

Minutes

Contracts and Purchasing Board
County Administration Building, 4th Floor
April 29, 2013 11:30 A.M.

I. Call to Order: The meeting was called to order at 11:38 A.M.

Attendees: County Executive Edward FitzGerald
Chief of Staff Matt Carroll
Fiscal Officer Wade Steen
Director Bonnie Teeuwen
Director Lenora Lockett
Councilman Dale Miller
Clerk of the Contracts and Purchasing Board David Merriman

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

III. Public Comment - There was no public comment.

IV. Contracts and Awards

B. Scheduled Items

CPB2013-293

Department of Development, submitting an amendment to Contract No. CE1200027 with MAE Construction for Lead Remediation of property located at 3776 Wallingford Road, South Euclid, in connection with the FY2010 Lead-Based Paint Hazard Control and Lead Hazard Reduction Demonstration Grant Program for the period 1/17/2012 - 5/31/2012 to extend the time period to 5/31/2013, and for additional funds in the amount of \$1,250.00.

Funding Source: 100% by the U.S. Department of Housing and Urban Development Lead Hazard Remediation Grant passed through County Board of Health

Approve
 Disapprove
 Hold

CPB2013-294

Department of Development,

A) Requesting approval of a contract with Pandey Environmental LLC for Phase I Environmental Services in the amount of \$12,300.00 at the proposed Upper Chester Area of Hough Redevelopment Site located at various parcels North of Chester between E 93rd and E 101 Streets, Cleveland, Ohio start-completion dates are 04/29/13 -10/26/2013.

B) Submitting a License for Entry, Consent and Limited Release from Liability agreement in connection with said project site.

Funding Source: Brownfield Revolving Loan Funds.

Approve
 Disapprove
 Hold

CPB2013-295

Department of Development,

- A) Requesting approval of a contract with Concord Properties Co., LTD, for the anticipated cost of \$6,000 to complete exterior repairs and improvements to the property located at 1438 SOM Center Road in the City of Mayfield Heights for the Storefront Rebate program. The anticipated start-completion dates are 4/15/2013 - 9/30/2013.
- B) Requesting approval of a contract with Elizabeth Orosz, for the anticipated cost of \$2,941.67 to complete exterior repairs and improvements to the property located at 13846 Bennett Road in the City of North Royalton for the Storefront Renovation Rebate Program. The anticipated start-completion dates are 4/29/2013 - 9/30/2013.
- C) Requesting approval of a contract with Hi-Bishop Realty LLC., for the anticipated cost of \$10,320.00 to complete exterior repairs and improvements to the property located at 785 Bishop Road in the City of Highland Heights for the Storefront Rebate program. The anticipated start-completion dates are 4/15/2013 - 9/30/2013.
- D) Requesting approval of a contract with LGK Properties LLC., for the anticipated cost of \$11,400.00 to complete exterior repairs and improvements to the Property located at 4448 Mayfield Road in the City of South Euclid for the the Storefront Rebate Program. The anticipated start-completion dates are 4/29/2013 - 9/30/2013.
- E) Requesting approval of a contract with Royalton Business Park Condominium Owners Association, Inc., for the anticipated cost of \$9,382.00 to complete exterior repairs and improvements to the property located at 10143 Royalton Road, Unit C, in the City North Royalton for the Storefront Renovation Rebate Program. The anticipated start-completion dates are 4/15/2013 - 9/30/2013.
- F) Requesting approval of a contract with Royalton Music Center Inc., for the anticipated cost of \$2,376.00 to complete exterior repairs and improvements to the property located at 10167 Royalton Road in the City of North Royalton for the Storefront Rebate program. The anticipated start-completion dates are 4/15/2013 - 9/30/2013.
- G) Requesting approval of a contract with Uncle John's Plant Farm, Inc. for the anticipated cost of \$11,373.65 to complete exterior repairs and improvements to the property located at 8579 Columbia Road in the City of Olmsted Falls for the Storefront Rebate program. The anticipated start-completion dates are 4/15/2013 - 9/30/2013.

Funding Source: 100% general funds

Approve
 Disapprove
 Hold

CPB2013-296

Department of Workforce Development,

- A) Submitting a contract with Drabik Manufacturing, Inc. in the amount not-to-exceed \$3,000.00 for the On-the-Job Training Program for the period 2/11/2013 - 6/30/2013.
- B) Submitting a contract with Cleveland Range, LLC in the amount not-to-exceed \$44,000.00 for the On-the-Job Training Program for the period 2/18/2013 - 6/30/2013.

Note: Items A – B were held pending completion of ethics training and registration.

Approve
 Disapprove
 Hold

Item C was approved.

- C) Submitting a contract with Tech on Call, Inc. in the amount not-to-exceed \$4,000.00 for the On-the-Job Training Program for the period 2/18/2013 - 6/30/2013.

Funding Source: 100% by Federal Workforce Investment Act (WIA) Funds.

Approve
 Disapprove
 Hold

CPB2013-297

Office of Procurement & Diversity, recommending an award:

County Sheriff

- a) on RQ27360 to Cleveland Communications, Inc. in the amount not-to-exceed \$25,754.19 for a build out for 1-Ford Explorer Interceptor fleet vehicle.

Funding Source: 100% General Funds.

Approve
 Disapprove
 Hold

CPB2013-298

Office of Procurement & Diversity, recommending an award:

Department of Public Safety and Justice Services/Public Safety Grants

- a) on RQ25467 and enter into a contract with Western Shelter Systems, LLC in the amount of \$27,450.01 for a Gatekeeper 1-1935 All-Hazards Emergency Facility (GSA Contract No. GS-07F-8007C/ORC 9.48(A)(3)).

Funding Source: 100% FY2010 State Homeland Security grant funds, Federal Emergency Management Agency grant passed through Ohio Emergency Management Agency

Approve
 Disapprove
 Hold

CPB2013-299

Juvenile Court, submitting an amendment to Contract No. CE1200180-01 with Interchange of Northern Ohio for operating a vehicle intoxicated - and driver intervention and counseling services for the period 1/1/2012 - 12/31/2013 for additional funds in the amount not-to-exceed \$3,500.00.

Funding Source: 100% funded by General Funds

Approve
 Disapprove
 Hold

C. Exemption Requests

CPB2013-300

County Prosecutor, submitting a sole source exemption on RQ27058, which will result in an award recommendation to Access Data Group, LLC in the amount of \$12,610.00 for license renewal, maintenance and support of Forensic Tool Kit forensic recovery and examination software.

1. Provide detailed information about why you need to acquire these goods or services:
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.

2. Has your department bought these goods/I.T. services in the past? Yes 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?
Indicate whether the department has previously acquired the same goods or services. If the department has purchased the same goods or services, indicate if the purchase was based on a competitive process or a sole source. NOTE: If the same goods or services had been previously purchased based on a competitive process, provide additional details regarding why a sole source request is being made for this purchase.
If the same goods or service had been previously purchased, indicate the date of last purchase and the price paid.

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

3. 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.
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.

4. Were alternative goods/I.T. services evaluated? If yes, what were they and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility. If no, why were alternatives not 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.

5. What efforts were made to get the best possible price?
This renewal is for a period of one year for all licenses held by the Ohio ICAC Task Force. This purchase came with a free copy of an add-on software.

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

7. Why is the price for this purchase considered to be fair and reasonable:
Refer to #3
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.

8. Amount to be paid: \$12,610.00_____

___ Approve
___ Disapprove
__X__ Hold

Note: This item was held as there was no Department representative available to present the item.

CPB2013-301

Department of Health and Human Services/Cuyahoga Job and Family Services, submitting a sole source exemption on RQ27098, which will result in an award recommendation to Opex Corporation in the amount of \$11,804.00 for hardware and software maintenance on Opex Model 72/AS7200i scanning system, licensing fees on 1D Barcode, Data Matrix Barcode and Image Edge software for the period 4/6/2013 - 4/5/2014.

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

Renewal support and service on hardware and software from OPEX Corporation which is used to open, sort and image incoming mail. Hardware includes Model 72 extraction device and workstation and AS7200i base and barcode scanning software.

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

Initial purchase of hardware and software occurred in 2010. This is the second maintenance renewal on both hardware and software. Support renewal begins on April 6, 2013 and ends on April 5, 2014. Since OPEX is the sole source provider of hardware and proprietary software, CJFS will continue to require support from this vendor.

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

CJFS staff are unable to provide maintenance on this equipment and software. The equipment and software allow staff to reduce document handling time, improve document imaging accuracy and provides for better reporting.

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

Since this equipment and software was purchased, OPEX Corporation is the only vendor licensed and qualified to perform support and maintenance. Staff are currently trained on the hardware and software applications.

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

Yes, In 2010, multiple vendors were evaluated for these services. The equipment and software provided by OPEX Corporation were found to be ideally suited to prepare documents and imaging solutions. Cost factors, ease of use, product support and software enhancements were found to be superior from this vendor.

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

Both hardware and software are specific to this vendor. No other companies or vendors are allowed to resell or distribute these products. Most vendors of this type operate in similar fashions and are sole vendors, distributors and provide support and maintenance on their own products.

7. Has your department bought these goods/services in the past? Yes 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?

Initial purchase in 2010 included warranty on equipment along with service and support from OPEX Corporation on all elements of hardware and software. Initial purchase quote in 2010 of \$80,274.00 included all hardware, software, implementation, testing, installation and delivery along with 12 months of warranty support and service.

8. 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?

None. The products and software of OPEX Corporation recently purchased provide a viable solutions to document handling, expedite mail room operations and provide for imaging of documents into client case files. Unless County staff can perform these functions, CJFS will continue to contract with this vendor for support and maintenance.

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

When originally purchased, these products were evaluated against industry standards. A number of other vendors were evaluated but did not have products that could function to the specific needs of this agency. Costs were negotiated for the best value at the time of purchase. All efforts to gain the most value for the cost were of utmost importance initially as well as on support renewal.

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

On support and maintenance renewal, the costs are considered fair and reasonable by this department. CJFS feels the response of the vendor is satisfactory on all issues. Both equipment and software have demonstrated man hour savings for staff and management.

12. Amount to be paid: \$11,840.00

Approve
 Disapprove
 Hold

D. Consent Agenda

CPB2013-302

Department of Public Works, County Kennel, recommending to accept a donation in the amount of \$10,000.00 from The Galen Miller Fund through a Donor Advised Fund at the Cleveland Foundation.

Funding Source: Donation

Approve
 Disapprove
 Hold

CPB2013-303

Department of Development, requesting approval of an Intercreditor Agreement among Building 2, LLC dba eFuneral and JumpStart Inc. in connection with a North Coast Opportunities Technology Fund Loan.

Funding Source: No additional dollars are being requested. The original project was funded 100% by the Cuyahoga County Western Reserve Fund.

Approve
 Disapprove
 Hold

CPB2013-304

Department of Development, submitting an amendment to Agreement No. AG1200026 with Cleveland State University for Foreclosure Prevention evaluation services including Neighborhood Stabilization Program II coordination for the period 10/1/2012 - 3/31/2013 to extend the time period to 5/31/2013; no additional funds required.

Funding Source: 100% by Neighborhood Stabilization Program funds (Original contract)

Approve
 Disapprove
 Hold

CPB2013-305

Department of Public Safety and Justice Services/Public Safety Grants submitting an amendment to Agreement No. AG1200008-01 with the City of Cleveland for reimbursement of eligible expenses in connection with the FY2009 Port Security Grant Program for the period 6/1/2009 - 5/31/2013 for additional funds in the amount of \$5,550.00.

Funding Source: 75% federal dollars by the Department of Homeland Security FEMA.
The subgrantee is responsible for 25% match.

Approve
 Disapprove
 Hold

CPB2013-306

Department of Public Safety and Justice Services/Public Safety Grants, submitting an agreement with City of Fairview Park in the amount not-to-exceed \$310.32 for reimbursement of eligible training expenses in connection with the FY2010 Urban Area Security Initiative Grant Program for the period 8/1/2010 - 7/31/2013.

Funding Source: 100% Department of Homeland Security grant funds through Ohio Emergency Management Agency

Approve
 Disapprove
 Hold

CPB2013-307

Department of Public Safety and Justice Services/Regional Enterprise Data Sharing System, submitting agreements with various users of the Regional Enterprise Data Sharing System for the period 1/1/2013 - 12/31/2013:

Terminal/Direct and Non-Terminal/ User's

- A) Bedford Municipal Court
- B) Bentleyville Police Department
- C) Berea Municipal Court
- D) Brecksville Mayor's Court
- E) Brecksville Police Department
- F) Brecksville Prosecutor's Office
- G) Broadview Heights Police Department
- H) Broadview Heights Mayor's Court
- I) Brook Park Law Department
- J) Brook Park Mayor's Court
- K) Brook Park Police Department
- L) Chagrin Falls Law Director

- M) Chagrin Falls Police Department
- N) Cleveland Metropolitan School District
- O) Cuyahoga County Community College Police Department
- P) Cuyahoga County Sheriff's Office
- Q) Euclid Police Department
- R) Greater Cleveland Regional Transit Authority
- S) Hunting Valley Police Department
- T) Lakewood Law Department
- U) Moreland Hills Police Department
- V) Orange Village Police Department
- W) Orange Village Prosecutor's Office
- X) South Russell Police Department
- y) Woodmere Police Department

Submitting agreements with various users of the Regional Enterprise Data Sharing System for the period 1/1/2013 - 12/31/2013:

Terminal/Direct and Non-Terminal/ User's

- A) Independence Mayor's Court
- B) Independence Police Department
- C) Lakewood Police Department
- D) Lyndhurst Municipal Court
- E) Lyndhurst Police Department
- F) Parma Law Department
- G) Parma Police Department
- H) US Federal Bureau of Investigation
- I) Westlake Police Department
- J) Westlake Prosecutor's Office

Funding Source: There is no cost to County for these Agreements. Money generated from the Agreements covers User Fees.

X Approve
 Disapprove
 Hold

CPB2013-308

Department of Public Safety and Justice Services/Public Safety Grants, submitting amendments to various agreements with City of Cleveland for the FY2010 STOP Violence Against Women Act Grant Program for the period 1/1/2011 - 12/31/2012 to extend the time period to 3/1/2013; no additional funds required:

- a) No. AG1100031-01 with (Prosecutor's Office).
- b) No. AG1100044-01 with (City of Cleveland Public Safety Department).

Funding Source: 2010 VAWA is funded through the Department of Justice, Office of Justice Programs, Office of Violence Against Women, through the Ohio Office of Criminal Justice Services.

Approve
 Disapprove
 Hold

CPB2013-309

Department of Health and Human Services/Division of Children and Family Services, submitting an amendment to Contract No. CE1200405-01 with West 25th Furnishings and Appliances, Inc. for emergency assistance services for the period 9/1/2012 - 8/31/2014, to change the scope of services, effective 4/29/2013; no additional funds required.

Funding Source: 100% Health and Human Services Levy funds.

Approve
 Disapprove
 Hold

CPB2013-310

Department of Public Works,

A) Submitting an amendment (Subsidiary No. 3) to Contract No. CE1100235-01 with Great Lakes Construction Co. for construction of a grade separation on Fitch Road over the Norfolk Southern Railroad in the City of Olmsted Falls and Olmsted Township for a decrease in the amount of (\$261,924.31).

B) Recommending to accept the project as complete and in accordance with plans and specifications.

C) Requesting authority for the County Treasurer to release the escrow account, in accordance with Ohio Revised Code Section 153.63.

Funding Source: Funding: 80% Federal Funds, 20% County using funds from the \$5.00 Vehicle License Tax Fund.

Approve
 Disapprove
 Hold

CPB2013-311

Office of Procurement & Diversity, presenting voucher payments for the week of April 29, 2013.

Approve
 Disapprove
 Hold

CPB2013-312

Department of Development, presenting voucher payments between 04/18/2013 to 04/24/2013.

Approve
 Disapprove
 Hold

V. Other Business

The agenda was amended to introduce the following time sensitive/mission critical purchase item:

Presented by Mike Chambers, Department of Public Works:

Recommending a payment on RQ27490 to EAB Truck in the amount of \$1,252.28 for vehicle repair.

The full allotment of time sensitive mission critical purchase funds available to the Department was restored.

Approve
 Disapprove
 Hold

VI. Public Comment – There was no public comment.

VII. Adjournment: The meeting was adjourned at 11:48 A.M.