sole source provider.

No other option to renew maintenance for Fluke Equipment.

8. Has your department bought these goods/services in the past?  Yes  No

There is no option. Fluke is the only vendor that offers maintenance renewal contracts on their gear. Fluke Maintenance renewal is yearly.

9. What efforts have been made or are being made to reduce the Department's reliance on a sole source provider for these goods/services in the future?

10. What efforts were made to get the best possible price?

State term

11. Why is the price for this purchase considered to be fair and reasonable?

N/A

12. Amount to be paid: \$15, 562.00

Approve

Disapprove

Hold

#### D. Consent Agenda

CPB2012-656 Department of Information Technology Information Services Center, submitting an agreement of cooperation among City of Cleveland and Greater Cleveland Regional Transit Authority for shared Fiber Optic Resources for the period 4/30/2012 - 4/29/2013.

Approve

Disapprove

Hold

CPB2012-657 Department of Public Safety and Justice Services Public Safety Grants, submitting an amendment to a grant agreement with Ohio Emergency Management Agency for the FY2009 State Homeland Security Grant Program for the period 8/1/2009 - 6/30/2012 to extend the time period to 9/30/2012.

Approve

Disapprove

Hold

CPB2012-658 Department of Public Safety and Justice Services Public Safety Grants, submitting an amendment to a grant agreement with Ohio Emergency Management Agency for FY2009 Urban Area Security Initiative Grant program for the period 8/1/2009 - 7/31/2012 to extend the time period to 9/30/2012.

Approve  
 Disapprove  
 Hold

CPB2012-659 Department of Public Safety and Justice Services Witness/Victim, recommending a payment in the amount of \$21,490.03 to Avon Foundation for Women as reimbursement of unused grant funds in connection with the Avon Empowerment Self-Sufficiency Program for the period 10/1/2010 - 3/31/2012.

\*Ed FitzGerald would like a memo from the appropriate person to address why all of the grant money was not spent.

Approve  
 Disapprove  
 Hold

CPB2012-660 Cuyahoga County Board of Developmental Disabilities a) submitting an amendment to Contract No. CE1000622-01 with Building Technicians Corporation for various Roof Replacement Projects for the period 9/1/2010 - 5/30/2011 to extend the time period to 11/16/2011 and for a decrease in the amount of (\$8,262.23):

- 1) Beachwood Adult Activity Center, located at 23750 Mercantile Road, Beachwood.
- 2) Maple Heights Adult Activity Center, located at 14775 Broadway Avenue, Maple Heights.
- 3) Forest Hill Center, located at 14800 Private Drive, East Cleveland.

b) recommending to accept the projects as complete and in accordance with plans and specifications; requesting authority to release the escrow account, in accordance with Ohio Revised Code Section 153.63.

Approve  
 Disapprove  
 Hold

CPB2012-661 Office of Procurement and Diversity Presenting BuySpeed purchases for the week of July 16, 2012

Approve  
 Disapprove  
 Hold

V. Other Business: There was no other business

VI. General Business: There was no general business

VII. Public Comment: There was no public comment

VIII. Adjournment: The meeting was adjourned at 12:06 PM