



AGENDA
CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING
COMMITTEE MEETING
MONDAY, SEPTEMBER 18, 2017
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
10:00 AM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE AUGUST 1, 2017 MEETING** (See Page 3)
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) R2017-0157: A Resolution declaring that public convenience and welfare requires roadway and traffic signal improvements along Warrensville Center Road, Emery Road, Richmond Road, Northfield Road and Miles Road in the Village of North Randall and City of Warrensville Heights; total estimated project cost \$1,552,479.65; 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. (See Page 5)
 - b) R2017-0158: A Resolution making an award on RQ40256 to Fabrizi Recycling, Inc. in the amount not-to-exceed \$3,164,600.00 for the 2017 Sewer Repair Program in various County Sewer Districts for the period 11/1/2017 - 10/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 9)

- c) R2017-0159: A Resolution authorizing a First Amendment to a Memorandum of Agreement with Village of Woodmere for Construction, Operation and Maintenance of Sanitary Sewerage Systems, located in County Sewer District No. 21; 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. (See Page 11)

- d) R2017-0160: A Resolution authorizing an amendment to Agreement No. AG1700012-01 with Northeast Ohio Regional Sewer District for disposal of wastewater sewer grit for the period 6/1/2016 - 5/31/2018 for additional funds in the amount not-to-exceed \$800,000.00; 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. (See Page 13)

- e) O2017-0004: An Ordinance amending Section 501.15 of the Cuyahoga County Code to modify the requirements of contractors, and declaring the necessity that this Ordinance become immediately effective. (See Page 15)

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.*

***Council Chambers is equipped with a hearing assistance system. If needed, please see the Clerk to obtain a receiver.*



MINUTES

**CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING
COMMITTEE MEETING
TUESDAY, AUGUST 1, 2017
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
1:00 PM**

1. CALL TO ORDER

Chairman Tuma called the meeting to order at 1:02 p.m.

2. ROLL CALL

Mr. Tuma asked Clerk Schmotzer to call the roll. Committee members Tuma, Miller, Conwell, Schron and Baker were in attendance and a quorum was determined.

3. PUBLIC COMMENT RELATED TO THE AGENDA

There were no public comments given related to the agenda.

4. APPROVAL OF MINUTES FROM THE JULY 19, 2017 MEETING

A motion was made by Ms. Conwell, seconded by Mr. Miller and approved by unanimous vote to approve the minutes of the July 19, 2017 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2017-0138: A Resolution authorizing a Purchase and Sale Agreement with Bricklayer Union Local #5 in the amount not-to-exceed \$325,000.00 for property located at 4205 Chester Avenue, Cleveland, Permanent Parcel Nos. 104-31-011 and 104-31-014; authorizing the County Executive to take all necessary actions and to execute the agreement and all other documents consistent with this Resolution; and

declaring the necessity that this Resolution become immediately effective.

Mr. John Myers, Real Estate Manager, addressed the Committee regarding Resolution No. R2017-0138. Discussion ensued.

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

On a motion by Mr. Tuma with a second by Mr. Schron, Resolution No. R2017-0138 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.

6. DISCUSSION

- a) Non-Federal Reimbursable Agreement with Department of Transportation, Federal Aviation Administration in connection with Phases Three and Four construction at the Cuyahoga County Airport

Ms. Nichole English, Transportation Planning Engineer, addressed the Committee regarding the item. Discussion ensued.

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

7. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

8. OTHER PUBLIC COMMENT

There were no public comments.

9. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Schron with a second by Ms. Conwell, the meeting was adjourned at 1:29 p.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0157

<p>Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer</p>	<p>A Resolution declaring that public convenience and welfare requires roadway and traffic signal improvements along Warrensville Center Road, Emery Road, Richmond Road, Northfield Road and Miles Road in the Village of North Randall and City of Warrensville Heights; total estimated project cost \$1,552,479.65; 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.</p>
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WHEREAS, the County Executive Budish/Department of Public Works/Division of County Engineer has recommended that public convenience and welfare requires roadway and traffic signal improvements along Warrensville Center Road, Emery Road, Richmond Road, Northfield Road and Miles Road in the Village of North Randall and City of Warrensville Heights; and

WHEREAS, the anticipated project cost for the roadway and traffic signal improvements is \$1,552,479.65; and

WHEREAS, that special assessments are not to be levied nor collected to pay for any part of the County's costs of this improvement; and

WHEREAS, this project will be funded as follows: (a) \$300,000.00 from the County's Road and Bridge Fund and (b) \$1,252,479.65 from the Village of North Randall; and

WHEREAS, the primary goal of this project is to properly maintain the County's infrastructure for which the County is responsible; and

WHEREAS, the location of the project is Warrensville Center Road, Emery Road, Richmond Road, Northfield Road and Miles Road in the Village of North Randall and City of Warrensville Heights, as indicated on the map attached as Exhibit A, Council District 9; and

WHEREAS, the anticipated start date for construction of this project is 2017; 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 declares that public convenience and welfare requires roadway and traffic signal improvements along Warrensville Center Road, Emery Road, Richmond Road, Northfield Road and Miles Road in the Village of North Randall and City of Warrensville Heights.

SECTION 2. That special assessments are not to be levied nor collected to pay any part of the County's cost of this improvement.

SECTION 3. That the County Executive is hereby authorized to enter into and execute any and all necessary agreements of cooperation and any other documents in connection with this project.

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: September 12, 2017
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal _____
_____, 2017



- PROVIDE DUAL NB LEFT TURN LANES AND SHARED THRU/RIGHT LANE. MODIFY SIGNAL HEADS AND PHASING AS NECESSARY.
- MODIFY EXISTING UNSIGNALIZED DRIVEWAY TO PROVIDE ONE LANE ENTERING AND ONE RIGHT TURN LANE EXITING.
- CONSTRUCT NEW RIGHT IN/RIGHT OUT DRIVEWAY WITH 150-FT NB RIGHT TURN LANE.
- CONSTRUCT 150-FT NB RIGHT TURN LANE.
- MODIFY EXISTING UNSIGNALIZED DRIVEWAY TO PROVIDE ONE LANE ENTERING AND ONE RIGHT TURN LANE EXITING.
- MODIFY EXISTING UNSIGNALIZED DRIVEWAY TO PROVIDE ONE LANE ENTERING AND ONE RIGHT TURN LANE EXITING.
- RESTRIPE WB APPROACH TO PROVIDE SHARED LEFT/THRU, SHARED THRU/RIGHT, AND EXCLUSIVE RIGHT TURN LANES. (ODOT CONTROLLED SIGNAL)

- RESTRIPE WB APPROACH TO PROVIDE A LEFT TURN AND SHARED LEFT/THRU/RIGHT LANE. MODIFY SIGNAL HEADS AS NECESSARY.
- RESTRIPE EB APPROACH TO PROVIDE DUAL LEFT TURN LANES AND SHARED THRU/RIGHT LANE. MODIFY SIGNAL HEADS AND PHASING AS NECESSARY.

- ODOT SIGNALIZED INTERSECTION
- WARRENSVILLE HEIGHTS SIGNALIZED INTERSECTION
- NORTH RANDALL SIGNALIZED INTERSECTION
- NORTH RANDALL UNSIGNALIZED INTERSECTION

LANGAN
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 Langan Engineering, Environmental, Surveying and
 Landscape Architecture, D.P.C.
 Langan Engineering and Environmental Services, Inc.
 Langan CT, Inc.
 Langan International LLC
 Collectively known as Langan

Project
 [REDACTED]
 VILLAGE OF NORTH RANDALL
 CUYAHOGA COUNTY OHIO

Drawing Title
PROPOSED IMPROVEMENTS

Project No. 400036801	Drawing No. A
Date 7/12/2017	
Scale N.T.S.	
Drawn By RMC	Checked By CAP
Revised Date --	

Filename: W:\angan\data\CLE\data\400036801\Cadd Data - 400036801\2D-DesignFiles\Traffic\400036801-Proposed Improvements ITE.dwg Date: 7/13/2017 Time: 11:09 User: peyre Style Table: Langan.stb Layout: FIG. A

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0158

<p>Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer</p>	<p>A Resolution making an award on RQ40256 to Fabrizi Recycling, Inc. in the amount not-to-exceed \$3,164,600.00 for the 2017 Sewer Repair Program in various County Sewer Districts for the period 11/1/2017 - 10/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; 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 an award on RQ40256 to Fabrizi Recycling, Inc. in the amount not-to-exceed \$3,164,600.00 for the 2017 Sewer Repair Program in various County Sewer Districts for the period 11/1/2017 – 10/31/2019; and

WHEREAS, the primary goal of this project is to provide sewer repairs as needed in various sewer districts within Cuyahoga County for two (2) years; and

WHEREAS, the funding for this project is Sewer District Cash Balances; 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 makes an award on RQ40256 to Fabrizi Recycling, Inc. in the amount not-to-exceed \$3,164,600.00 for the 2017 Sewer Repair Program in various County Sewer Districts for the period 11/1/2017 – 10/31/2019.

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

SECTION 3. 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 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: September 12, 2017
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0159

<p>Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer</p>	<p>A Resolution authorizing a First Amendment to a Memorandum of Agreement with Village of Woodmere for Construction, Operation and Maintenance of Sanitary Sewerage Systems, located in County Sewer District No. 21; 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.</p>
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended a First Amendment to a Memorandum of Agreement with Village of Woodmere for Construction, Operation and Maintenance of Sanitary Sewerage Systems, located in County Sewer District No. 21; and

WHEREAS, the County and the Village of Woodmere entered into a Memorandum of Agreement for Construction, Operation and Maintenance of Sanitary Sewerage Systems pursuant to Board of County Commissioners Resolution No. 952239, dated 6/6/1995; and

WHEREAS, the County and Village of Woodmere desire to amend the Memorandum of Agreement in order for the County to maintain its Village sewers and the County sewers and collect funds for the completion of capital improvement projects through sanitary engineer assessments collected on tax duplicates from Village of Woodmere residents; 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 First Amendment to a Memorandum of Agreement with Village of Woodmere for Construction, Operation and Maintenance of Sanitary Sewerage Systems, located in County Sewer District No. 21.

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

SECTION 3. 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 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: September 12, 2017
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0160

<p>Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer</p>	<p>A Resolution authorizing an amendment to Agreement No. AG1700012-01 with Northeast Ohio Regional Sewer District for disposal of wastewater sewer grit for the period 6/1/2016 - 5/31/2018 for additional funds in the amount not-to-exceed \$800,000.00; 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.</p>
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended an amendment to Agreement No. AG1700012-01 with Northeast Ohio Regional Sewer District for disposal of wastewater sewer grit for the period 6/1/2016 - 5/31/2018 for additional funds in the amount not-to-exceed \$800,000.00; and

WHEREAS, the primary goal of this project is the disposal of sewer wastewater grit at a southerly certified disposal site; and

WHEREAS, this project is funded 100% by the Sanitary Sewer 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 Agreement No. AG1700012-01 with Northeast Ohio Regional Sewer District for disposal of wastewater sewer grit for the period 6/1/2016 - 5/31/2018 for additional funds in the amount not-to-exceed \$800,000.00.

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

SECTION 3. 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 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: September 12, 2017

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

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Ordinance No. O2017-0004

Sponsored by: County Executive Budish/Fiscal Officer	An Ordinance amending Section 501.15 of the Cuyahoga County Code to modify the requirements of contractors, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Section 501.15 of the Cuyahoga County Code sets forth certain Required Certifications that shall be made by all Contractors; and

WHEREAS, the amendments proposed are designed to clarify and limit the requirements to applicable contract types; 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 a County entity.

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

SECTION 1. Section 501.15 of the Cuyahoga County Code is hereby amended to read as follows (additions are bolded and underlined, deletions are stricken):

Section 501.15 ~~Required Certifications by~~ Requirements of Contractors

A. On federally or state funded projects, which require the County to comply with specific federal and/or state criteria or forms for certifications by the successful contractor(s), the County shall comply with the federal and/or state requirements to avoid the loss of federal or state funds, including the use of the federal and/or state certification forms in lieu of the County's mandated certification forms. Where possible on federally or state funded projects and on all other projects, at the time of execution of the contract, the successful contractor shall ~~certify that it:~~

1. **for public improvements contracts, the contractor** shall be in compliance with Ohio's Drug-Free Workplace requirements **as provided in Ohio Revised Code Section 153.03**, including, but not limited to, maintaining a substance abuse policy that its personnel are subject to on the contract (the successful contractor shall provide this policy upon request);

2. **for public improvement contracts, the contractor** ~~does~~ **shall** not have an Experience Modification Rating greater than 1.5 with respect to the Bureau of Workers Compensation risk assessment rating;
3. **the contractor** ~~is in~~ **shall be** compliance and will remain in compliance with Federal and Ohio Equal Opportunity Employment Laws;
4. **for public improvement contracts, the contractor** shall pay the prevailing wage rate and comply with other provisions set forth in Sections 4115.03 through 4115.16 of the Ohio Revised Code and Sections 4101:9-4-01 through 4101:9-4-28 of the Ohio Administrative Code, including but not limited to the filing of certified payroll reports;
5. **for public improvement contracts, the contractor** ~~has~~ **shall** not **have** been debarred from public contracts for prevailing wage violations or found or determined by the state to have underpaid the required prevailing wage, whether intentionally or unintentionally, even if settled subsequent to the finding, more than three times in the last ten (~~ten~~) years, provided that, when aggregating for any single project, no finding of an underpaid amount of less than \$1,000.00 shall be considered, and no single finding based upon a journeyman-to-apprenticeship ratio shall be considered a violation of this provision unless as part of multiple, similar findings;
6. **the contractor** ~~has~~ **shall** not **have** been penalized or debarred from any federal, state, or local public contract or falsified certified payroll records, or has otherwise been found, after appeals, to have violated the Fair Labor Standards Act in the past seven years, or during the **contractor's bidder's** entire time of doing business, if less than seven years;
7. **the contractor** ~~has~~ **shall** not **have** violated any unemployment or workers compensation law during the past five years, or during the **contractor's bidder's** entire time of doing business, if less than five years;
8. **the contractor,** at the time of contract award, ~~does~~ **shall** not have final, unsatisfied judgments against it which in total amount to 50% or more of the contract amount;
9. **the contractor** ~~will~~ **shall** utilize, for work performed under the contract supervisory personnel that have three or more years of experience in the specific trade and who maintain the appropriate state license(s), if any;
10. **the contractor** shall be properly licensed to perform all work as follows:
 - a. if performing a trades contract, shall be licensed pursuant to Ohio Revised Code Section 4740 as a heating, ventilating, and air

conditioning contractor, refrigeration contractor, electrical contractor, plumbing contractor, or hydronix contractor.

- b. if performing work regulated under Section 3737.65 of the Ohio Revised Code, be certified by the State Fire Marshall; and
 - c. if performing work under any other trade, occupation, or profession licensed under Title 47 of the Ohio Revised Code, be licensed for that trade, occupation, or profession as provided in the Ohio Revised Code;
11. **the contractor** shall, if performing a trade contract pursuant to Ohio Revised Code Section 4740, not subcontract more than 25% of the labor, excluding materials, for its awarded contract, unless to subcontractors also licensed pursuant to Ohio Revised Code Section 4740 or certified by the State Fire Marshall pursuant to Ohio Revised Code Section 3737.65;
 12. **the contractor** shall provide access as needed and allow the Agency of Inspector General to perform the functions provided for in Section 501.21 of the County Code; and
 13. **the contractor** shall require all of its subcontractors, at the time of execution of a subcontract, to make all of the certifications required in Section 501.15(A) except for subsections 7 and 9, of the County Code.
- B. If any material breach of contractual obligations or the certifications provided for in ~~this Section 501.16 of the County Code~~ occurs during the contract performance by the ~~vendor~~**contractor**, the County may exercise any or all contractual remedies, including but not limited to, contract termination for cause.

SECTION 2. It is necessary that this Ordinance become immediately effective for the usual daily 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 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.

