



AGENDA
CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE
MEETING
WEDNESDAY, APRIL 30, 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 APRIL 2, 2014 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) R2014-0113: A Resolution amending Resolution No. R2013-0101 dated 8/13/2013, which declared that public convenience and welfare requires widening and reconstruction of East 105th Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland, to add the State of Ohio as a party to agreements to be entered into pursuant to the Resolution and to clarify the funding arrangements in connection with the project; and declaring the necessity that this Resolution become immediately effective.
 - b) R2014-0114: A Resolution making an award on RQ29436 to Schirmer Construction LLC in the amount not-to-exceed \$612,351.00 for replacement of Boston Road Culvert No. 07.74 over an unnamed creek to the Rocky River in the City of Broadview Heights and Medina County; 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 the amount of \$489,880.80 to fund said contract; and declaring the necessity that this Resolution become immediately effective.

- c) R2014-0120: A Resolution authorizing a contract with BZT Acquisition, LLC in the amount not-to-exceed \$798,000.00 for lease of space located at 75 Erieview Plaza, Cleveland, for operation of the Family Justice Center for the period 6/1/2014 - 5/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution 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, APRIL 2, 2014
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
11:00 AM**

1. CALL TO ORDER

Chairman Jones called the meeting to order at 11:05 a.m.

2. ROLL CALL

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

3. PUBLIC COMMENT RELATED TO THE AGENDA

Mr. Anthony Coyne, Esq., addressed the Committee regarding issues of concern to him relating to Resolution No. R2014-0065, a Resolution making an award on RQ24787 to Cleveland Thermal, LLC for central heating and cooling services.

4. APPROVAL OF MINUTES FROM THE MARCH 19, 2014 MEETING

A motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to approve the minutes of the March 19, 2014 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2014-0065: A Resolution making an award on RQ24787 to Cleveland Thermal, LLC for central heating and cooling services (steam and chilled water) and other related services at various County facilities for the

period 4/1/2014 - 12/31/2033; authorizing the County Executive to execute the agreements and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Ms. Bonnie Teeuwen, Director of the Department of Public Works; Mr. Majeed Makhoulf, Law Director; Mr. Mr. Marc Divis, President of Cleveland Thermal, LLC; Mr. Jamal Husani, Chief Transportation/Traffic Engineer; and Ms. Anka Davis, Assistant Law Director, addressed the Committee regarding Resolution No. R2014-0065. Discussion ensued.

Committee members and Councilmembers asked questions of Ms. Teeuwen, Mr. Makhoulf, Mr. Divis, Mr. Husani and Ms. Davis pertaining to the item, which they answered accordingly.

On a motion by Mr. Jones with a second by Ms. Simon, Resolution No. R2014-0065 was considered and approved by majority vote to be referred to the full Council agenda for second reading, with Mr. Germana casting a dissenting vote.

- b) R2014-0091: A Resolution declaring that public convenience and welfare requires resurfacing of Bagley Road from Fitch Road to the Olmsted Township West Corporation Line in Olmsted Township; total estimated project cost \$2,475,000.00; 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 township in connection with said project; and declaring the necessity that this Resolution become immediately effective.

Ms. Teeuwen addressed the Committee regarding Resolution No. R2014-0091. Discussion ensued.

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

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2014-0091 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.

- c) R2014-0092: A Resolution declaring that public convenience and welfare requires replacement of Columbus Road Bridge No. 01.09 over Bear Creek in the City of Bedford; total estimated project cost \$1,066,000.00; 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. Teeuwen addressed the Committee regarding Resolution No. R2014-0092. Discussion ensued.

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

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2014-0092 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.

- d) R2014-0093: A Resolution declaring that public convenience and welfare requires replacement of Mastick Road Bridge No. 03.13 side hill structure in the City of Fairview Park; total estimated project cost \$5,766,000.00; 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. Teeuwen addressed the Committee regarding Resolution No. R2014-0093. Discussion ensued.

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

On a motion by Mr. Jones with a second by Ms. Simon, Resolution No. R2014-0093 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.

- e) R2014-0094: A Resolution declaring that public convenience and welfare requires resurfacing of West 117th Street from Bellaire Road to Lake Avenue in the Cities of Cleveland and Lakewood; total estimated project cost \$1,600,000.00; 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 municipalities in connection with said project; and declaring the necessity that this Resolution become immediately effective.

Ms. Teeuwen and Mr. Husani addressed the Committee regarding Resolution No. R2014-0094. Discussion ensued.

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

On a motion by Mr. Jones with a second by Mr. Miller, Resolution No. R2014-0094 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. Miller requested to have his name added as an additional co-sponsor to Resolution No. R2014-0094.

- f) R2014-0095: A Resolution making an award on RQ29138 to Ronyak Paving, Inc. in the amount not-to-exceed \$2,769,415.80 for repair and resurfacing of Highland Road from Euclid Avenue to Richmond Road in the Cities of Euclid and Richmond Heights; 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 \$553,883.16 to fund said contract; and declaring the necessity that this Resolution become immediately effective.

Ms. Teeuwen addressed the Committee regarding Resolution No. R2014-0095. Discussion ensued.

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

On a motion by Mr. Jones with a second by Mr. Miller, Resolution No. R2014-0095 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.

Ms. Simon requested to have her name added as an additional co-sponsor to Resolution No. R2014-0095.

- g) R2014-0096: A Resolution making an award on RQ29345 to Schirmer Construction LLC in the amount not-to-exceed \$889,233.40 for rehabilitation of East 49th Street Bridge No. 00.54 over abandoned railroad tracks in the City of Cleveland; 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.

Ms. Teeuwen and Ms. Lenora Lockett, Director of the Office of Procurement and Diversity, addressed the Committee regarding Resolution No. R2014-0091. 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. R2014-0091 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.

- h) O2014-0011: An Ordinance amending Chapter 705 of the Cuyahoga County Code to establish payment procedures for connection charges collected for connection to County's water and sewer facilities in County Sewer District No. 14 and Cook, McKenzie and Sterns Roads; amending Cuyahoga County Resolution Nos. 052208 and 052209, each dated 6/2/2005; and declaring the necessity that this Ordinance become immediately effective.

Ms. Teeuwen and Ms. Davis addressed the Committee regarding Ordinance No. O2014-0011. Discussion ensued.

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

On a motion by Mr. Jones with a second by Mr. Miller, Ordinance No. O2014-0011 was considered and approved by unanimous vote to be referred to the full Council agenda for second reading.

6. MISCELLANEOUS BUSINESS

- a) Update regarding Disparity Study

Ms. Sharon Cole, Deputy Chief of Staff for Operations, provided the Committee with an update on the Disparity Study including an overview of the legislation, the number of meetings held, data collection process, firms selected and timeline for implementation. Discussion ensued.

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

Mr. Makhlouf and Mr. Mark Parks, Fiscal Officer, addressed the Committee regarding various legal issues and the data gathering process relating to the Disparity Study. Discussion ensued.

Committee members and Councilmembers asked questions of Mr. Makhlouf and Mr. Parks pertaining to the items, which they answered accordingly.

7. OTHER PUBLIC COMMENT

No public comments were given.

8. ADJOURNMENT

With no further business to discuss and a on a motion by Mr. Jones with a second by Mr. Germana, the meeting was adjourned at 1:13 p.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0113

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution amending Resolution No. R2013-0101 dated 8/13/2013, which declared that public convenience and welfare requires widening and reconstruction of East 105 th Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland, to add the State of Ohio as a party to agreements to be entered into pursuant to the Resolution and to clarify the funding arrangements in connection with the project; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Cuyahoga County Council declared that public convenience and welfare requires the widening and reconstruction of East 105th Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland and authorized the County Executive to enter into an agreement of cooperation with the City of Cleveland through Resolution No. R2013-0101 dated 8/13/2013; and

WHEREAS, it is necessary to amend Resolution No. R2013-0101 to add the State of Ohio as an additional party to agreements entered into pursuant to Resolution No. R2013-0101 and to clarify the funding arrangement wherein the County will now contribute its portion to the State; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue.

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

SECTION 1. That the Cuyahoga County Council hereby amends Resolution No. R2013-0101 dated 8/13/2013, which declared that public convenience and welfare requires widening and reconstruction of East 105th Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland as follows:

- (a) The fourth whereas clause in the Resolution is amended to read: “WHEREAS, this project will be funded as follows: (a) 80% from Federal Funds; (b) 20%

County funds, including 10% to be paid from Issue 1 Funds and 10% from the County Road and Bridge Fund, and the County contributes its portion to the State of Ohio; and”

- (b) Section 3 of the Resolution is amended to read: “That the County Executive is hereby authorized to enter into and execute any necessary agreements and documents, including any agreements of cooperation and funding arrangements, with the City of Cleveland and the State of Ohio in connection with this project.”

SECTION 2. All other provisions of Resolution No. R2013-0101 shall remain unchanged.

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of 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 4. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution 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 Resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: April 22, 2014

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

Journal _____
_____, 2014

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0114

<p>Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer</p>	<p>A Resolution making an award on RQ29436 to Schirmer Construction LLC in the amount not-to-exceed \$612,351.00 for replacement of Boston Road Culvert No. 07.74 over an unnamed creek to the Rocky River in the City of Broadview Heights and Medina County; 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 the amount of \$489,880.80 to fund said contract; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended making an award on RQ29436 to Schirmer Construction LLC in the amount not-to-exceed \$612,351.00 for replacement of Boston Road Culvert No. 07.74 over an unnamed creek to the Rocky River in the City of Broadview Heights and Medina County; 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 the amount of \$489,880.80 to fund said contract; and

WHEREAS, the primary goal of the project is to replace the Culvert No. 07.74 over an unnamed creek to the Rocky River in the City of Broadview Heights and Medina County in Council District 6 and to properly maintain the County's infrastructure; and

WHEREAS, this project is funded as follows: (a) 80% or \$489,880.80 from the Cuyahoga County Motor Vehicle \$7.50 License Tax Funds; and (b) 20% or \$122,470.20 from the City of Broadview Heights; and

WHEREAS, construction is scheduled to begin June, 2014 and scheduled to be completed October 31, 2014; and

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

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

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ29436 to Schirmer Construction LLC in the amount not-to-exceed \$612,351.00 for replacement of Boston Road Culvert No. 07.74 over an unnamed creek to the Rocky River in the City of Broadview Heights and Medina County.

SECTION 2. That the County Executive is authorized to execute a contract in connection with said award and all documents consistent with this Resolution.

SECTION 3. That the County Council hereby authorizes the County Engineer, on behalf of the County Executive, to make application for the allocation from the County Motor Vehicle \$7.50 License Tax Fund for said amount to fund said contract.

SECTION 4. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of 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 5. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution 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 Resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: April 22, 2014

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

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0120

<p>Sponsored by: County Executive FitzGerald/Departments of Public Works and Public Safety and Justice Services/Division of Witness/Victim</p> <p>Co-sponsored by: Councilmember Miller</p>	<p>A Resolution authorizing a contract with BZT Acquisition, LLC in the amount not-to-exceed \$798,000.00 for lease of space located at 75 Erieview Plaza, Cleveland, for operation of the Family Justice Center for the period 6/1/2014 - 5/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive FitzGerald/Departments of Public Works and Public Safety and Justice Services/Division of Witness/Victim has recommended a contract with BZT Acquisition, LLC in the amount not-to-exceed \$798,000.00 for lease of space located at 75 Erieview Plaza, Cleveland, for operation of the Family Justice Center for the period 6/1/2014 - 5/31/2019; and

WHEREAS, the primary goal of this project is to provide appropriate space for operations of the Family Justice Center which will also allow a location for services for victims of domestic violence, sexual violence, stalking and related crimes; and

WHEREAS, this Contract will be funded 100% by the Family Justice Center Fund; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes a contract with BZT Acquisition, LLC in the amount not-to-exceed \$798,000.00 for lease of space located at 75 Erieview Plaza, Cleveland, Ohio, for operation of the Family Justice Center for the period 6/1/2014 - 5/31/2019.

SECTION 2. That the County Executive is authorized to execute the contract and all other documents consistent with this Resolution.

