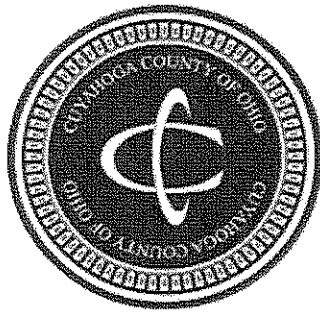


AGENDA
CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE MEETING
ENVIRONMENT & SUSTAINABILITY
THURSDAY, JUNE 16, 2011
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
11:00 AM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES FROM THE JUNE 9, 2011 MEETING**
- 4. PUBLIC COMMENT RELATED TO THE AGENDA**
 - a) R2011-0195: A Resolution ratifying Contract No. CP03937-01 with Equity Residential Properties Management Corp. for lease of office space located at 1701 East 12th Street, Cleveland, for use by Department of Senior & Adult Services for the period 6/1/2001 - 1/31/2005; approving the transfer and encumbrance of funds in the amount not-to-exceed \$312,005.91 for payment of rent through 9/30/2011; and declaring the necessity that this Resolution become immediately effective.
 - b) R2011-0204: A Resolution authorizing the County Executive to enter into a state contract with Staples Contract & Commercial, Inc. in the amount not-to-exceed \$1,715,534.00 for office supplies for various County departments for the period 7/1/2011 - 6/30/2013, and declaring the necessity that this Resolution become immediately effective.
 - c) R2011-0211: A Resolution approving surveys, construction plans, right-of-way plans, profiles, cross-sections, estimates of costs, specifications, and Right-of-Way Plat M-4997; authorizing the County Executive to acquire the necessary right-of-way and to proceed with the widening and reconstruction of Barrett Road from Spafford Road to the Berea West Corporation Line and replacement of Barrett Road Culvert Nos. 8, 9, 10 and 11 in Olmsted Township; and declaring the necessity that this Resolution become immediately effective.
- 5. PRESENTATION REGARDING TOWPATH TRAIL**
 - a) Bonnie Teeuwen, Director of Public Works
- 6. MISCELLANEOUS BUSINESS**

7. OTHER PUBLIC COMMENT

8. ADJOURNMENT



MINUTES
CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE MEETING
THURSDAY, JUNE 9, 2011
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
11:00 AM

1. CALL TO ORDER

The meeting was called to order by acting Chairperson Germana.

2. ROLL CALL

Acting Chairperson requested that the clerk call the roll. Committee Members Germana, Conwell, and Rogers were present. Chairman Jones and Committee Member Miller both have excused absences.

3. PUBLIC COMMENT RELATED TO THE AGENDA

There was no public comment related to the agenda.

4. APPROVAL OF MINUTES FROM THE MAY 26, 2011 MEETING

A motion was made by Committee Member Conwell and 2nd by Committee Member Rogers to approve the minutes. A yes / no vote was taken and the minutes from May 26, 2011 were unanimously approved without objection.

5. DISCUSSION OF R2011-0195: A Resolution ratifying Contract No. CP03937-01 with Equity Residential Properties Management Corp. for lease of office space located at 1700 East 12th Street, Cleveland, for use by Department of Senior & Adult Services for the period 6/1/2001 - 1/31/2005; approving the transfer and encumbrance of funds in the amount not-to-exceed \$312,005.91 for payment of rent through 9/30/2011; and declaring the necessity that this Resolution become immediately effective.

Bonnie Teeuwen discussed the above resolution. A discussion ensued between the committee and Ms. Teeuwen. A motion was made by Committee Member Conwell and 2nd by Committee Member Rogers to send the above resolution to the full council for a second reading. A yes / no vote was taken and the motion carried unanimously without objection.

6. OTHER MATTERS RELATED TO THE COMMITTEE

Acting Chairman Germana discussed O2011-0027 with Bonnie Teeuwen, James Boyle and Bob Ivory.

Bonnie Teeuwen also discussed to the committee that there will be a presentation in the near future regarding the Towpath Trail.

7. PUBLIC COMMENT

There was no public comment.

8. ADJOURNMENT

With no further business to discuss, a motion was made for adjournment by Committee Member Conwell and 2nd by Committee Member Rogers. The meeting was adjourned at 11:25am without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0195

Sponsored by: County Executive FitzGerald/Department of Public Works	A Resolution ratifying Contract No. CP03937-01 with Equity Residential Properties Management Corp. for lease of office space located at 1701 East 12 th Street, Cleveland, for use by Department of Senior & Adult Services for the period 6/1/2001 - 1/31/2005; approving the transfer and encumbrance of funds in the amount not-to-exceed \$312,005.91 for payment of rent through 9/30/2011; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the former governing board of Cuyahoga County, Ohio entered into a contract dated October 31, 1994, with Equity Residential Properties Management Corp. to lease space for various county agencies at the Reserve Square Apartment complex, located at 1701 East 12th Street, Cleveland, Ohio; and,

WHEREAS, a certain "First Expansion Amendment to Lease" (Contract No. CP03937-01) (hereinafter referred to as "the Amendment") was approved by the former governing board (Resolution No. 0110128) on March 27, 2001, to exercise an option to expand the amount of leased space by 9,262 square feet and for additional funds; and,

WHEREAS, the written contract language in the Amendment that was executed by the County and the Lessor required the payment of \$312,005.91 as "Base Rent" for the additional 9,262 square feet of space for the period June 1, 2001 through January 31, 2005, *in addition to* \$301,676.32 for "Work Allowance" (i.e., build-out costs) for a total of \$613,682.23; and,

WHEREAS, due to a clerical error, Resolution No. 0110128 approving the contract and Auditor's Certification inadvertently only listed the Work Allowance of \$301,676.32; leaving the \$312, 005.91 Base Rent amount agreed upon, but not referenced in the Resolution nor encumbered by the Auditor; and,

WHEREAS, this space was utilized by certain agencies of Cuyahoga County for the term of the Amendment and continuing through the now amended lease termination date of September 30, 2011;

WHEREAS, due to the number of subsequent amendments to the lease that were approved, the error was only recently discovered and traced back by staff of the Department of Procurement and Diversity after it was determined that sufficient funds were not encumbered and not available to close out the current lease term; and,

WHEREAS, the 2011 budget of the Department of Senior and Adult Services included an allocation for a 12-month certification of the rental agreement, but failed to recognize that the carryover encumbrance amount was insufficient to cover payments through the close of the lease term in September 2011; and,

WHEREAS, based on the first quarter estimates, there is an existing surplus in the budget of the Department of Senior and Adult Services as a result of attrition and budgeted FTEs that have not been filled that can be transferred to cover the funds necessary to close out the term of the lease in September 2011; and,

WHEREAS, the County Prosecutor reviewed the history of the lease and determined that the facts outlined above are correct and that the necessary action at this time is to request and obtain an appropriation under the same lease agreement in the amount of \$312,005.91 to authorize the payment of rent that was due under this lease; 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. Contract No. CP03937-01 with Equity Residential Properties Management Corp., for lease of space located at 1701 East 12th Street, Cleveland, for use by the Department of Senior and Adult Services, for the period June 1, 2001 through January 31, 2005, is hereby ratified.

SECTION 2. Funds available within the current budget of the Department of Senior and Adult Services shall be transferred in the amount not-to-exceed \$312,005.91 for payment of rent at Reserve Square and are hereby authorized to be encumbered and paid when due to the Lessor (now known as "Reserve Apartments, LTD") under the terms of the lease agreement, as amended, so that rent can be paid to close out the current lease term ending on September 30, 2011.

SECTION 3. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue. Provided that this resolution receives affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

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: May 31, 2011

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

Second Reading: June 14, 2011

Journal _____
_____, 2011

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0204

Sponsored by: County Executive FitzGerald/Office of Procurement & Diversity	A Resolution authorizing the County Executive to enter into a state contract with Staples Contract & Commercial, Inc. in the amount not-to-exceed \$1,715,534.00 for office supplies for various County departments for the period 7/1/2011 – 6/30/2013, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive has submitted a contract with Staples Contract & Commercial, Inc. in the amount not-to-exceed \$1,715,534.00 for office supplies for various County departments for the period 7/1/2011 - 6/30/2013, with the option to extend for one additional year; and,

WHEREAS, the purpose of the proposed contract is to obtain the best pricing for office supply purchases by utilizing Ohio State Contract #SR900011; 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 agency.

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

SECTION 1. The County Executive is hereby authorized to enter into a contract with Staples Contract & Commercial, Inc. in the amount not to exceed \$1,715,534.00 office supplies for various County departments for the period of 7/1/2011 - 6/30/2013, with an option to extend for one year.

SECTION 2. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

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: June 14, 2011

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

Journal _____
_____, 2011

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0211

<p>Sponsored by: County Executive FitzGerald/Department of Public Works/County Engineer</p>	<p>A Resolution approving surveys, construction plans, right-of-way plans, profiles, cross-sections, estimates of costs, specifications, and Right-of-Way Plat M-4997; authorizing the County Executive to acquire the necessary right-of-way and to proceed with the widening and reconstruction of Barrett Road from Spafford Road to the Berea West Corporation Line and replacement of Barrett Road Culvert Nos. 8, 9, 10 and 11 in Olmsted Township; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the Department of Public Works prepared and submitted surveys, plans, profiles, cross-section, right-of-way plans and plat M-4997 for the widening and Reconstruction of Barrett Road from Spafford Road to the Berea West Corporation Line and the Replacement of Barrett Road Culverts Nos. 8, 9, 10 and 11 in Olmsted Township and has recommended their approval; and,

WHEREAS, by Resolution No. R2011-0170, adopted on May 10, 2011, the County Council specified that the time and place of a meeting of this Council would be Council Chambers, at 6:15 p.m., local time, on the 14th day of June, 2011, for the purpose of hearing objections for said improvement; and,

WHEREAS, notice was published as required by law that surveys, plans cross-sections, estimates of costs and specifications for said improvement were on file in the Office of the Clerk of Council for the inspection of persons interested therein; and,

WHEREAS, said meeting was held at Council Chambers on the 14th day of June, 2011, at 6:15 p.m., local time, for the purpose of hearing objections for said improvement; and,

WHEREAS, public comment was heard for and against said improvement.

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

SECTION 1. That the surveys, plans, profiles, cross-sections, estimates of costs, specifications and Right-of-Way Plat M-4997, for said improvement be, and the same are, hereby approved.

SECTION 2. That this Council is satisfied that the public convenience and welfare require that said improvement be made and that the cost and expense thereof will not be excessive in view of the public utility thereof, and it is hereby determined to proceed with said improvement.

SECTION 3. That the County Executive is hereby authorized to acquire the right-of-way necessary for this improvement.

SECTION 4. That all proceedings, including the plat and survey and accurate and detailed description of said improvement, are hereby ordered copied into the Road Record of the County by the Department of Public Works and copied into all other proper records of the County by the Fiscal Officer.

SECTION 5. That the Clerk of Council be, and she is, hereby directed to transmit a copy of this Resolution upon its approval by the County Executive to Bonita Teeuwen, P.E., Director of Public Works.

SECTION 6. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, to continue the usual and daily operation of the County, and to assure that work can commence during the prime construction season. Otherwise, any delay in commencement of the work may cause delay to the work and result in significant cost increases to the County. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

SECTION 7. 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: June 14, 2011

Committee Assigned: Public Works, Procurement & Contracting

Public Hearing: June 14, 2011 at 6:15 p.m. in Council Chambers located at the
Justice Center

Journal _____
_____, 2011