



AGENDA
CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE
MEETING
WEDNESDAY, SEPTEMBER 18, 2013
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 SEPTEMBER 11, 2013 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) R2013-0197: A Resolution making an award on RQ27992 to Specialized Construction Incorporated in the amount of \$524,500.00 for crack sealing in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 - 10/31/2014; 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.
 - b) R2013-0198: A Resolution authorizing an amendment to Contract No. CE0800123-02 with DDR MDT Great Northern, LLC for lease of office space located at 5069 Great Northern Shopping Center, North Olmsted, for the Auto Title Bureau Satellite Office No. 5 for the period 1/1/2008 - 12/31/2012 to assign the interest to BRE DDR Great Northern, LLC, effective 1/1/2013, to extend the time period to 12/31/2013 and for additional funds in the amount of \$44,587.20; 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.

- c) O2013-0022: An Ordinance establishing a Cuyahoga County Monument Commission, and declaring the necessity that this Ordinance become immediately effective.

6. MISCELLANEOUS BUSINESS

7. OTHER PUBLIC COMMENT

8. ADJOURNMENT

*In accordance with Section 108.01 of the Cuyahoga County Code, complimentary parking in the Huntington Park Garage will be available for the public on any day when the Council or any of its committees holds meetings. Please see the Clerk to obtain a parking pass.



MINUTES

CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE MEETING

WEDNESDAY, SEPTEMBER 11, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
11:00 AM

1. CALL TO ORDER

Chairman Jones called the meeting to order at 11:09 a.m.

2. ROLL CALL

Mr. Jones asked Assistant Deputy Clerk Carter to call the roll. Committee members Jones, Germana, Conwell and Miller were in attendance and a quorum was determined. Committee member Simon was absent from the meeting. Councilmember Rogers was also in attendance.

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM THE SEPTEMBER 4, 2013 MEETING

A motion was made by Mr. Germana, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the September 4, 2013 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) Q2011-0048: 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. Sharon Cole, Deputy Chief of Operations; Ms. Lisa Averyhart, Assistant Law Director; and Mr. Trevor McAleer, Legislative Budget Advisor, addressed the Committee regarding Ordinance No. O2011-0048. Discussion ensued.

Committee members and Councilmembers asked questions of Ms. Cole, Ms. Averyhart and Mr. McAleer pertaining to the item, which they answered accordingly.

Mr. Jones introduced a proposed substitute to Ordinance No. O2011-0048. Discussion ensued.

A motion was then made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to accept the proposed substitute.

On a motion by Ms. Conwell with a second by Mr. Germana, Ordinance No. O2011-0048 was considered and approved by unanimous vote to be referred to the full Council agenda for second reading, as substituted.

6. MISCELLANEOUS BUSINESS

Mr. Jones announced that the next Public Works, Procurement & Contracting Committee meeting will be held on Wednesday, September 18, 2013 at 11:00 a.m.

7. OTHER PUBLIC COMMENT

No public comments were given.

8. ADJOURNMENT

With no further business to discuss, Chairman Jones adjourned the meeting at 11:00 a.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0197

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution making an award on RQ27992 to Specialized Construction Incorporated in the amount of \$524,500.00 for crack sealing in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 - 10/31/2014; 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.
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WHEREAS, the County Executive/Department of Public Works has recommended an award on RQ27992 to Specialized Construction Incorporated (6-2) in the amount of \$524,500.00 for crack sealing in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 – 10/31/2014; and,

WHEREAS, this project come under the Deputy Chief Approval No. DC2013-159; and

WHEREAS, the work for this project will take place in all of the Council Districts; and

WHEREAS, this project will be 100% with municipal funds; 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 makes an award on RQ27992 to Specialized Construction Incorporated (6-2) in the amount of \$524,500.00 for crack sealing in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 – 10/31/2014.

SECTION 2. That the County Executive is authorized to execute a contract in connection with said award and all 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 10, 2013
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0198

<p>Sponsored by: County Executive FitzGerald/Department of Public Works</p>	<p>A Resolution authorizing an amendment to Contract No. CE0800123-02 with DDR MDT Great Northern, LLC for lease of office space located at 5069 Great Northern Shopping Center, North Olmsted, for the Auto Title Bureau Satellite Office No. 5 for the period 1/1/2008 - 12/31/2012 to assign the interest to BRE DDR Great Northern, LLC, effective 1/1/2013, to extend the time period to 12/31/2013 and for additional funds in the amount of \$44,587.20; 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 has recommended an amendment to Contract No. CE0800123-02 with DDR MDT Great Northern, LLC for lease of office space located at 5069 Great Northern Shopping Center, North Olmsted, for the Auto Title Bureau Satellite Office No. 5 for the period 1/1/2008 - 12/31/2012 to assign the interest to BRE DDR Great Northern, LLC, effective 1/1/2013, to extend the time period to 12/31/2013 and for additional funds in the amount of \$44,587.20; and

WHEREAS, this is one of the Auto Title Division's satellite offices to provide easy access to the public to obtain their titles for cars and boats; and

WHEREAS, the underlying lease is for approximately 2,175 square feet of retail space Board and Care contracts are mandated by the Ohio Administrative Code Section 5101:2-42-05; and

WHEREAS, this project will be funded from funds generated from the sale of Auto Titles; with the schedule of payments by invoice; 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 County departments, offices, and agencies.

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

SECTION 1. The County Council hereby approves an amendment to Contract No. CE0800123-02 with DDR MDT Great Northern, LLC for lease of office space located at 5069 Great Northern Shopping Center, North Olmsted, for the Auto Title Bureau Satellite Office No. 5 for the period 1/1/2008 - 12/31/2012 to assign the interest to BRE DDR Great Northern, LLC, effective 1/1/2013, to extend the time period to 12/31/2013 and for additional funds in the amount of \$44,587.20.

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

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 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: September 10, 2013

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

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Ordinance No. O2013-0022

Sponsored by: Council President Connally	An Ordinance establishing a Cuyahoga County Monument Commission, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article II, Section 2.03(2) empowers the County Executive to create commissions and appoint members of such commissions, subject to confirmation by County Council; and,

WHEREAS, the County Council deems a Cuyahoga County Monument Commission necessary to preserve and honor historical occurrences and significant individuals for the purpose of promoting a diverse and representative cultural environment for and on behalf of citizens and visitors of Cuyahoga County; 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 Commission.

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

SECTION 1: CHAPTER 206 of the Cuyahoga County Code, which provides for county commissions, is hereby amended to add a new section 206.10 as follows:

SECTION 206.10: COUNTY MONUMENT COMMISSION

A. Cuyahoga County Monument Commission Established.

(1) To encourage and promote a diverse and representative cultural environment for and on behalf of the citizens and visitors of Cuyahoga County through appropriate memorialization of significant persons, communities, and historic events, as well as to provide the opportunity to further enrich such citizenry through public monuments, the Cuyahoga County Monument Commission is hereby established.

B. Definitions. As used in this section:

(1) "Monument" shall mean any statuary, sculpture, fountain, garden, mural, nameplate, marker, park land, works of art, and other symbolic forms of public art erected to commemorate famous or notable persons, communities or historic events;

- (2) "Person(s)" shall mean an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation, or other legal or commercial entity;
- (3) "Donation" shall mean any monument or any monetary amount designated for the construction and maintenance of a monument;
- (4) "Loan" shall mean a deposit of property that is not accompanied by a transfer of title to the property;
- (5) "Ordinary Expenses" shall mean costs associated with operations, maintenance, and minor repairs of a monument;

C. Purpose of Monument Commission.

- (1) The purpose of the Monument Commission is to ensure that new Monuments are erected on Cuyahoga County property, and that existing Monuments are restored, renovated, enhanced, and/or repaired in accordance with rules and procedures established by the Commission. The Commission reviews all proposals for new Monuments to be erected and existing Monuments to be restored, renovated, enhanced and/or repaired in accordance with rules and procedures established by the Commission.

D. Composition and Qualifications of Monument Commission Members.

- (1) The Monument Commission shall be composed of seven voting members, each of whom shall be an elector of Cuyahoga County.
- (2) The Commission shall include a representative of the County Planning Commission, a representative of the County Department of Public Works, and a member of the County Council to be determined by the President. The remaining four positions on the Commission shall be individuals who have demonstrated a significant interest in studying the arts or local history.
- (3) The Commission shall designate a chairperson, and other necessary officers, by a majority vote.

E. Appointment Process.

- (1) Other than the member of Council, each Commission member shall be appointed by the County Executive and confirmed by the County Council.

F. Commission Member Terms.

- (1) The term of office for each Commission member shall be three years.
- (2) Terms of office for other than the Council member, shall commence upon the date specified in the motion proposing confirmation by Council.

- (3) Of the initial terms for Commission membership, four members shall be appointed to full terms and three members shall be appointed to half terms.
- (4) Commission membership shall be a non-compensated position, but members shall be entitled to reimbursement for reasonable expenses in connection with Commission duties.

G. Commission Member Resignation.

- (1) If a Commission member, other than a Council member, should resign, the County Executive shall appoint, subject to the approval of County Council, a replacement Commission member to fulfill the remainder of the vacated term.

H. Monument Commission Rules.

The Commission shall be responsible for establishing rules and procedures governing Cuyahoga County Monuments. Such rules shall include guidelines, criteria, and procedures for considering monument proposals, approval of monument designs and locations, acceptance of monuments and donations, whether as gifts or loans, financial responsibility, insurance, and other costs. The Commission shall include any other rules it deems necessary for carrying out its purposes.

I. Approval of Monument Designs.

In approving Monument design, the Commission shall establish standard criteria which shall include, but not be limited to, size, safety, suitability, and sustainability.

J. Approval of Monument Locations.

In approving Monument locations, the Commission shall establish standard criteria which shall include, but not be limited to, safety, space constraints, pedestrian and traffic flow, and historical significance of the site.

K. Requirement of Necessary Permitting and Permissions.

Unless otherwise negotiated, the donor(s) of or applicants for a monument, whether new or renovated or repaired, are solely responsible for obtaining all necessary permits from the requisite County Departments and other governmental entities and to coordinate with the requisite entity to ensure that no utilities are damaged during installation and/or repairs.

L. Donations.

- (1) The County may accept donations upon a vote of the Commission.
- (2) When a Monument is donated to the County, the donor must provide all funds for the planning, installation, and other incidental

expenses of the monument unless otherwise negotiated prior to acceptance.

M. Loaning a Monument.

- (1) The County may accept a Monument on loan upon a vote of the Commission.
- (2) The County may accept Monuments on loan from a person, but, prior to acceptance, the County shall negotiate all financial outlays for the cost of planning, installation, maintenance, and removal.

N. Financial Liability for Monuments – Unless otherwise negotiated, the donor or lender of a Monument shall provide full insurance for the Monument. The Commission shall negotiate with the donor the proper insurance coverage related to the specific monument prior to acceptance. In the event that a Monument is destroyed, rendered irreparable, or financially impracticable to replace, the Commission shall make all determinations in regards to replacement, movement, or closure of the Monument.

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

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: September 10, 2013

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

Journal _____
_____, 2013