



AGENDA
CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE
MEETING
WEDNESDAY, JUNE 18, 2014
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
11:00 AM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE JUNE 4, 2014 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) O2014-0017: An Ordinance enacting Chapter 604 of the Cuyahoga County Code to provide for the maintenance of County roads, and declaring the necessity that this Ordinance become immediately effective.
- 6. MISCELLANEOUS BUSINESS**
- 7. OTHER PUBLIC COMMENT**
- 8. ADJOURNMENT**

*In accordance with Section 108.01 of the Cuyahoga County Code, complimentary parking in the Huntington Park Garage will be available for the public on any day when the Council or any of its committees holds meetings. Please see the Clerk to obtain a parking pass.



MINUTES

CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE MEETING

WEDNESDAY, JUNE 4, 2014
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
11:00 AM

1. CALL TO ORDER

Chairman Jones called the meeting to order at 11:06 a.m.

2. ROLL CALL

Mr. Jones asked Assistant Deputy Clerk Carter to call the roll. Committee members Jones, Germana, Conwell, Miller and Simon were in attendance and a quorum was determined. Councilmember Greenspan was also in attendance.

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM THE MAY 21, 2014 MEETING

A motion was made by Mr. Germana, seconded by Ms. Simon and approved by unanimous vote to approve the minutes of the May 21, 2014 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2014-0142: A Resolution declaring that public convenience and welfare requires resurfacing of Miles Road from Interstate 480 to 200 feet east of Green Road in the City of Bedford Heights; total estimated project cost \$330,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of

cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

Ms. Bonnie Teeuwen, Director of the Department of Public Works, addressed the Committee regarding Resolution No. R2014-0142. Discussion ensued.

Committee members and Councilmembers asked questions of Ms. Teeuwen pertaining to the item, which she answered accordingly.

On a motion by Mr. Germana with a second by Mr. Jones, Resolution No. R2014-0142 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- b) R2014-0143: A Resolution authorizing an Initial Project Application to Ohio Department of Transportation/State Infrastructure Bank for a loan in the amount not-to-exceed \$8,016,000.00 for reconstruction and widening of Bagley/Pleasant Valley Road from York Road to Pearl Road in the Cities of Middleburg Heights and Parma; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective.

Ms. Teeuwen addressed the Committee regarding Resolution No. R2014-0143. Discussion ensued.

Committee members and Councilmembers asked questions of Ms. Teeuwen pertaining to the item, which she answered accordingly.

Mr. Jones introduced a proposed substitute to Resolution No. R2014-0143. Discussion ensued.

A motion was then made by Mr. Jones, seconded by Mr. Germana and approved by unanimous vote to accept the proposed substitute.

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2014-0143 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules, as substituted.

Mr. Germana requested to have his name added as an additional co-sponsor to Resolution No. R2014-0143.

c) R2014-0144: A Resolution making an award on RQ30197 to Burton Scot Contractors, LLC in the amount not-to-exceed \$1,129,900.00 for 2014 Resurfacing Operations Group 1 in various municipalities; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective:

i) Crossview Road from Chestnut Road to Rockside Road in the City of Seven Hills.

ii) East Ridgewood Drive from Broadview Road to Crossview Road in the Cities of Parma and Seven Hills.

Ms. Teeuwen and Ms. Lenora Lockett, Director of the Department of Procurement and Diversity, addressed the Committee regarding Resolution No. R2014-0144. Discussion ensued.

Committee members and Councilmembers asked questions of Ms. Teeuwen and Ms. Lockett pertaining to the item, which they answered accordingly.

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2014-0144 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

Mr. Germana requested to have his name added as an additional co-sponsor to Resolution No. R2014-0143.

d) R2014-0148: A Resolution making an award on RQ30389 to Perk\ME Joint Venture in the amount not-to-exceed \$22,945,485.17 for grading, draining and paving of Bagley Road/Pleasant Valley Road from York Road to State Road in the Cities of Middleburg Heights and Parma; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$5,277,461.59 to fund said contract; and declaring the necessity that this Resolution become immediately effective.

Mr. Germana introduced a proposed substitute to Resolution No. R2014-0148. Discussion ensued.

A motion was then made by Mr. Germana, seconded by Mr. Miller and approved by unanimous vote to accept the proposed substitute.

Ms. Teeuwen and Ms. Lockett addressed the Committee regarding Resolution No. R2014-0148. Discussion ensued.

Committee members and Councilmembers asked questions of Ms. Teeuwen and Ms. Lockett pertaining to the item, which they answered accordingly.

On a motion by Mr. Jones, with a second by Mr. Germana, Resolution No. R2014-0148 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

Mr. Germana requested to have his name added as an additional co-sponsor to Resolution No. R2014-0148.

- e) O2014-0017: An Ordinance enacting Chapter 604 of the Cuyahoga County Code to provide for the maintenance of County roads, and declaring the necessity that this Ordinance become immediately effective.

Mr. Greenspan introduced a proposed substitute to Ordinance No. O2014-0017. Discussion ensued.

Ms. Anka Davis, Assistant Law Director, and Ms. Teeuwen addressed the Committee regarding Ordinance No. O2014-0017. Discussion ensued.

Committee members asked questions of Ms. Davis and Ms. Teeuwen pertaining to the item, which they answered accordingly.

A motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to accept the proposed substitute.

A motion was then made by Ms. Simon, seconded by Mr. Germana and approved by unanimous vote to amend Ordinance No. O2014-0017 by including a sunset provision of five years from the effective date of the legislation.

Committee members Germana, Simon, Miller and Conwell requested to have their names added as additional co-sponsors to the Ordinance No. O2014-0017.

No further legislative action was taken on Ordinance No. O2014-0017.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

7. OTHER PUBLIC COMMENT

No public comments were given.

8. ADJOURNMENT

With no further business to discuss, Chairman Jones adjourned the meeting at 12:32 p.m., without objection.

County Council of Cuyahoga County, Ohio

Ordinance No. O2014-0017

Sponsored by: Councilmember Greenspan	An Ordinance enacting Chapter 604 of the Cuyahoga County Code to reimburse municipalities for cost of materials used during the maintenance of County roads, and declaring the necessity that this Ordinance become immediately effective.
Co-sponsored by: Councilmembers Germana, Simon, Miller and Conwell	

WHEREAS, municipalities are responsible for the repair and maintenance of County roads that are incorporated into a municipality; and,

WHEREAS, pursuant to Resolution No. R2012-0043 the County established a two-year moratorium on requiring a local funding match from municipalities for performing maintenance and repair of County roadways, effective February 29, 2012; and,

WHEREAS, the Council now intends make permanent the County's moratorium on requiring a local funding match for maintenance of County roadways; and

WHEREAS, the Council intends to provide financial support to municipalities within Cuyahoga County that perform maintenance of County roadways; and

WHEREAS, in furtherance of this goal, the Council seeks to establish a process by which municipalities within the County may apply for reimbursement for the cost of materials used for maintenance of County roadways; and

WHEREAS, the Director of Public Works is to make reimbursements to municipalities in order of priority based on available County resources and the County's assessed need; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of the County.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1: Chapter 604 of the Cuyahoga County Code is hereby enacted to read as follows:

Chapter 604: County Roads

Section 604.01 Improvement and Maintenance of County Roads

- A. The County shall not require a local funding match from municipalities for performing maintenance and repair of County roadways.
- B. The Director of Public Works shall establish a process by which municipalities within the County may apply for a grant to receive reimbursement for the cost of materials used in performing maintenance of County roadways. The Department of Public Works shall annually identify and prioritize County roads in need of maintenance, and shall qualify eligible applicants in order of priority based on available County resources and the assessed need. The County’s reimbursement rates shall be set according to a schedule maintained by the Director of Public Works.
- C. Nothing in this Section is intended to limit the ability of any municipality to participate in the Countywide Preventative Maintenance Program pursuant to Section 806.02. Municipalities participating in the Countywide Preventative Maintenance Program may, in accordance with subsection (B), apply for a grant to receive reimbursement for the cost of materials used in conducting preventative maintenance of County roadways only.

SECTION 2: It is necessary that this Ordinance become immediately effective for the operation of the County and the reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of the Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10 (6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10 (7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 3: It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: May 27, 2014

Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested: June 4, 2014

Journal _____
_____, 2014

[PROPOSED SUBSTITUTE]
County Council of Cuyahoga County, Ohio

Ordinance No. O2014-0017

Sponsored by: Councilmember Greenspan Co-sponsored by: Councilmembers Germana, Simon, Miller and Conwell	An Ordinance enacting Chapter 604 of the Cuyahoga County Code to <u>provide financial assistance to</u> reimburse municipalities for cost of materials used during the maintenance of County roads <u>roadways</u> , and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, municipalities are responsible for the **routine** repair and maintenance of County roads that are incorporated into a municipality; and,

WHEREAS, pursuant to Resolution No. R2012-0043 the County established a two-year moratorium on requiring a local funding match from municipalities for performing ~~maintenance and repair~~ **resurfacing** of County roadways, effective February 29, 2012; and,

WHEREAS, the Council now intends **to extend** ~~make permanent~~ the County's moratorium on requiring a local funding match for maintenance of County roadways; and

WHEREAS, the Council intends to provide financial support to municipalities within Cuyahoga County that perform maintenance of County roadways; and

WHEREAS, in furtherance of this goal, the Council seeks to establish a process by which municipalities within the County may apply for ~~reimbursement for~~ **grants to cover all or a portion of** the cost of materials used for maintenance of **to maintain** County roadways; and

WHEREAS, the Director of Public Works ~~is to make reimbursements~~ **will award grants** to municipalities in order of priority based on available County resources, ~~and~~ the County's assessed need, **and the fiscal distress of applicants**; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of the County.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1: Chapter 604 of the Cuyahoga County Code is hereby enacted to read as follows:

Chapter 604: County Roadways

Section 604.01 Improvement and Maintenance of County Roads

- A. The County shall not require a local funding match from municipalities for performing ~~maintenance and repair~~ **resurfacing** of County roadways for a period of five years from the effective date of this provision.
- B. The Director of Public Works shall establish a process by which municipalities within the County may apply for a grant to receive reimbursement for the cost of materials used in performing maintenance of County roadways. The Department of Public Works shall annually identify and prioritize County roads in need of maintenance, and shall qualify eligible applicants in order of priority based on ~~available County resources and the assessed need.~~ **the following factors:**

- 1. The availability of County resources; and**
- 2. The assessed need for maintenance of individual County roadways.**

The County's reimbursement rates shall be set according to a schedule maintained by the Director of Public Works.

- C. **The Director of Public Works shall establish a process by which fiscally distressed municipalities may apply for a grant to subsidize the cost of labor and materials required to perform maintenance of County roadways. The Department of Public Works shall qualify eligible applicants in order of priority based on the following factors:**
- 1. The availability of County resources;**
 - 2. The assessed need for maintenance of individual County roadways; and**
 - 3. The severity of fiscal distress of the applicant municipalities, as declared by the auditor of state.**
- D. **For the purposes of this section a "fiscally distressed municipality" shall mean a municipality within Cuyahoga County declared by the auditor of state to be under fiscal emergency, fiscal watch, or fiscal caution.**
- E. Nothing in this Section is intended to limit the ability of any municipality to participate in the Countywide Preventative Maintenance Program pursuant to Section 806.02. Municipalities participating in the Countywide Preventative Maintenance Program may **apply for grants** in accordance with ~~subsection~~

Journal _____
_____, 2014