



AGENDA
CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE
MEETING
WEDNESDAY, SEPTEMBER 3, 2014
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
COUNCIL CHAMBERS – 4TH FLOOR
11:00 AM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE AUGUST 14, 2014 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) R2014-0207: A Resolution amending Resolution No. R2014-0040 dated 4/22/2014, which authorized a Purchase and Sale Agreement with Playhouse Square Foundation for the sale of the Loew's Building, to clarify that the County is transferring all County-owned properties associated with the Loew's Building; authorizing the County Executive to execute all documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
 - b) R2014-0209: A Resolution authorizing an amendment to Contract No. CE1100590-01, 02, 03 with Reserve Apartments, LTD for lease of office space located at 1701 East 12th Street, Cleveland, for use by various County divisions and a department for the period 10/1/2011 - 9/30/2014 to extend the time period to 9/30/2015, to change the scope of services, effective 7/31/2014 and 10/1/2014, and for additional funds in the amount not-to-exceed \$257,100.72; authorizing the County

Executive to execute the amendment 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

**Complimentary parking for the public is available in the attached garage at 900 Prospect. A skywalk extends from the garage to provide additional entry to the Council Chambers from the 5th floor parking level of the garage. Please see the Clerk to obtain a complimentary parking pass.*



MINUTES

**CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE
MEETING
THURSDAY, AUGUST 14, 2014
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
COMMITTEE ROOM A – 4TH FLOOR
11:00 AM**

1. CALL TO ORDER

Chairman Jones called the meeting to order at 11:03 a.m.

2. ROLL CALL

Mr. Jones asked Deputy Clerk Carter to call the roll. Committee members Jones, Germana, Conwell and Miller were in attendance and a quorum was determined. Committee member Simon was absent from the meeting.

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM THE JULY 16, 2014 MEETING

A motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to approve the minutes of the July 16, 2014 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2014-0192: A Resolution amending the boundaries of County Sewer District No. 17 to add the remaining municipal boundaries of the City of Cleveland Heights, in accordance with Ohio Revised Code Sections

6117.01 and 6117.03; and declaring the necessity that this Resolution become immediately effective.

Ms. Bonnie Teeuwen, Director of the Department of Public Works; Mr. Michael Chambers, Fiscal Officer for the Department of Public Works; and Mr. Stan Kosilesky, Chief Deputy Engineer, addressed the Committee regarding Resolution No. R2014-0192. Discussion ensued.

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

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2014-0192 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) R2014-0193: A Resolution fixing the 2015 sewer maintenance and/or sewerage treatment rates for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 18, 20, 21, 22 and 24, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective.

Mr. Chambers, Ms. Teeuwen and Ms. Anka Davis, Assistant Law Director, addressed the Committee regarding Resolution No. R2014-0193. Discussion ensued.

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

A motion was made by Mr. Jones, seconded by Mr. Germana and approved by unanimous vote to amend Resolution No. R2014-0193 as follows:

- 1. insert “*water, storm and sanitary*” in the title and the first Whereas clause;**
- 2. insert “*water lines and*” after “*maintain,*” and also delete “*sanitary*” and insert “*storm sewers*” after in the second Whereas clause;**
- 3. delete “*sewerage*” in the fourth Whereas clause;**
- 4. insert “*water, storm and sanitary*” in the fifth Whereas clause;**
- 5. insert “*water lines and*” before “*sewerage,*” and also delete “*improvements*” and insert “*systems*” in Section 1.**

A motion was then made by Mr. Jones, seconded by Mr. Germana and approved by unanimous vote to amend Resolution No. R2014-0193 by deleting “.70” and inserting “1.70” in Section 1 under “*Sewer Area No. 9, Garfield Heights, Sanitary Sewers.*”

On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No.

R2014-0193 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 amended.

- c) R2014-0194: A Resolution approving and confirming the 2015 sewer maintenance and/or sewerage treatment assessments for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 18, 20, 21, 22 and 24, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective.

Mr. Chambers and Ms. Teeuwen addressed the Committee regarding Resolution No. R2014-0194. Discussion ensued.

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

A motion was made by Mr. Miller, seconded by Ms. Conwell and approved by unanimous vote to amend Resolution No. R2014-0194 as follows:

1. insert "*water, storm and sanitary*" in the title and in Section 1;
2. insert "*water lines and*" and also delete "*the sanitary*" and insert "*storm sewers*" in the second Whereas clause and
3. insert "*water lines and*" and also delete "*sanitary*" and insert "*sewerage*" in the second Whereas clause.

On a motion by Mr. Jones, with a second by Mr. Miller, Resolution No. R2014-0194 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 amended.

- d) R2014-0195: A Resolution declaring that public convenience and welfare requires replacement of Lewis Road Culvert No. 13 in Olmsted Township; total estimated project cost \$582,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and declaring the necessity that this Resolution become immediately effective.

Ms. Teeuwen addressed the Committee regarding Resolution No. R2014-0195. Discussion ensued.

Committee members 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.

R2014-0195 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) R2014-0196: A Resolution authorizing the appropriation of real property in connection with right-of-way plans as set forth in Plat No. M-5012 for the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township; directing the County Executive to proceed with the acquisition of real property required for public highway purposes; authorizing the Fiscal Officer to issue the monetary warrant to be deposited with the Probate Court of Cuyahoga County in an amount that is equal to the fair market value of the property; and declaring the necessity that this Resolution become immediately effective:

- 1) Parcel No(s): 2-WD
Owner(s): HPCP I, LLC, an Ohio limited liability company
Approved Appraisal (Fair Market Value Estimate): \$850,500.00
- 2) Parcel No(s): 9-WD & T
Owner(s): G. & D. Moyse
Approved Appraisal (Fair Market Value Estimate): \$3,500.00
- 3) Parcel No(s): 12-S & T
Owner(s): Pearl Road Mini Storage, Inc. aka Pearl Plaza Mini Storage, Inc., an Ohio Corporation
Approved Appraisal (Fair Market Value Estimate): \$5,500.00
- 4) Parcel No(s): 22-T
Owner(s): R.T. Gilchrist
Approved Appraisal (Fair Market Value Estimate): \$350.00
- 5) Parcel No(s): 23-T
Owner(s): T.J.A. & J.Q. Cooley
Approved Appraisal (Fair Market Value Estimate): \$450.00
- 6) Parcel No(s): 26-WD, S & T
Owner(s): G.E., D. & G. Moyse
Approved Appraisal (Fair Market Value Estimate): \$2,350.00
- 7) Parcel No(s): 29-S & T
Owner(s): G.J. Moyse
Approved Appraisal (Fair Market Value Estimate): \$700.00
- 8) Parcel No(s): 31-S, S1 & T
Owner(s): TC Pinnacle Properties, Ltd., an Ohio limited

liability company

Approved Appraisal (Fair Market Value Estimate): \$1,450.00

9) Parcel No(s): 32-S & T

Owner(s): Generations Property Management, Ltd., an Ohio limited liability company

Approved Appraisal (Fair Market Value Estimate): \$750.00

10) Parcel No(s): 41-WD, S & T

Owner(s): P.W. Oberc

Approved Appraisal (Fair Market Value Estimate): \$400.00

11) Parcel No(s): 54-S & T

Owner(s): E.C. & R.L. Siwek

Approved Appraisal (Fair Market Value Estimate): \$450.00

Ms. Teeuwen and Mr. Frederick Whatley, Land Deputy/Environmental Administrator, addressed the Committee regarding Resolution No. R2014-0196. Discussion ensued.

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

A motion was made by Mr. Jones, seconded by Mr. Germana and approved by unanimous vote to amend Resolution No. R2014-0196 by deleting

“Parcel No(s): 32-S & T

Owner(s): Generations Property Management, Ltd., an Ohio limited liability company Approved Appraisal

(Fair Market Value Estimate): \$750.00.”

On a motion by Mr. Jones with a second by Mr. Miller, Resolution No. R2014-0196 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 amended.

- f) R2014-0197: A Resolution authorizing an amendment to Contract No. CE0800631-01 with Michael Baker Jr., Inc. for consultant engineering services for construction of Stage 3 of the Towpath Trail Extension from Steelyard Commons to Tremont Trailhead for additional funds in the amount not-to-exceed \$2,044,567.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Mr. Kosilesky addressed the Committee regarding Resolution No. R2014-0197. Discussion ensued.

Committee members asked questions of Mr. Kosilesky pertaining to the item, which he answered accordingly.

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2014-0197 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.

Committee members Germana, Conwell and Jones requested to have their names added as co-sponsors to Resolution No. R2014-0197.

- g) R2014-0198: A Resolution authorizing an amendment to Contract No. CE1100721-01 with American Bridge Company for rehabilitation of Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland for additional funds in the amount not-to-exceed \$714,577.66; authorizing the County Executive to execute the amendment and all other documents consistent with 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 \$71,457.77 to fund said amendment; and declaring the necessity that this Resolution become immediately effective.

Ms. Teeuwen and Mr. Jamal Husani, Chief Transportation/Traffic Engineer, addressed the Committee regarding Resolution No. R2014-0198. Discussion ensued.

Committee members 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. R2014-0198 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. Conwell requested to have her name added as a co-sponsor to Resolution No. R2014-0198.

6. MISCELLANEOUS BUSINESS

Ms. Teeuwen provided the Committee with a list of municipalities that signed agreements with the County for roadway and maintenance services.

Mr. Miller requested that Ms. Teeuwen send Council a list of all County owned facilities and properties.

7. OTHER PUBLIC COMMENT

No public comments were given.

8. ADJOURNMENT

With no further business to discuss, Chairman Jones adjourned the meeting at 12:16 p.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0207

Sponsored by: County Executive FitzGerald/Department of Public Works	A Resolution amending Resolution No. R2014-0040 dated 4/22/2014, which authorized a Purchase and Sale Agreement with Playhouse Square Foundation for the sale of the Loew's Building, to clarify that the County is transferring all County-owned properties associated with the Loew's Building; authorizing the County Executive to execute all documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/ Department of Public Works has submitted a request to amend Resolution No. R2014-0040 dated April 22, 2014, which approved a Purchase and Sale Agreement with the Playhouse Square Foundation for the sale of County-owned property commonly known as the Loew's Building, located at 1501 Euclid Avenue, and authorized the County Executive to terminate the Indenture of Lease (the "Lease"), as amended, and execute the said Purchase and Sale Agreement; and

WHEREAS, it has been the intent of the County to transfer to the Playhouse Square Foundation, in addition to the Loew's Building, all County-owned properties associated with the Loew's Building, and to enter into all necessary Purchase and Sale Agreements to effectuate such intent; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue without interruption, and to provide for the usual, daily operation of a county development.

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

SECTION 1. That Resolution No. R2014-0040, dated April 22, 2014, is hereby amended as follows:

A. The fifth "WHEREAS" clause is hereby deleted in its entirety and replaced with the following:

WHEREAS, because the purpose of the County's original purchase in 1977 has been achieved, the County and the Playhouse Square Foundation have agreed to terminate the Lease, as amended, and transfer the title of the

property known as the Loew's Building and associated County-owned properties described as Permanent Parcel Nos. 103-01-013, 103-01-014 and 103-01-015 to the Playhouse Square Foundation; and,

B. The sixth "WHEREAS" clause is hereby deleted in its entirety and replaced with the following:

WHEREAS, the sale of the property known as the Loew's Building and associated County-owned properties to the Playhouse Square Foundation would result in significant savings in operating costs to the County; and,

C. Section 1 is hereby deleted in its entirety and replaced with the following:

That the Cuyahoga County Council authorizes the County Executive to terminate the Lease, as amended, and enter into Purchase and Sale Agreements with the Playhouse Square Foundation for the sale of the property commonly known as the Loew's Building and the associated County-owned properties for the amount of \$1.00.

SECTION 2. 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 3. 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: August 26, 2014

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

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0209

Sponsored by: County Executive FitzGerald/Department of Public Works	A Resolution authorizing an amendment to Contract No. CE1100590-01, 02, 03 with Reserve Apartments, LTD for lease of office space located at 1701 East 12 th Street, Cleveland, for use by various County divisions and a department for the period 10/1/2011 - 9/30/2014 to extend the time period to 9/30/2015, to change the scope of services, effective 7/31/2014 and 10/1/2014, and for additional funds in the amount not-to-exceed \$257,100.72; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works has authorized an amendment to Contract No. CE1100590-01, 02, 03 with Reserve Apartments, LTD for lease of office space located at 1701 East 12th Street, Cleveland, for use by various County divisions and a department for the period 10/1/2011 - 9/30/2014 to extend the time period to 9/30/2015, to change the scope of services, effective 7/31/2014 and 10/1/2014, and for additional funds in the amount not-to-exceed \$257,100.72; and

WHEREAS, the primary goal is to extend the term of the Lease for an additional twelve (12) months at a decreased rent of \$10.25 per square foot for a County Department occupying the office space for the additional twelve (12) month period; and

WHEREAS, this project is funded 100% by the General 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 an amendment to Contract No. CE1100590-01, 02, 03 with Reserve Apartments, LTD

First Reading/Referred to Committee: August 26, 2014
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal _____
_____, 20__