

Cuyahoga County Board of Control
 County Administration Building, 4th Floor
 May 7, 2012 11:00 AM

1. Call to Order: The meeting was called to order at 11:06 AM
2. Review and Approve Minutes: Ed FitzGerald made a motion to approve, Dale Miller seconded, the minutes were approved. Doug Dillon (County Engineer) abstained.
3. Public Comment: There was no public comment
4. Tabled Items Returned for Review

Item	Requestor	Description	Board Action
BC2012-109	Department of Public Works	<p>Recommending an award on RQ20505 and enter into a contract with Conserve First, LLC in the amount not-to-exceed \$146,000.00 for detailed design, furnishing and installation of renewable energy and sustainability exhibits for the Fairgrounds Energy Center in connection with the County Fairgrounds Wind Turbine Project for the period 4/1/2012 - 7/30/2012. (Executive Approval No. EA2011-0818 - authority to seek proposals).</p> <p>Funding Source:100% General Fund</p> <p>Ed FitzGerald made a motion to approve, Dale Miller seconded, the item was approved.</p>	<p><input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove <input type="checkbox"/> Hold</p>
BC2012-115	Department of Workforce Development	<p>In partnership with City of Cleveland/Cuyahoga County Workforce Investment Board, submitting an amendment to Contract No. CE1000591-01 with United Labor Agency, Inc. for Employment Connection One-Stop operation and/or services to adult job seekers for the period 7/1/2010 - 6/30/2012 to change the scope of services, effective 2/6/2012, and for additional funds in the amount not-to-exceed \$84,700.00.</p> <p>Funding Source: 100% Federal Workforce Investment Act (WIA) Funds</p> <p>Ed FitzGerald made a motion to approve, Wade Steen seconded, the item was approved.</p>	<p><input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove <input type="checkbox"/> Hold</p>

5. New Items for Review

Item	Requestor	Description	Board Action
BC2012-117	Department of Public Works	<p>Submitting an amendment to Contract No. CE1000877-01 with Poli, Inc. for lease of space for the Westside Regional Probation Office for use by Juvenile Court for the period 9/1/2010 - 3/31/2012 to extend the time period to 3/31/2014 and for additional funds in the amount of \$102,720.00.</p>	<p><input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove <input type="checkbox"/> Hold</p>

		<p>Funding Source:100% General Fund</p> <p>Ed FitzGerald made a motion to approve, Dale Miller seconded, the item was approved.</p>	
BC2012-118	Department of Development	<p>Recommending an economic development loan in the amount not-to-exceed \$156,000.00 to 2323 Lee Road, LLC Heights Dental Group for renovation of property, located at 2323 Lee Road, Cleveland Heights.</p> <p>Funding Source: 100% CDBG Funding</p> <p>Ed FitzGerald made a motion to approved, Dale Miller seconded, the item was approved.</p>	<p><input checked="" type="checkbox"/> Approve</p> <p><input type="checkbox"/> Disapprove</p> <p><input type="checkbox"/> Hold</p>
BC2012-119	Fiscal Office	<p>Submitting a contract with Unisys Corporation, sole source, in the amount of \$105,849.85 for maintenance on remittance processing hardware and software for the period 1/1/2012 - 12/31/2014.</p> <p>Funding Source:70% General Fund; 30%DTAC Fund</p> <p>Ed FitzGerald made a motion to approve, Wade Steen seconded, the item was approved.</p>	<p><input checked="" type="checkbox"/> Approve</p> <p><input type="checkbox"/> Disapprove</p> <p><input type="checkbox"/> Hold</p>
BC2012-120	Office of Procurement and Diversity	<p>Recommending an award:</p> <p>Department of Public Works</p> <p>a) on RQ22952 to AKE Environmental and Construction Services, Inc. (2-3) in the amount not-to-exceed \$120,000.00 for sludge removal from various wastewater treatment plants for the period 5/1/2012 - 4/30/2014.</p> <p>Funding Source: 100% Sanitary Sewer funds.</p> <p>Ed FitzGerald made a motion to approve, Dale Miller seconded. The item was approved.</p>	<p><input checked="" type="checkbox"/> Approve</p> <p><input type="checkbox"/> Disapprove</p> <p><input type="checkbox"/> Hold</p>
BC2012-121	Juvenile Court	<p>Submitting amendments to contracts with various providers for residential treatment services for youth for additional funds:</p> <p>1) for the period 2/1/2010 - 1/31/2012:</p> <p>a) No. CE1000251-01 with Beech Brook in the</p>	

		<p>amount of \$39,930.00.</p> <p>b) No. CE1000253-01 with Bellefaire Jewish Children's Bureau in the amount of \$42,813.00</p> <p>c) No. CE1000260-01 with The Cleveland Christian Home Incorporated in the amount of \$17,359.09.</p> <p>d) No. CE1000263-01 with The Village Network in the amount of \$54,226.00</p> <p>2) for the period 6/1/2010 - 1/31/2012:</p> <p>e) No. CE1000724-01 with The Glen Mills Schools in the amount of \$79,421.00.</p> <p>f) No. CE1000727-01 with Safe House Ministries in the amount of \$36,939.00.</p> <p>Funding Source: 100% General Fund</p> <p>Ed FitzGerald made a motion to approve, Dale Miller seconded. The item was approved.</p>	<p><input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove <input type="checkbox"/> Hold</p>
BC2012-122	Juvenile Court	<p>Submitting contracts with various providers for in-home family therapy treatment services for the period 2/1/2012 - 1/31/2014:</p> <p>a) Applewood Centers, Inc. in the amount not-to-exceed \$30,000.00.</p> <p>b) Beech Brook in the amount not-to-exceed \$55,000.00.</p> <p>c) Bellefaire Jewish Children's Bureau in the amount not-to-exceed \$30,000.00</p> <p>d) Berea Children's Home kna Guidestone in the amount not-to-exceed \$35,000.00.</p> <p>e) Catholic Charities Services Corporation dba Parmadale in the amount not-to-exceed \$120,000.00.</p>	<p><input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove <input type="checkbox"/> Hold</p>

		<p>f) The Cleveland Christian Home Incorporated in the amount not-to-exceed \$30,000.00.</p> <p>Funding Source:100% General Fund</p> <p>Ed FitzGerald made a motion to approve, Dale Miller seconded. The item was approved.</p>	
--	--	--	--

6. Other Business

- Exemption from Aggregation of Contracts per Cuyahoga County Board of Control, Contracting and Purchasing Procedures Ordinance, Sections 3.5.a
- Approval of an Alternative Procurement Process per the Cuyahoga County Board of Control, Contracting and Purchasing Procedures Ordinance, Section 4.4.b.17

Item	Requestor	Description	Board Action
BC2012-116	Department of Development	<p>The Department of Development plans to contract by means of other than full and open competition with various weatherization contractors approved by the State of Ohio.</p> <p>1. Description of Supplies or Services (If contract amendment, please identify contract term and/or scope change)</p> <p>Background: Cuyahoga County operates a federally funded Home Weatherization Assistance Program, which provides free insulation, heating unit tune-up and repairs, and air leakage control repairs to low-income Cuyahoga County homeowners and renters, outside the city of Cleveland. Approximately 300 single-family and two-family houses are inspected and weatherized each year. County staff follow detailed inspection procedures, required by the State of Ohio, to determine exactly what work is required for each house served under the program. Work is done by qualified contractors trained and approved by the State of Ohio’s Department of Development’s Office of Community Assistance.</p> <p>Pricing of Measures: Cuyahoga County staff annually review the price to be paid for standard weatherization measures by comparing a number of sources, including prices paid by comparable public agencies and prices established by bidding larger weatherization projects. Based on this review, Cuyahoga County staff recommend a standard price list, with detailed materials and labor costs to be paid for each unit of service provided, to the State of Ohio. The State of Ohio reviews and approves the price list in writing. Up to \$500 per job of minor work</p>	

		<p>items, not appearing on the price list, may be authorized by Cuyahoga County staff. Any work item over \$500, not appearing on the price list, is ordered based on the lowest of three written bids from contractors on the approved list.</p> <p>Assignment of Work: Weatherization work orders, prepared by Cuyahoga County staff based on their inspection of the house to be served, are issued to qualified contractors on a rotating basis. Each qualified contractor can have up to 5 work orders open at any time. Contractors with demonstrated capacity to carry out a greater volume of work, based on customer service history, quality of work, and job turn-over rate, may have a greater number of work orders open.</p> <p>Contractor Selection: Contractors must have at least three years experience doing similar work and must possess all required State licenses and training certificates. Cuyahoga County will request State paid training for any contractor having three years experience doing similar work.</p> <p>Contracting Documents: Each qualified contractor must sign a written statement of terms and conditions as prescribed by the State of Ohio and approved by the County Law Director. This statement of terms and conditions is incorporated in each work order issued to the contractor. The statement of terms and conditions will also be signed by the Director of Development. The statement of terms and conditions is not in and of itself a contract, but it becomes part of Cuyahoga County's legal agreement with each contractor for each work order issued.</p> <p>2. Estimated Dollar Value and Funding Source(s) including percentage breakdown</p> <p>The value of work to be done under each work order issued will not exceed \$25,000. The total amount of work issued per year depends on the amount of funding received by Cuyahoga County in that year's weatherization grant from the State of Ohio.</p> <p>3. Rationale Supporting the Use of the Selected Procurement Method</p> <p>Weatherization work is highly regulated as to methods, materials, and quality under rules set forth by The State of Ohio's Home Weatherization Assistance Program's Standards. Each job consists of standard measures to be carried out in a standardized manner. The only variation from job to job is the quantity of various measures to be</p>	
--	--	---	--

	<p>carried out. The price list / work order system has been approved annually by the State of Ohio since 1989. This system allows a high volume of standardized work to be assigned on a rotating basis and done at prices which are reasonable and fair to all contractors.</p> <p>4. What other available options and/or vendors were evaluated? If none, include the reasons why. The option of bidding each job to three contractors was considered and rejected because it would consume an unacceptable amount of staff time per job and would cause unacceptable delays in starting and finishing work on each job in this high volume, highly regulated, standardized program. The weatherization program is a production based program with monthly production requirements. Bidding each job would severely impact monthly production goals.</p> <p>5. What ultimately led you to this product or service? Why was the recommended vendor selected? The measures to be installed are prescribed by the State of Ohio based on County staff’s inspection of each house to be served. Contractors are selected based on having three years’ experience in insulation or heating, and completing the required State training or possessing the required State license as applicable. All contractors meeting these qualifications will receive work assignments on a rotating basis as set for the above.</p> <p>6. Provide an explanation of unacceptable delays in fulfilling the County’s need that would be incurred if award was made through a competitive bid. Cuyahoga County is required to complete a high volume of weatherization jobs each month under its grant agreement from the State of Ohio. In order to meet its monthly quota of jobs, Cuyahoga County must issue work orders quickly when its staff has inspected each house. Job completion is expected to be done within 30 days. Time required for bidding and submitting individual contracts for Contract and Purchasing Board approval would delay service and jeopardize Cuyahoga County reaching its production quotas.</p> <p>7. Describe what future plans, if any, the County can take to permit competition before any subsequent purchases of the required supplies or services. County staff will continue to review the price list annually, based on comparison with prices paid for the</p>	<p><input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove <input type="checkbox"/> Hold</p>
--	---	--

		<p>same measures by similar public agencies.</p> <p>Ed FitzGerald made a motion to approve, Dale Miller seconded. The item was approved.</p>	
BC2012-123	Department of Development	<p>The Department of Development plans to contract by means of other than full and open competition under RQ N/A with various affordable housing developers.</p> <p>1. Description of Supplies or Services (If contract amendment, please identify contract term and/or scope change)</p> <p>The Department of Development would like to issue an informal request for applications from non-profit and private developers seeking loans of federal HOME funds to build or rehabilitate affordable multifamily housing units in Cuyahoga County.</p> <p>The Cuyahoga Housing Consortium is a public entity made up of the Cuyahoga Urban County, and the cities of Cleveland Heights, Euclid, Lakewood, and Parma. This entity allocates federal housing development funds received from the U.S. Department of Housing and Urban Development (HUD) under the Cranston-Gonzalez Affordable Housing Act (HOME program).</p> <p>Federal law provides that 15% of all HOME funds are reserved for investment in housing developed, sponsored, or owned by Community Housing Development Organizations (CHDO's).</p> <p>The Cuyahoga Housing Consortium expects to allocate up to \$900,000 to eligible projects. At least one of the funded projects must be a designated CHDO.</p> <p>The Cuyahoga Housing Consortium has the right to allocate less than the full amount available, or divide funds among multiple projects, based on review and evaluation of the proposals received.</p> <p>2. Estimated Dollar Value and Funding Source(s) including percentage breakdown</p> <p>Federal HOME funds in the amount of \$900,000.00.</p> <p>3. Rationale Supporting the Use of the Selected Procurement Method</p> <p>The use of an informal process allows the department to move from a rolling application process to an annual application process that aligns funding with the low</p>	

	<p>income housing tax credit allocation schedule. This process also ensures all potential projects receive equal consideration while following long established industry guidelines for underwriting which cannot be scored.</p> <p>The use of Federal HOME funds requires that a portion of the funds are allotted to nonprofit organizations recognized as CHDO's by the Cuyahoga Housing Consortium for the purpose of developing affordable rental housing under HOME regulations.</p> <p>The department is familiar with those development organizations that are recognized as County Community Housing Development Organizations. In addition, there are only a small number of non-profit and for-profit developers who are familiar with the HUD rules and regulations governing the development and management of multifamily housing funded with HOME or other federal funding.</p> <p>4. What other available options and/or vendors were evaluated? If none, include the reasons why.</p> <p>In the past the department has used a rolling application process that did not align with other federal and state funds. This process caused the inability to fund some projects that would otherwise have been eligible.</p> <p>The traditional RFP process is not well suited in the selection of acceptable loan applications. Underwriting of loans and evaluating the projects potential and public benefits cannot be scored adequately.</p> <p>The Department of Development will use a variety of means to ensure that all eligible community housing development organizations (CHDOs), other non-profit and for-profit developers are notified of the opportunity to apply for this funding.</p> <p>5. What ultimately led you to this product or service? Why was the recommended vendor selected?</p> <p>Through the acceptance and receipt of federal HOME funds Cuyahoga County is required to provide programs which increase affordable housing in the county.</p> <p>All organizations will be asked to provide written applications which, will be reviewed by department staff and presented to the Cuyahoga HOME Consortium review board for final recommendation.</p>	
--	--	--

		<p>6. Provide an explanation of unacceptable delays in fulfilling the County’s need that would be incurred if award was made through a competitive bid. The traditional RFP process is not well suited in the selection of acceptable loan applications. Underwriting of loans and evaluating the projects potential and public benefits cannot be scored adequately.</p> <p>7. Describe what future plans, if any, the County can take to permit competition before any subsequent purchases of the required supplies or services. The Department of Development will continue to be competitive through an annual request for applications from all interested and eligible parties to participate in this housing loan program.</p> <p>Ed FitzGerald made a motion to approve, Dale Miller seconded. The item was approved.</p>	<p><input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove <input type="checkbox"/> Hold</p>
--	--	--	--

- 7. General Business: The Law Director, Majeed Makhoulf addressed the Board about the potential changes to the contracting ordinance and changes to buyspeed regarding property consolidation and the need for outside counsel which will come before this board. This statement prompted questions from the board asking about the process for obtaining outside council and the need for a competitive procurement process.
- 8. Other Business: County Engineer, Doug Dillon sat in for Bonnie Teeuwen and C. Ellen Connally sat in for Pernel Jones, Jr.
- 9. Public Comment: There was no Public Comment
- 10. Adjournment: The meeting was adjourned at 12:08 PM.