



AGENDA
CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE
MEETING
THURSDAY, AUGUST 30, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST 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 16, 2012 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) R2012-0173: A Resolution making an award on RQ24294 to Terrace Construction Company, Inc. in the amount not-to-exceed \$6,957,014.80 for the improvement of East 105th Street/Martin Luther King Drive Intersection in the City of Cleveland; and authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution.
- 6. MISCELLANEOUS BUSINESS**
- 7. OTHER PUBLIC COMMENT**
- 8. ADJOURNMENT**

*In accordance with Ordinance No. O2011-0020, complimentary parking in the Huntington Park Garage will be available for the public **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, AUGUST 30, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
11:00 AM

1. CALL TO ORDER

Chairman Jones called the meeting to order at 11:04 a.m.

2. ROLL CALL

Chairman Jones asked Assistant Deputy Clerk Thurman to call the roll. Committee members Jones, Germana, Miller, Conwell and Rogers were in attendance and a quorum was determined.

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM THE JULY 26, 2012 MEETING

A motion was made by Ms. Conwell, seconded by Mr. Germana and approved by unanimous vote to approve the minutes of the July 26, 2012 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2012-0157: A Resolution authorizing the appropriation of real property for the reconstruction of Ridge Road from Interstate 480 to Memphis Avenue in the City of Brooklyn; 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

warrants 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 6-SH, standard highway (permanent) easement over 173 sq. ft. to construct a public sidewalk and install traffic signal box
Owner: Northcliff I-480 LLC, an Ohio Limited liability Company
Fair Market Value Estimate: \$18,970.00
- 2) Parcels 8-SH standard highway (permanent) easement over 81 sq. ft. to construct a public sidewalk and replace a private walk, and T1 and T2, temporary easements over 30 sq. ft. and 29 sq. ft., respectively, to construct a public sidewalk and replace a private walk
Owner: Ava L. Woody and unknown spouse, if any
Fair Market Value Estimate: \$420.00
- 3) Parcel 13-SH, a standard highway (permanent) easement over 129 sq. ft. to construct a public sidewalk
Owner: Ridge Park Square LLC, an Ohio Limited Liability Company
Fair Market Value Estimate: \$22,300.00
- 4) Parcel Nos.: 22-T1 and T2, temporary easements over 120 and 45 sq. ft., respectively, both of which easements are to replace private driveways
Owner: McDonald's USA, LLC, a Delaware Limited Liability Company
Fair Market Value Estimate: \$ 300.00
- 5) Parcel No.: 36-SH, a standard highway (permanent) easement over 114 sq. ft. to install ADA curb ramps and reconstruct the public sidewalk with a reconfigured turn radius
Owners: Wladmimir Kolomizew a/k/a Walter Kolomizew, and, Anna Kolomizew (deceased, widow), and Anna Kolomizew, spouse of Wladmimir
Fair Market Value Estimate: \$ 430.00
- 6) Parcel No.: 101-SH, a standard highway (permanent) easement over 27 sq. ft. to install ADA curb ramps and reconstruct the public sidewalk with a reconfigured turn radius
Owner: D-Xtramile, LLC, an Ohio Limited Liability Company
Fair Market Value Estimate: \$300.00, and

Ms. Bonnie Teeuwen, Director of Public Works; Mr. Frederick Whatley, Land Deputy/Environmental Administrator; and Mr. Majeed Makhlouf, Law Director, addressed the Committee regarding Resolution No. R2012-0157. Discussion ensued.

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

Mr. Germana asked to be added as a co-sponsor to Resolution No. R2012-0157.

On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2012-0157 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 rules.

- b) R2012-0158: A Resolution authorizing the Department of Public Works to submit a loan application to the Ohio Environmental Protection Agency Water Pollution Control Loan Fund for a loan in the amount of \$350,000.00 for a new sanitary sewer structure to provide sanitary sewer services in the City of Parma on Broadview Road between Brookdale Avenue and Broadrock Court for the period 3/15/2013 - 9/15/2013; and authorizing the County Executive to execute all documents required in connection with said loan application.

Mr. Makhlouf and Ms. Teeuwen addressed the Committee regarding Resolution No. R2012-0158. Discussion ensued.

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

A motion was then made by Mr. Germana, seconded by Ms. Conwell and approved by unanimous vote to amend Resolution No. R2012-0158 by inserting *“authorizing the County Executive to accept the loan if the loan application is approved”* in the title; inserting *“authorized”* in Section 1; and inserting *“Section 3. If the loan application is approved, the County Executive is authorized to accept the loan and execute the contract and any other documents in connection with said loan.”*

Mr. Germana asked to be added as a co-sponsor to Resolution No. R2012-0158.

On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2012-0158 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 rules.

- c) R2012-0159: A Resolution authorizing the Department of Public Works to submit a loan application to the Ohio Environmental Protection Agency Water Pollution Control Loan Fund for a forgivable loan in the amount of \$154,000.00 for repair and replacement of household sewage treatment systems for the period 9/15/2012 - 9/15/2013; authorizing the County Executive to execute all documents required in connection with said loan application.

Ms. Teeuwen addressed the Committee regarding Resolution No. R2012-0159. Discussion ensued.

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

A motion was then made by Mr. Miller, seconded by Ms. Conwell and approved by unanimous vote to amend Resolution No. R2012-0158 by inserting "*authorizing the County Executive to accept the loan if the loan application is approved*" in the title; and inserting "*Section 3. If the loan application is approved, the County Executive is authorized to accept the loan and execute the contract and any other documents in connection with said loan.*"

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2012-0159 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 rules.

- d) R2012-0160: A Resolution authorizing a payment to Cleveland Public Power in the amount not-to-exceed \$2,190,984.28 for utility relocation work awarded on RQ24294, in connection with the improvement of East 105th Street/Martin Luther King Drive Intersection in the City of Cleveland; and declaring the necessity that this Resolution become immediately effective.

Ms. Teeuwen addressed the Committee regarding Resolution No. R2012-0160. Discussion ensued.

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

Ms. Conwell asked to be added as a co-sponsor to Resolution No. R2012-0160.

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2012-0160 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 rules.

- e) R2012-0161: A Resolution making an award on RQ23057 to Independence Excavating, Inc. in the amount not-to-exceed \$3,465,525.85 for the Cuyahoga Area of Concern Urban Riparian Habitat Restoration project in the City of Cleveland; 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.

Ms. Teeuwen and Ms. Lenora Lockett, Director of the Office of Procurement and Diversity, addressed the Committee regarding Resolution No. R2012-0161. Discussion ensued.

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

Committee members Conwell, Germana, Miller, Jones and Rogers asked to be added as co-sponsors to Resolution No. R2012-0161.

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2012-0161 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 rules.

- f) R2012-0162: A Resolution making awards to various municipalities, in the total amount of \$1,492,641.88, for various municipal grant projects for the Community Development Block Grant Program for the period 9/1/2012 - 12/31/2013; authorizing the County Executive to enter into agreements consistent with said awards and this Resolution, and declaring the necessity that this Resolution become immediately effective:
 - 1) City of Maple Heights for the Infrastructure Improvement Project in the amount not-to-exceed \$350,000.00.
 - 2) Village of Newburgh Heights for the East 53rd Street Storm/Sanitary Sewer Separation Project in the amount not-to-exceed \$350,000.00.
 - 3) Village of Glenwillow for the Richmond-Pettibone Road Intersection Improvement in the amount not-to-exceed \$150,000.00.
 - 4) City of Garfield Heights for the McCracken Road Multi-Purpose Trail in the amount not-to-exceed \$150,000.00.

- 5) City of Brooklyn for the Natatorium ADA Splash Pad in the amount not-to-exceed \$150,000.00.
- 6) Village of Cuyahoga Heights for Bacci Park ADA Compliant Restrooms in the amount not-to-exceed \$150,000.00.
- 7) City of Parma Heights for the Big Creek Metroparks Connector Trail in the amount not-to-exceed \$150,000.00.
- 8) City of Berea for the Sidewalk Repair Project in the amount not-to-exceed \$42,641.88.

Ms. Teeuwen, Mr. Nathan Kelly, Deputy Chief of Development, and Mr. Harry Conard, Business Administrator, addressed the Committee regarding Resolution No. R2012-0162. Discussion ensued.

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

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2012-0162 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 rules.

6. MISCELLANEOUS BUSINESS

- a) Presentation regarding Disparity Study-Mark Parks, Director of Special Projects, Fiscal Office

Mr. Mark Parks, Director of Special Projects, Fiscal Office, and Mr. Makhlof addressed the Committee regarding the Disparity Study. Discussion ensued.

Committee members asked questions of Mr. Parks and Mr. Makhlof pertaining to the item, which they answered accordingly.

7. OTHER PUBLIC COMMENT

No public comments were given.

8. ADJOURNMENT

With no further business to discuss, Chairman Jones adjourned the meeting at 1:11 p.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0173

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution making an award on RQ24294 to Terrace Construction Company, Inc. in the amount not-to-exceed \$6,957,014.80 for the improvement of East 105th Street/Martin Luther King Drive Intersection in the City of Cleveland; and authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution.
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WHEREAS, the County Executive FitzGerald/Department of Public Works/Division of County Engineer has recommended an award on RQ24294 to Terrace Construction Company, Inc. in the amount not-to-exceed \$6,957,014.80 for the improvement of East 105th Street/Martin Luther King Drive Intersection in the City of Cleveland; and

WHEREAS, the bids were received on July 24, 2012. This project is federally funded, therefore the Small Business Enterprise goal was waived; however, the Ohio Department of Transportation (“ODT”) assessed an eight (8%) percent DBE goal; and

WHEREAS, there were twelve (12) proposals pulled from OPD and two (2) bids were submitted for review and an award recommendation was made to the lowest qualified bidder; and

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

WHEREAS, the contractor for the project is Terrace Construction Company, Inc., located at 3965 Pearl Road, Cleveland, Ohio 44109 in Council District 7, and

WHEREAS, this is a two (2) year project and construction is anticipated to begin October, 2012, and

WHEREAS, the funding for this project is as follows: a) 50% Federal Funds; b) 42% Ohio Public Works Commission Issue 1 Funds, and c) 4% each will be paid by the City of Cleveland and Cuyahoga County.

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

SECTION 1. That the County Council hereby approves the County Executive's recommendation and authorizes an award on RQ24294 to Terrace Construction Company, Inc. (12-2) in the amount not-to-exceed \$6,957,014.80 for the improvement of East 105th Street/Martin Luther King Drive Intersection in the City of Cleveland.

SECTION 2. That the County Executive is authorized to execute all documents required in connection with said contract.

SECTION 3. That funding for this project is as follows: a) 50% Federal Funds; b) 42% Ohio Public Works Commission Issue 1 Funds, and c) 4% each will be paid by the City of Cleveland and Cuyahoga County.

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 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

Deputy Clerk of Council

Date

First Reading/Referred to Committee: August 28, 2012

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

Journal _____
_____, 2012