

MINUTES

CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE MEETING
WEDNESDAY, APRIL 27, 2011
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
2:00 PM

1. CALL TO ORDER

The meeting was called to order by Chairperson Jones at 2:20 p.m.

2. ROLL CALL

The Clerk called the roll. Chairperson Jones, Vice Chair Germana and Committee members Miller, Rogers and Conwell were in attendance and a quorum was established.

3. PUBLIC COMMENT RELATED TO THE AGENDA

There was no public comment.

4. APPROVAL OF MINUTES FROM APRIL 20, 2011 MEETING

Approval of the April 20, 2011 minutes was deferred to the next meeting, pending completion

5. DISCUSSION OF LEGISLATION PENDING COUNCIL REFERRAL ON APRIL 26, 2011:

- a) 02011-0024: An Ordinance amending County Resolution Nos. 052208 and 052209, each dated 6/2/2005, which established charges payable for connection to the County's water and sewer supply facilities in County Sewer District No. 14 for the period 12/30/2010 - 12/29/2011 and County Council Ordinance No. 02011-0007 as amended; and declaring the necessity that this Ordinance become immediately effective.

Sponsor: Greenspan

Nora Hurley of the Law Department asked that the committee consider deferring action on this item as the Public Works Department has some concerns about the broad language in the ordinance. Ms. Hurley mentioned a few specific concerns. In Section 1 of the ordinance it should be stated that this is limited to those property owners who are currently converting from septic to sanitary system. In the same paragraph it should be noted that repayment is based on the 2011 connection fee schedule, plus applicable interest. The 2008 connection fee expires 12/29/2011, which was intended as an incentive for citizens to make the change from septic to sanitary and to specifically exclude future developers. Currently, the ordinance does not state how the homeowners will make the 20 year repayment. Ms. Hurley stated that they wish to put the repayment through as an assessment so that the repayment would be

applied to the title of the home and not simply the current owner. Ms. Hurley further stated that on page 1, paragraph 4, the sentence should be amended so that the sentence would end at “earlier” and delete “and were quoted significantly higher costs due to price increases from the 2008 rates;”

Mr. Miller suggested that Councilmember Greenspan work with Ms. Hurley to get the amendments prepared, as this concerns constituents in his district.

A motion was made by Mr. Germana to hold this ordinance for pending amendments. The motion was seconded by Mr. Miller and approved by a unanimous vote.

- b) R2011-0166: A Resolution authorizing the County Executive to enter into agreements of cooperation with the Cities of Parma and Parma Heights for repair and resurfacing of Snow Road from West 130th Street to Ridge Road.

Sponsor: County Executive FitzGerald/Department of Public Works/ County Engineer

Ms. Bonita Teeuwen, Director of Public Works, reported that this project consists of 2.6 miles at a cost of \$5.3 million; 80% of which will be paid with federal funds at a cost of \$1.2 million for the county. The cities of Parma and Parma Heights had to pass legislation to begin this project. The county asks that municipalities come together to the county so that all understand the scope of work. The county is responsible for roads with additional traffic.

A motion was made by Mr. Germana, seconded by Mr. Miller and approved by unanimous vote to refer Resolution No. R2011-0166 to the full Council for consideration under second reading suspension of the rules.

- c) R2011-0167: A Resolution accepting County Improvement No. 3-A-1, rehabilitation of trenchless sanitary sewers and manhole repairs in the Cities of Beachwood, Lyndhurst, Mayfield Heights and Pepper Pike, County Sewer District Nos. 3 and 5, as complete and in accordance with plans and specifications; granting authority for the County Treasurer to release the escrow account, in accordance with Ohio Revised Code Section 153.63.

Sponsor: County Executive FitzGerald/Department of Public Works/ County Engineer/Sanitary Engineering Division

Mr. Mike Dever of the Engineer’s Office discussed this project. They are asking that funds in the amount of \$19,000 be released from the escrow account and that this resolution become immediately effective.

Mr. Miller made a motion to suspend the rules to allow consideration of a verbal amendment. The motion was seconded by Mr. Germana and approved by a unanimous vote.

Mr. Miller made a motion to amend the resolution to add Section 3 and to renumber the remaining sections accordingly. The amendment would state, “It is necessary that this resolution become immediately effective to ensure timely release of funds from the escrow account on this project. Provided that this resolution receives the

affirmative vote of at least 8 members of Council, this resolution shall become immediately effective upon the signature of the County Executive; otherwise it shall become effective at the earliest time provided for by general law". The motion was seconded by Mr. Rogers and approved by unanimous vote.

A motion was made by Mr. Miller, seconded by Ms. Conwell and approved by unanimous vote to refer Resolution No. R2011-0167 to the full Council for consideration under second reading suspension of the rules.

- d) R2011-0168:** A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE1000240-01 with Robert P. Madison International, Inc. for architectural and engineering services for various projects for the period 4/1/2010 - 3/31/2011 to exercise an option to extend the time period to 9/30/2011 and for additional funds in the amount not-to-exceed \$50,000.00.

Sponsor: County Executive FitzGerald/Department of Public Works/ County Engineer

Ms. Teeuwen stated that this amendment adds additional time and money for architectural work, on an as-needed basis. This is the same architect who designed the Council Chambers and the renovations of the 4th Floor. The Executive is currently revising the selection process for professional services so they are not ready to hire a new architect until that new policy is in place. It should be noted that this issue is coming to Council because the Board of Control ordinance will not become effective until this is a change order to a larger project.

Mr. Miller moved to suspend the rules to allow consideration of a verbal amendment. The motion was seconded by Mr. Germana and approved by unanimous vote.

Mr. Miller made a motion to amend the resolution to add a new Section 2 and renumber existing Section 2 as Section 3. The new Section 2 will state, "It is necessary that this resolution become immediately effective to provide for the continuation of the usual and ordinary operations of the county government. Provided that this resolution receives the affirmative vote of at least 8 members of Council, this resolution shall become immediately effective upon the signature of the County Executive; otherwise it shall become effective at the earliest time provided for by general law". The motion was seconded by Mr. Germana and approved by unanimous vote.

A motion was made by Mr. Miller, seconded by Mr. Rogers and approved by unanimous vote to refer Resolution No. R2011-0168 to the full Council for consideration under second reading suspension of the rules.

- e) R2011-0169:** A Resolution authorizing the County Executive to enter into a contract with PB Americas, Inc. fka Parsons Brinckerhoff Ohio, Inc. in the amount not-to-exceed \$1,734,243.00 for design engineering services for Highland Road Bridges Nos. 156, 157, 158 and 226 over Euclid Creek in the City of Euclid; 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 to fund said contract; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works/ County Engineer

Ms. Teeuwen stated that this project will consist of a design of four structures over Euclid Creek in the City of Euclid. The bid was selected through a quality base selection process and the most qualified bidder was selected followed by a negotiation on the fee. The scope of the project is to widen the structure to accommodate a widened route and bike path. Preliminary cost of the construction is \$10 million, \$8 million of which would be paid out of federal funds and the remaining would be paid from license tax fees collected.

A motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to refer Resolution No. R2011-0169 to the full Council for consideration under second reading suspension of the rules.

- f) R2011-0170: A Resolution approving plans for widening and reconstruction of Barrett Road from Spafford Road to the Berea West Corporation Line and the replacement of Barrett Road Culvert Nos. 8, 9, 10 and 11 in Olmsted Township; ordering that surveys, plans, profiles, cross-sections, right-of-way plans and plat for the project be filed in the Office of the Clerk of Council; setting the date and time of a public hearing; and declaring the necessity that this Resolution become immediately effective.

Ms. Teeuwen stated that the public hearing for this project has been scheduled for June 14, 2011. All property owners in the affected area have been notified of intention to take property and were notified of the public hearing.

A motion was made by Mr. Miller, seconded by Mr. Rogers and approved by unanimous vote to refer Resolution No. R2011-0170 to the full Council for consideration under second reading suspension of the rules.

6. MISCELLANEOUS BUSINESS

Mr. Miller announced that he would be willing to be helpful to the Executive in the implementation of the Board of Controls and Contracting Ordinance.

Mr. Germana asked about the meeting dates. Discussion ensued as to when would be the best time for the committee to meet. It was decided that Thursday mornings at 11 a.m. would be the new meeting time, pending approval from Council President Connally. The next meeting will be on Thursday, May 5, 2011 at 11 a.m.

7. PUBLIC COMMENT

There was no public comment.

8. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Miller with a second by Mr. Germana, the meeting was adjourned at 3:50 p.m., without objection.