Minutes Cuyahoga County Board of Control Monday, February 25, 2019 11:00 A.M. County Headquarters 2079 East Ninth Street, 4<sup>th</sup> Floor Committee Room B

I – CALL TO ORDER

The meeting was called to order at 11:01 a.m.

Attending: Maggie Keenan, Director, Office of Budget and Management (Alternate for Armond Budish) Councilman Dale Miller Councilwoman Nan Baker Trevor McAleer, County Council (Alternate for Dan Brady) Angela Rich, Assistant Fiscal Officer, Fiscal Office (Alternate for Dennis Kennedy) Michael Dever, Director, Department of Public Works Lenora Lockett, Director, Office of Procurement & Diversity

### II – REVIEW MINUTES – 2/19/2019

Maggie Keenan motioned to approve the minutes from the February 19, 2019 meeting; Dale Miller seconded. The minutes were unanimously approved as written.

**III – PUBLIC COMMENT** 

There was no public comment related to the agenda.

### **IV- CONTRACTS AND AWARDS**

#### BC2019-140

Department of Public Works, submitting an amendment (Subsidiary No. 2) to Contract No. CE1800214 with Great Lakes Construction Co. for the Towpath Trail Stage 1 from Harvard Avenue Trailhead to Steelyard Commons in the City of Cleveland for additional funds in the amount not-to-exceed \$89,862.26. Funding Source: 80% Federal Funding (Congestion Mitigation Air Quality Fund (CMAQ); 20% Local Funding - up to \$500,000 Clean Ohio Shares Grant and City of Cleveland Tax Increment Fund (TIF)

Nichole English, Department of Public Works, presented. There were no questions. Maggie Keenan motioned to approve the item; Dale Miller seconded. Item BC2019-140 was unanimously approved.

### BC2019-141

Department of Development, recommending an award on RQ43201 and enter into a contract with Community Housing Solutions (14-1) in the amount not-to-exceed \$50,000.00 for emergency furnace repair/knob and tube electrical replacement services for the period 2/1/2019 – 1/31/2020. Funding Source: Federal - Community Development Block Grant

Kenneth Surratt, Department of Development, presented. There were no questions. Maggie Keenan motioned to approve the item; Michael Dever seconded. Item BC2019-141 was unanimously approved.

### BC2019-142

Department of Information Technology, submitting an amendment to Contract No. CE1400138-01 with AT&T Corp. for Session Initiation Protocol and transport and security services in connection with wide area network and telecommunication for the period 6/1/2014 - 12/31/2018 to extend the time period to 6/30/2020 for additional funds in the amount not-to-exceed \$495,000.00. Funding Source: General Fund

Jeanelle Greene, Department of Information Technology, presented. Dale Miller asked for clarification on what Session Initiation Protocol is. Nan Baker asked if there is any overlap in services with the AT&T contract approved by the Finance Committee last week; why this item is just now being considered as the original contract ended 12/31/2018; and asked if the effective date will be date of Board approval. Maggie Keenan motioned to approve the item; Trevor McAleer seconded. Item BC2019-142 was unanimously approved.

### BC2019-143

Department of Information Technology, submitting an amendment to Contract No. CE1600277 with MHC Software, Inc. for Enterprise Resource Planning printing integration software licenses, support and implementation services for the period 10/27/2016 - 10/26/2021 to expand the scope of services by adding a positive pay module and associated maintenance, effective 2/25/2019 and for additional funds in the amount not-to-exceed \$8,505.00.

Funding Source: General Fund

Jeanelle Greene, Department of Information Technology, presented. Nan Baker asked if the additional funds are coming out of the Enterprise Resource Planning Contingency Fund and if Sherpa licensing fees will be submitted for consideration later. Maggie Keenan motioned to approve the item; Dale Miller seconded. Item BC2019-143 was unanimously approved.

### BC2019-144

Department of Public Safety and Justice Services/Witness Victim, recommending to amend Board approval No. BC2014-301, which authorized an amendment to Contract No. CE1400135-01 with BZT Acquisition, LLC for lease of space located at 75 Erieview Plaza, Cleveland for the period 6/1/2014 - 10/31/2019 by changing the additional funds in the amount not-to-exceed from \$152,279.00 to \$219,029.00.

Funding Source: Health and Human Services Levy Fund

Mary Beth Vaughn, Department of Public Safety and Justice Services, presented. Nan Baker asked why there was a difference in the amended contract amount approved and the amount requested. Trevor McAleer asked if there have been discussions on how to proceed once the lease expires on 10/31/2019. Maggie Keenan motioned to approve the item; Trevor McAleer seconded. Item BC2019-144 was unanimously approved.

### BC2019-145

Court of Common Pleas/Juvenile Court Division, submitting an amendment to Contract No. CE1600113 with Specialized Alternatives for Families and Youth of Ohio, Inc. for respite services in connection with the Domestic Violence Prevention Coordinated Approach to Low Risk Misdemeanors (CALM) Program for the period 7/1/2016 - 6/30/2019 to extend the time period to 12/31/2019, to change the terms, effective 2/25/2019 and for additional funds in the amount <del>of</del> **not-to-exceed** \$12,000.00. Funding Source: Original Contract - TITLE II Grant Funds

Sarah Baker, Juvenile Court Division. There were no questions. Maggie Keenan motioned to approve the item; Dale Miller seconded. Item BC2019-145 was unanimously approved, as amended.

#### BC2019-146

Cuyahoga County Sheriff's Department,

a) Submitting an RFP exemption on RQ44794, which will result in an award recommendation to JNS Foods, LLC in the amount not-to-exceed \$1,044.00 for the purchase a (60) 50 lb. bags of Long Grain Rice, parboiled.

b) Recommending an award on RQ44794 to JNS Foods, LLC in the amount not-to-exceed \$1,044.00 for the purchase a (60) 50 lb. bags of Long Grain Rice, parboiled. Funding Source: General

Laura Simms and Sergeant Schillinger, Sheriff's Department, presented. Nan Baker thanked the department for bringing this item forward for formal approval to address the ordering error that occurred with this purchase. Maggie Keenan motioned to approve the item; Dale Miller seconded. Item BC2019-146 was unanimously approved.

### BC2019-147

Department of Health and Human Services, Community Initiatives Division, Office of Early Childhood, recommending an award on RQ44643 and enter into a contract with JAGI Cleveland - Independence, LLC dba Holiday Inn Cleveland South in the amount not-to-exceed \$7,706.00 for rental of space, refreshments and related services for the Invest in Children Annual Meeting for the period 5/16/2019 – 5/18/2019. Funding Source: Health and Human Services Levy Fund

Marcos Cortes, Office of Early Childhood, presented. There were no questions. Maggie Keenan motioned to approve the item; Dale Miller seconded. Item BC2019-147 was unanimously approved.

C. – Exemptions

### BC2019-148

Department of Health and Human Services/Cuyahoga Job and Family Services, on behalf of the Department of Development, recommending to amend Board Approval No. BC2017-804 dated 11/6/2017, which amended BC2016-892 dated 11/28/2016, which approved an alternate procurement process and exemption from aggregation on various requisitions, and resulted in award recommendations to various providers in the total amount not-to-exceed \$4,500,000.00 to reimburse employers for employee wage and training expenses in connection with the Learn and Earn Program for the period 1/1/2017 - 12/31/2019, by amending the procedures for reimbursement for program participants, effective, 2/25/2019.

Funding Source: Health and Human Services Levy

Greg Huth, Department of Development, presented. Nan Baker asked if service providers are being paid in advance of Board approval and are we assuring vendors, that even if services are being provided, that payments will not be made until Board approval occurs. Maggie Keenan motioned to approve the item; Michael Dever seconded. Item BC2019-148 was unanimously approved.

# D. – Consent Agenda

Dale Miller referred to Item BC2019-150, Department of Information Technology, and commented that while the original plan for the financial system of the Enterprise Resource Planning Project did not pass integrated testing, that this new solution will help to keep the project moving forward. Maggie Keenan concurred with Mr. Miller and said that this new plan will work to the County's advantage. There were no further questions. Maggie Keenan motioned to approve items BC2019-149 through – 153; Dale Miller seconded, the consent items were unanimously approved.

#### BC2019-149

Department of Public Works, submitting Settlement Agreements for acquiring necessary Right-of-Way in connection with the reconstruction and widening of Sprague Road Phase-1 from Webster Road to West 130<sup>th</sup> Street in the Cities of Middleburg Heights and Strongsville.

Parcels Nos. 92, 212 & 213-WD, T (Warranty Deed & Temporary Easement) Property Owner: DZW 130 Properties, LLC Recommended Offer of Settlement: \$26,950.00 Fair Market Value Estimate: \$26,950.00

Parcels Nos. 52, 54 & 56-T (Temporary Easement)

Property Owner: Joseph N. Racchi, Jr. Recommended Offer of Settlement: \$900.00 Fair Market Value Estimate: \$900.00 the approved Fair Market Value Estimate Funding Source: Issue 1 Funding: 50% - County Road and Bridge: 25% - City: 25%

# BC2019-150

Department of Information Technology, submitting an amendment to various contracts with Infor Public Sector, Inc. for various services for the period 10/27/2016 - 10/26/2026, to modify the scope of services, effective 2/25/2019 no additional funds required:

a) Contract No. CE1600274 for information technology services and solutions for the Enterprise Resource Planning System, by changing the professional services from Dynamic Enterprise Performance Management testing and implementation to Sherpa testing and implementation.

b) Contract No. CE1600276 for software licenses, maintenance and support for Enterprise Resource Planning software, by replacing Dynamic Enterprise Performance Management licensing with Birst and Sherpa licenses.

Funding Source: Original contract - General Fund

### BC2019-151

Department of Health and Human Services/Division of Senior and Adult Services, submitting a grant agreement with the Western Reserve Area Agency on Aging additional funds in the amount of \$19,200.00 for the Medicare Improvements for Patients and Providers Act (MIPPA) Medicare Savings Programs, Low-income Subsidy and Prescription Drug Assistance through the Aging Network, State Health Insurance Program and Aging and Disability Resource Centers for the period 9/30/2018 – 9/30/2019. Funding Source: WRAAA through the federal Medicare Improvements for Patients and Providers Act (MIPPA)

# BC2019-152 Fiscal Office, Presenting Proposed Travel Requests for the week of 2/25/2019

			Travel F	Requests			
Department	Staff	Event	Host	Dates of Travel	Location	Expenses	Funding Source
Department of Internal Audit	Cory Swaisgood, Kim Seeley, and Tom Schneider	A conference entitled "Association of Local Government Auditors (ALGA) 2019 Annual Conference"	Association of Local Government Auditors (ALGA)	5/4/- 5/7/2019	Kansas City, MO	*Registration - \$2,625.00 **Lodging- \$1,500.00 **Meals - \$403.00 ** Ground Transportation- \$300.00 **Mileage- \$40.02 **Parking - \$80.00 ***Airfare - \$1,200.00 Total- \$6,148.02	General Fund

\*Paid to the Host

\*\*Staff reimbursement

\*\*\*Airfare will be covered by a contract with the County's Travel Vendor – (\$1,200.00)

Purpose:

The Association of Local Government Auditors (ALGA), empowers the local government auditing community through excellence in advocacy, education, communication, and collaboration to protect and enhance the public good while embracing diversity, equity, and inclusiveness. The 2019 Annual Conference offers a diverse selection of workshops, and provides many opportunities for continuing professional education, networking and professional development.

			Trave	el Requests			1
Department	Staff	Event	Host	Dates of Travel	Location	Expenses	Funding Source
Office of Innovation and Performance	Catherine Tkachyk	A Conference entitled "Smart Cities Connect Conference and Expo"	Smart Cities Connect & US Ignite	4/1/- 4/7/2019	Denver, Colorado	*Registration Fees – \$795.00 **Lodging- \$625.05 **Meals - \$123.00 **Ground Transportation- \$21.00 **Baggage - \$60.00 **Airfare – \$457.00 Total - \$2,081.05	General Fund

\*Paid to the Host

\*\*Staff reimbursement

\*\*\* Airfare will be covered by a contract with the County's Travel Vendor – (\$457.00)

*Note – employee to reimburse the County for additional air travel cost due to extended stay* 

Purpose:

Smart Cities Connect provides meaningful content and connect a thoughtful community of decision-makers to empower smart cities at all stages of growth. Smart Cities Connect Conference and Expo offers a comprehensive conference, exposition and accelerator of smart city innovation by delivering premium networking and educational opportunities with a keen focus on city leaders and their priorities, working closely with the technology community to bring together the largest collection of intelligent systems providers.

			Trave	el Requests			
Department	Staff	Event	Host	Dates of Travel	Location	Expenses	Funding Source
Department of Health and Human Services – Division of Children and Family Services	Lauren Hennessey	A seminar entitled "Team Decision Making Facilitators Training"	Annie E. Casey	2/25/- 2/28/2019	St. Charles, MO	*Airfare - \$321.96 **Lodging- \$389.61 **Meals - \$178.00 **Ground Transportation- \$50.00 **Rental Car - \$239.04 Total- \$1,178.61	Health and Human Services Levy – 70% Title IV-E- 30%

\*Airfare will be covered by a contract with the County's Travel Vendor – (\$321.96)

\*\*Staff reimbursement

Purpose:

Team Decision Making (TDM) is a collaborative practice used by child welfare agencies that includes family members for all decisions involving child removal, change of placement, reunification or other permanency plans. The seminar entitled "Team Decision Making Facilitators Training," provides professionals in the field with training in this more effective approach to placement of at-risk youth in comparison to the traditional model.

			Trav	el Requests			
Department	Staff	Event	Host	Dates of Travel	Location	Expenses	Funding Source
Department of Health and Human Services – Division of Children and Family Services	Rufus Cooke	A seminar entitled "Multi- Systemic Therapy Training"	Multi- Systemic Therapy Training	3/17/- 3/22/2019	Greensburg, PA	*Registration Fees – \$850.00 **Lodging- \$407.93 **Meals - \$205.00 **Ground Transportation- \$60.00 **Mileage - \$188.50 Total- \$1,711.43	Health and Human Services Levy – 70% Title IV-E- 30%

\*Paid to host

\*\*Staff reimbursement

Purpose:

The Multi-Systemic Services mission is to transform the lives of trouble youth and their families through the scientifically proven Multi-Systemic Therapy (MST) approach. New MST therapists, supervisors, and some other MST program staff receive five days of training to be introduced to the theory and techniques of the treatment model. The training includes didactic teaching, role-playing and other exercises designed to stimulate critical thinking about the treatment process. This orientation is designed to prepare MST teams to begin working with youth and their families.

*BC2019-153 Office of Procurement & Diversity, presenting proposed purchases for the week of 2/25/2019* 

Dequisition #			ises between \$500 - \$25		Funding Course
Requisition #	Description	Department	Vendor Name	Total	Funding Source
JA-19-44447	Ballistic vests, ballistic helmets and medical response bags for Rescue Task Force	Department of Public Safety and Justice Services	North American Rescue LLC	\$24,998.40	FY2016 Urban Area Security Initiative Grant
JA-19-44657	Batteries for portable radios for Cuyahoga County Type 1 Hazardous Materials Team	Department of Public Safety and Justice Services	Holzberg Communications, Inc.	\$801.00	FY2016 Urban Area Security Initiative Grant
CT-19-44581	Repair heating loop pumps at Justice Center Tower II	Department of Public Works	Cleveland Hermetic & Supply	\$22,382.25	Capital Projects
CT-19-44625	Veterinary services for Animal Shelter	Department of Public Works	Medvet	\$1,503.24	50% Special Revenue Fund 50% Dick Goddard's Best Friend Fund
CT-19-44760	Rack and pinion for Unit 18-88 for Fleet Services	Department of Public Works	Autonation (John Lance Ford)	\$1,155.85	General Fund – Internal Service Fund
CT-19-44762	Repair to Backhoe S-488 for Sanitary Engineer	Department of Public Works	Ohio CAT	\$543.46	Sanitary Sewer Fund
CT-19-44824	2019 safety inspections of truck aerial lifts for Fleet Services	Department of Public Works	Diversified Inspections	\$1,740.00	\$1,290.00 - Road and Bridge Fund \$450.00 - General Fund – Internal Service Fund
CT-19-44832	Safety cones for Sanitary Engineer	Department of Public Works	Industrial Safety Products	\$2,620.00	Sanitary Sewer Fund
CT-19-44836	Electric radiant ceiling panels for Justice Center Tower II, First Floor	Department of Public Works	Mussun Sales Inc.	\$995.00	General Fund – Internal Service Fund
CT-19-44841	Legal notice: Resurfacing of West 130 <sup>th</sup> Street bid	Department of Public Works	Plain Dealer	Not-to- exceed \$1,500.00	Road and Bridge Fund
CT-19-44851	Sewage waste removal and disposal for Sanitary Engineer	Department of Public Works	Anthony Reveglia	\$2,080.00	Sanitary Sewer Fund
CT-19-44863	High pressure sewer cleaning hoses for Sanitary Engineer	Department of Public Works	M Tech Company	\$9,288.00	Sanitary Sewer Fund
CT-19-44874	GPS surveying equipment repairs	Department of Public Works	City Blueprint of Toledo, Inc.	\$2,611.97	Road and Bridge Fund
ST-19-44810	Generator battery for Creekside Pump Station for Sanitary Engineer	Department of Public Works	Cummins Bridgeway, LLC	\$846.86	Sanitary Sewer Fund

CR-19-44842	Latex and nitrile gloves for various labs	Medical Examiner's Office	Bob Barker	Not-to- exceed \$13,692.50	Medical Examiner's Office Crime Lab Fund
CR-19-44880	Maxwell 16 Casework Kits for DNA Lab	Medical Examiner's Office	Promega	\$15,456.00	Medical Examiner's Office Crime Lab Fund
FS-19-44919	National Institute for Government Purchasing Membership Renewal	Office of Procurement and Diversity	National Institute of Government Purchasing, Inc	\$854.00	General Fund
SH-19-44683	Stab vests for County Jail Special Response Team	Sheriff's Department	Bob Barker	\$3,746.86	General Fund
SH-19-44780	Supplies for Special Response Team at Jail	Sheriff's Department	Amerisochi, Inc.	\$2,288.37	General Fund
SH-19-44780	Supplies for Special Response Team at Jail	Sheriff's Department	Pro-Tech Security Sales	\$2,173.00	General Fund
SH-19-44807	Non-conductive taser cartridges for annual recertification	Sheriff's Department	Vance Outdoors, Inc.	\$1,453.20	General Fund
SH-19-44840	Commercial appliance repairs for Jail Kitchen	Sheriff's Department	Encore One, LLC dba General Parts, LLC	Not-to- exceed \$24,500.00	General Fund
SH-19-44846	Foaming hand soap for Jail	Sheriff's Department	WB Mason	\$1,595.60	General Fund
TR-19-44913	Purchase postage for Easy Pay coupons and ACH Prepayment Letters	Treasurer's Office	United States Postal Service	\$1,310.00	General Fund

# Items/Services Received and Invoiced but not Paid:

Requisition #	Description	Department	Vendor Name	Total	Funding Source
CF-19-44928	Post Adoption Special Services Subsidy: Neurofeedback software and quantitative electroencephalography*	Division of Children and Family Services	Adoption and Attachment Therapy Partners, LLC	\$2,840.97	70% Health and Human Services Levy Fund 30% Title IV-E

\* Alternate procurement process to authorize payments to various providers for Post Adoption Special Services Subsidy (PASSS) consisting of counseling, respite and residential treatment services for the period 4/15/2018 – 4/14/2021 approved by Board of Control Approval No. BC2018-255 dated 4/23/2018.

### Open Market Purchases (Over \$25,000 or requiring assistance from The Office of Procurement & Diversity)

Requisition #	Description	Department	Vendor Name	Total	Funding Source
None					

### V – OTHER BUSINESS

### Additional Item

# BC2019-154 Department of Law,

a) Recommending to amend Board Approval No. BC2019-139, dated 2/19/2019, which authorized an alternative procurement process, which will result in an award recommendation to an electronic discovery vendor and related legal services in the amount not-to-exceed  $\frac{140,000.00}{54,000.00}$  for temporary attorney services for the period  $\frac{2}{25}/2019 - \frac{2}{24}/2020$ , by changing the procurement process type from a Request for Proposals to a Request for Bids.

b) Recommending an award on RQ44947 and enter into a contract with Alliance Legal Solutions, LLC in the amount not-to-exceed \$140,000.00 for temporary attorney services for the period 2/25/2019 - 2/24/2020.

### Funding Source: General Fund

Jonathan McGory and Nora Hurley, Department of Law, presented. Trevor McAleer asked how many responses to the issuance of bids were received and what was the range of the bid amounts; asked what the response from the Department of Information Technology was on how the search will progress since the search terms, as they relate to the subpoena request, have been provided by the Attorney General and do they believe this will produce a quicker result; asked how many e-mails are estimated for review with the new search terms given and expressed that he is not comfortable moving forward with this contract today as the volume of documents is still unknown, even though we have been provided the search terms; Mr. McAleer further expressed the need to be completely transparent in this process so that these types of requests appear on the printed agenda and that his preference would be to know the number of records affected in the evaluation process to determine if any could be done in-house or if outside services will be required due to volume; recommended that the item be held for one week to get a better idea of how many e-mails will be reviewed; and asked what impact a one-week delay would have.

Dale Miller asked why the amount of \$140,000.00 is being requested since the low bid came in at \$54,000.00; asked if the vendor will work on subpoena-related matters only or will they also address related public records requests; and asked if the deadline to comply with subpoena is still March 1.

Nan Baker concurred with Mr. McAleer's recommendation to hold the item for one week and said that the Department of Law can return to the Board for additional funding, if costs exceed \$54,000.00.

Trevor McAleer asked for clarification on whether the County has already addressed parts of the subpoena and that this will only red-flag attorney-client privileged or Family Medical Leave Act (FMLA) communications that exist in the documents to be reviewed.

Michael Dever asked if a delay of one week will cause problems for the Law Department.

Nan Baker commented that the new deadline is 18 days after the original deadline date, which should relieve some of the time pressure to complete reviews.

Dale Miller asked if the volume of the County Executive's e-mails from 2016 to present is a substantial number of records.

Mr. McAleer asked if employees whose e-mails are being turned over will still have access to those e-mails upon request, if needed.

Maggie Keenan clarified Mr. McAleer's question and asked if employees will see e-mails before they are turned over and asked if the Law Department is comfortable waiting one week for approval; stated that a significant amount of Armond Budish's e-mails that are turned over will contain attorney-client privileged information that will need review and expressed her concern about delaying the approval; recommended the contract be approved with a not-to-exceed amount of \$54,000.00, as the Board regularly approves contracts in not-to-exceed amounts; recommended that the Law Department report back regularly with updates and stated the that March 18 deadline is only a few weeks away. Ms. Keenan also stated that she does not recommend waiting and stressed the need to meet deadlines and also to continue to respond to public records requests in a reasonable timeframe.

Mr. McAleer restated that it is important to wait to see what the volume of e-mails for review will be prior to proceeding with contract approval and that the amount approved should be actual amount rather than a not-to-exceed amount.

Maggie Keenan motioned to amend the agenda to consider the item; Michael Dever seconded; The motion to amend the agenda was approved by majority vote with Trevor McAleer casting a dissenting vote.

Dale Miller asked for clarification if the item being considered is not-to-exceed \$54,000.00. Maggie Keenan motioned to amend the agenda to change the not-to-exceed amount from \$140,000.00 to \$54,000.00; Michael Dever seconded.

Maggie Keenan motioned to approve the item; Michael Dever seconded; Item BC2019-154 was approved by majority vote, as amended, with Nan Baker and Trevor McAleer casting dissenting votes.

#### Items of Note (non-voted)

# Item No. 1

Department of Development, submitting housing rehabilitation Contracts with various providers in the total amount not-to-exceed \$13,896.00 for installation of a new roof, electrical and air conditioner in connection with a homeowner rehabilitation loan to Dawn Neal for the period 3/27/2018 - 1/25/2019 (Board Approval No. BC2018-259):

a) Contract No. CE1920005-01 with Harmony Electric LLC in the amount not-to-exceed \$2,325.00
b) Contract No. CE1920005-02 with YK Brothers Construction in the amount not-to-exceed \$7,900.00
c) Contract No. CE1920005-03 with Len's Refrigeration, Heating and AC, Inc. in the amount not-to-exceed \$2,480.00.

Funding Source: Community Development Block Grant

VI – PUBLIC COMMENT

There was no public comment.

# VII – ADJOURNMENT

Maggie Keenan motioned to adjourn; Dale Miller seconded. The motion to adjourn was unanimously approved at 11:44 a.m.