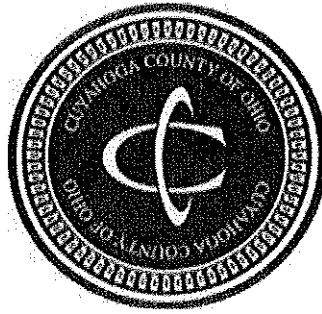


**AGENDA**  
**CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE MEETING**  
**THURSDAY, OCTOBER 27, 2011**  
**CUYAHOGA COUNTY JUSTICE CENTER**  
**COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR**  
**11:00 AM**

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC COMMENT RELATED TO THE AGENDA
4. APPROVAL OF MINUTES FROM THE OCTOBER 13, 2011 MEETING
5. MATTERS REFERRED TO COMMITTEE
  - a) **R2011-0305: A Resolution authorizing an award on RQ20792 to American Bridge Company in the amount of \$30,323,618.65 for rehabilitation of Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland; authorizing the County Executive to enter into a contract consistent with said award; and 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 \$6,064,723.73 to fund said contract.**
  - b) **O2011-0048: An Ordinance requiring the County Executive to contract for and conduct a Disparity Study in 2012 and, if required by law to validate the Disparity Study, every five years thereafter; and requiring annual updates of said Study, if required by law.**
6. MISCELLANEOUS BUSINESS
7. OTHER PUBLIC COMMENT
8. ADJOURNMENT

\*In accordance with Ordinance No. O2011-0020, complimentary parking for the public will be available **beginning at 4:00 p.m.** on any day when the Council or any of its committees holds evening meetings. Please see the Clerk to obtain a parking pass.



## MINUTES

CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE MEETING  
THURSDAY, OCTOBER 13, 2011  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
11:00 AM

1. CALL TO ORDER

**The meeting was called to order by Chairman Jones at 11:07 p.m.**

2. ROLL CALL

**The Clerk called the roll. Committee members Jones, Conwell, Rogers and Germana were in attendance and a quorum was determined. Committee member Miller was absent.**

**A motion was made by Mr. Rogers, seconded by Ms. Conwell and approved by unanimous vote to excuse the absence of Mr. Miller.**

3. PUBLIC COMMENT RELATED TO THE AGENDA

**There was no public comment.**

4. APPROVAL OF MINUTES FROM THE SEPTEMBER 29, 2011 MEETING

**A motion was made by Ms. Conwell, seconded by Mr. Rogers and approved by unanimous vote to approve the minutes of the September 29, 2011 meeting.**

5. MATTERS REFERRED TO COMMITTEE

- a) R2011-0292: A Resolution authorizing the County Executive to enter into a contract with TranSystems Corporation of Ohio in the amount not-to-exceed \$994,216.00 for consultant engineering services for rehabilitation of Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland, and declaring the necessity that this Resolution become immediately effective.

**Ms. Bonnie Teeuwen, Director of Public Works addressed the Committee regarding Resolution No. R2011-0292. Discussion ensued.**

**On a motion by Mr. Germana with a second by Mr. Rogers, Resolution No. R2011-0292 was considered and approved by unanimous vote to be referred to the full Council agenda for consideration under second reading suspension of rules.**

- b) O2011-0048: An Ordinance requiring the County Executive to contract for and conduct a Disparity Study in 2012 and, if required by law to validate the Disparity Study, every five years thereafter; and requiring annual updates of said Study, if required by law.

**Ms. Nancy Mercado, Contract Compliance Officer in the Office of Procurement and Diversity and Mr. David Merriman, Special Assistant to Executive FitzGerald, addressed the Committee regarding Ordinance No. O2011-0048. Discussion ensued.**

**Chairman Jones postponed Ordinance No. O2011-0048 from further consideration at this time.**

**6. MISCELLANEOUS BUSINESS**

**There was no miscellaneous business.**

**7. OTHER PUBLIC COMMENT**

**There was no public comment.**

**8. ADJOURNMENT**

**With no further business to discuss and on a motion by Mr. Rogers with a second by Ms. Conwell, the meeting was adjourned at 12:39 p.m., without objection.**

# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0305

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Works/County Engineer</b></p>	<p><b>A Resolution</b> authorizing an award on RQ20792 to American Bridge Company in the amount of \$30,323,618.65 for rehabilitation of Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland; authorizing the County Executive to enter into a contract consistent with said award; and 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 \$6,064,723.73 to fund said contract.</p>
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WHEREAS, the County Executive/Department of Public Works/County Engineer has recommended an award on RQ20792 to the American Bridge Company in the amount of \$30,323,618.65 for the rehabilitation of the Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland; and

WHEREAS, the bids were received on September 21, 2011 and the engineer's estimate was \$34,568,432.75; and

WHEREAS, the County Engineer tabulated the extension of the unit bid prices submitted by each bidder and verified the accuracy of the total amounts and determined the American Bridge Company to be the lowest qualified bidder; and

WHEREAS, the funding for this project is as follows: ODOT will provide 80% in federal funds to the Local Federal Project Administrator (LPA) of the eligible costs; the County will allocate 10% from the County Motor Vehicle \$5.00 License Tax Fund; and the City of Cleveland will fund the remaining 10% of the cost.

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

**SECTION 1.** That the County Council hereby authorizes the County Executive to award RQ20792 and to enter into contract with the American Bridge Company, in the amount of \$30,323,618.65, for the rehabilitation of the Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland.

**SECTION 2.** That the County Council hereby authorizes the County Executive to make an application for allocation from County Motor Vehicle \$5.00 License Tax

Funds in the amount of \$6,064,723.73 for rehabilitation of the Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland.

**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 any of its committees that resulted 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: October 25, 2011

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

Journal \_\_\_\_\_  
\_\_\_\_\_, 2011

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2011-0048

Sponsored by: <b>Councilmembers Jones, Connally, Brady, Conwell, Rogers and Miller and County Executive FitzGerald</b>	<b>An Ordinance</b> requiring the County Executive to contract for and conduct a Disparity Study in 2012 and, if required by law to validate the Disparity Study, every five years thereafter; and requiring annual updates of said Study, if required by law.
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WHEREAS, Cuyahoga County desires to ensure that its business practices make it possible for all willing and able businesses to be eligible to contract with the county and to subcontract with the county's prime contractors for construction, architecture and engineering, and other professional services, and for the procurement of other goods and services; and

WHEREAS, Cuyahoga County desires to know whether its business practices are in fact, making it possible for all willing and able businesses, especially those designated as Minority Business Enterprises (MBEs) and/or Female Business Enterprises (FBEs) to be eligible to contract with the county and subcontract with the county's prime contractors; and

WHEREAS, Cuyahoga County further desires to know the level of participation in county contracts and subcontracts with county prime contractors of those businesses designated as Minority Business Enterprises (MBEs) and/or Female Business Enterprises (FBEs) in order to determine whether there is a disparity or underutilization in the award of any such contracts to MBEs, and/or FBEs; and

WHEREAS, the appropriate manner of determining whether there is any disparity in the award of contracts is to conduct a Disparity Study, which includes a comprehensive analysis of county contracting data to determine whether statistically significant disparities or underutilization exists in the award of contracts to MBEs and/or FBEs; and

WHEREAS, in order to act upon any determined disparities or underutilization, it is necessary to update data on an annual basis; and

WHEREAS, Cuyahoga County last conducted a Disparity Study in 2002, after which the County adopted its Small Business Enterprise Policy; and the county has not updated its 2002 study.

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

**SECTION 1.** The County Executive shall contract for and conduct a Disparity Study in 2012 and, if required by law to validate the Disparity Study, every five (5) years thereafter. Such studies shall be designed to meet the methodological standards put forward by court rulings regarding the constitutionality of programs specifically designed to encourage greater participation of women and minorities in our economy.

**SECTION 2.** The County Executive shall, if required by law to validate the Disparity Study, annually update the Disparity Study in order to ensure the County is using accurate and legally valid statistics.

**SECTION 3.** It is found and determined that all formal actions of this County Council meeting relating to the adoption of this Ordinance were adopted in an open meeting of the County Council and that all deliberations of this County Council and any of its committees that resulted in such formal actions took place 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 Ordinance was duly enacted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President      Date

\_\_\_\_\_  
County Executive      Date

\_\_\_\_\_  
Clerk of Council      Date

First Reading/Referred to Committee: October 11, 2011

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

Additional Sponsorship Requested on the Floor: October 11, 2011

Journal \_\_\_\_\_  
\_\_\_\_\_, 2011