

## Minutes

Cuyahoga County Board of Control  
County Administration Building, 4th Floor  
December 3, 2012 11:00 A.M.

1. Call to Order: The meeting was called to order at 11:04 A.M.

Attendees: County Executive Edward FitzGerald  
Councilman Pernel Jones, Jr.  
Councilman Dale Miller  
Fiscal Officer Wade Steen  
Director Bonnie Teeuwen  
Director Lenora Lockett  
Board of Control Clerk David Merriman

Councilman Michael Gallagher was unavailable.

2. Review and Approve Minutes: Ed FitzGerald made a motion to approve, Wade Steen seconded, the minutes were approved as written. Councilman Pernel Jones Jr. and Dave Greenspan abstained.

Public Comment was made regarding item number BC2012-320.

Ms. Karen Wishner, Director of the International Services Center, addressed the Board as it relates to funding for employment and refugee resettlement services, which her agency provides. Ms. Wishner distributed materials which stated that proposed contracts and subsequent amendments for refugee resettlement services were inconsistent with the purposes of funding as defined by the Office of Refugee Settlement, which states that priority must be given to newly arriving refugees. Ms. Wishner also asked why her agency is being totally excluded from receiving grant funds.

The item was introduced by David Merriman, Clerk of the Board of Control. Mr. Merriman removed himself from further discussion regarding this item as he serves as Acting Deputy Chief of Staff for the Department of Health and Human Services.

Joseph Gaunter, Administrator for Cuyahoga Job and Family Services, addressed the Board regarding the distribution of scores. The individual ratings were completed by an internal staff committee of five who read and rated each proposal. Four of the five staff on the committee rated the International Services Center proposal the lowest of the 3 submitted proposals. One of the five staff rated the agency as second of the 3 proposals. Joseph Gaunter affirmed the department's prior recommendation to award funds to Catholic Charities Health & Human Services and El Barrio, Incorporated.

County Executive Edward FitzGerald asked what the variances of scoring were between provider number 2 and 3.

Joseph Gaunter stated he believed there was a variance of 10 points. Mr. Gaunter provided copies of individual and final consensus based aggregate scores as well as copies of the composite team score and evaluation summary. The materials also documented a written description of the scoring process. Mr. Gaunter also acknowledged the individual respondents signed a conflict of interest statement.

Ed FitzGerald asked if this grant is given out on a yearly basis.

Mr. Gaunter stated the grant funds are received by the County on a yearly basis. He stated there had been times when the County received the funds in a single segment or in multiple segments over the course of a Federal fiscal year. Funding for this particular item is allocated for a 12 month contract with 2 one year options.

Ed FitzGerald inquired when the last time a procurement process was utilized for Refugee Resettlement services and if it was possible for all three agencies to be funded.

Mr. Gaunter stated the last time a new procurement process was done was 3 years ago. The recipients were Catholic Charities and West Side Ecumenical Ministries/El Barrio. International Services Center received funding in 2006 and 2007. Mr. Gaunter stated the first two applicants which had higher scores, selected funds beyond the total amount of the allocation requested. Mr. Gaunter commented that Cuyahoga Job and Family Services felt that it was in the best interest of the Community and the Department to make the awards based on the superior presentation of the proposals.

Ed FitzGerald commented to have agencies or entities strongly object to the way their services are ranked is not unique but that is the way a scoring process is supposed to work. The evaluation process is a necessary part of what the County does and everyone will not always be in agreement with the conclusion of the reviewing panel. Mr. FitzGerald asked if the allegations of a skewed process been substantiated, what were the steps taken after the protest was made and if Catholic Charities Health & Human Services or El Barrio Incorporated offered priority in the provision of services to all newly arriving refugees.

Mr. Gaunter stated he contacted Matthew Hawes of the Inspector General's office on November 28 and was informed that no representative from the International Services Center filed a complaint regarding allegations of bias and impropriety. Mr. Gaunter acknowledged that the County employee in question was not a member of the review team.

After the protest letter was received the Office of Procurement and Diversity convened a meeting on November 28, to give the International Services Center a chance to make a full declaration of their issues. The meeting consisted of members of the Law Department, the Cuyahoga Job and Family Services Department and the appealing agency. The discussion included the terms of the RFP as in who is eligible to apply and priority and population. The Agency referenced that El Barrio was not a refugee resettlement agency, which is not a requirement for applications for these funds.

Mr. Gaunter stated the focus of the services is to move people to employment. Catholic Charities Health & Human Services provides refugee resettlement services. El Barrio Incorporated is not a state recognized refugee resettlement agency but they have a subcontractor who is a refugee resettlement agency. Both Catholic Charities and El Barrio provide qualified services that are appropriate for this funding. The Request for Proposals did identify that newly relocated individuals are a first priority for these funds but the Request for Proposals does not require and the Federal and State agencies did not choose to hardwire the funds to refugee resettlement organizations, but required a competitive procurement process to which refugee resettlement organizations and others could respond. After Thursday's meeting adjourned, it was concluded the protest was without merit and a letter was sent out on Friday to the International Services Center reflecting that decision.

Councilman Dale Miller commented that further review sustained the process and he was prepared to vote in the affirmative for this item. Councilman Miller wanted the record to reflect that given International Services Center's primary mission is to provide refugee resettlement services, but was denied funding the Board should consider rebidding in a year instead of automatically exercising renewal of the award for 2 more years.

Councilman Pernel Jones Jr. stated that he was content with the outcome of the appeal process and echoed Councilman Dale Miller's request that the Board consider rebidding these services in a year.

Fiscal Officer Wade Steen commented that the top ranked agency received most of the funding. The second rated agency received the remainder of funds. He asked that the Board be mindful of dispensing funds to lower rated groups as you may penalize the best provider of services by doing so.

Ed FitzGerald asked if there were further comments or questions, hearing none, Mr. FitzGerald made a motion to approve the item, which was seconded by Wade Steen and the item was approved.

4. Tabled Items Returned for Review -

**BC2012-320**

Department of Health and Human Services/Division of Cuyahoga Job and Family Services, recommending an award on RQ23352 and enter into a contract with various providers for employment and refugee resettlement services for the period 10/1/2012 - 9/30/2013:

- a) Catholic Charities Health & Human Services in the amount not-to-exceed \$267,230.00.
- b) El Barrio, Incorporated. in the amount not-to-exceed \$157,873.00.

Funding Source: 100% Federal Refugee Social Services Funds

Ed FitzGerald made a motion to approve, Wade Steen seconded, the item was approved.

Approve  
 Disapprove  
 Hold

**BC2012-326**

Recommending an award:  
Department of Public Works

- a) on RQ24216 to Fowler Electric Co. (4-2) in the amount not-to-exceed \$160,000.00 for maintenance on decorative lighting for Veterans Memorial Bridge No. 84 for the period ~~1/1/2013~~ - 12/31/2014.

Funding Source: 100% by Road and Bridge Funds

**Note: This item was amended to reflect the correct dollar amount as originally listed on the November 26 Board of Control calendar as \$160,000.00 and to reflect the time period as 12/15/2012 – 12/31/2014.**

Ed FitzGerald made a motion to approve, Bonnie Teeuwen seconded, the item was approved.

Approve  
 Disapprove  
 Hold

5. Scheduled items

**BC2012-332**

Department of Public Works, submitting an amendment to Contract No. CE0900583-01 with Schindler Elevator Corporation for Group C for elevator maintenance and repair for various County buildings for the period 8/1/2009 - 11/30/2012 to extend the time period 5/31/2013 and for additional funds in the amount not not-to-exceed \$30,210.00.

Funding Source: 100% Internal Revenue Fund

Ed FitzGerald made a motion to approve, Dale Miller seconded, the item was approved.

Approve  
 Disapprove  
 Hold

**BC2012-333**

Department of Public Works, submitting an amendment to Contract No. CE0900582-01, 02, 03 to Schindler Elevator Corporation for Groups B, D and E for elevator maintenance and repair for various County buildings for the period 8/1/2009 - 11/30/2012 to extend the time period to 5/31/2013 and for additional funds in the amount of \$56,082.00.

Funding Source:100% Internal Revenue Fund

Ed FitzGerald made a motion to approve, Wade Steen seconded, the item was approved.

Approve  
 Disapprove  
 Hold

**BC2012-334**

Department of Development, requesting approval of an Economic Development Loan to VRC Incorporated in the amount not-to-exceed \$200,000.00 and authorizing the Director of Development or Deputy Chief of Staff for Development to execute the documents, subordination agreements and other instruments and agreements.

Funding Source:100% Western Reserve Fund

Ed FitzGerald made a motion to approve, Dale Miller seconded, the item was approved.

Approve  
 Disapprove

Hold

**BC2012-335**

Juvenile Court, submitting an amendment to Contract No. CE1100678-01 with The Mokita Center, Inc. for Sex Offender Assessment and Treatment Services Utilizing Polygraphs for the period 10/1/2011 - 12/31/2012 to extend the time period to 1/31/2013 and for additional funds in the amount of \$78,000.00.

Funding Source: 100% Court's Title IV-E Funding

Ed FitzGerald made a motion to approve, Dale Miller seconded, the item was approved.

Approve  
 Disapprove  
 Hold

**BC2012-336**

Common Pleas Court/Corrections Planning Board,

a) Submitting an RFP exemption on RQ25857 with Case Western Reserve University in the amount of \$195,000.00 for evaluator services for the Enhanced Opiate Dependency Substance Abuse and Mental Health Services Administration grant program for the period 9/30/2011 - 9/29/2014.

b) Recommending an award on RQ25857 and enter into a contract with Case Western Reserve University in the amount of \$195,000.00 for evaluator services for the Enhanced Opiate Dependency Substance Abuse and Mental Health Services Administration grant program for the period 9/30/2011 - 9/29/2014.

Funding Source: 100% by Substance Abuse and Mental Health Services Administration (SAMHSA) grant funds

1. Description of Supplies or Services (If contract amendment, please identify contract time period and/or scope change)

Evaluator services for the Enhanced Opiate Dependency Grant that is funded by the Substance Abuse and Mental Health Services Administration.

2. Estimated Dollar Value and Funding Source(s) including percentage breakdown (If amendment, please enter original contracted amount and additional amount, if any)

Estimated dollar value of this contract is \$195,000.00 for 3 years. The dollar value of the contract allocates \$65,000 per year for 3 years. 100% of contract will be funded by Substance Abuse and Mental Health Services Administration.

3. Rationale Supporting the Use of the Selected Procurement Method

The grant application required identification of service providers. Case Western Reserve University employee Dr. Margaret Baughman was identified as the provider of evaluator services for the grant. Dr. Margaret Baughman who currently serves as Principal Investigator of the BJA funded Greater Cleveland Drug Court CATS+ Program and has been involved in a number of CSAT-sponsored projects and is experienced in all phases of the performance assessment process including data collection and analysis.

CWRU also recognizes SAMHSA's potential intent to collect GAIN data to conduct independent, cross-site evaluation or additional validation of this tool with adult populations.

4. What other available options and/or vendors were evaluated? If none, include the reasons why. Dr. Baughman has consistently demonstrated the ability to achieve 80% and greater GPRA follow-up interview rates and ensures that data is entered on the GPRA website within 7 days. In fact, on a currently CSAT project she serves as Co-PI (Adult Drug Court Cannabis Youth Treatment) the follow-up rate is 106%. Because most interviews are ahead of schedule, the GPRA website actually calculates them above 100%. Dr. Baughman has developed and utilizes a tracking system (modeled from Chestnut Health Systems, Inc.) and interviewing procedures that have been continuously successful in previous BJA and SAMSHA projects (please see an example in Appendix B). Dr. Baughman and the Begun Center staff are extremely familiar with the GPRA instrument, having used them in at least four different BJA, CSAT sponsored projects.

5. What ultimately led you to this product or service? Why was the recommended vendor selected? The Substance Abuse and Mental Health Services Administration requires data collection and performance measurement reporting. This data must be collected at baseline (i.e., the client's entry into the project), discharge, and 6 months post-baseline. To be in compliance with the requirements of the grant, grantees must collect and report individual client follow-up data (discharge and 6 months post-baseline) on a minimum of 80 percent of all clients who receive a baseline interview. All data are to be entered into SAMHSA's GPRA Data Entry and Reporting System via the Internet within 7 business days of the forms being completed. Dr. Baughman has consistently demonstrated the ability to achieve 80% and greater GPRA follow-up interview rates and ensures that data is entered on the GPRA website within 7 days. In fact, on a currently CSAT project she serves as Co-PI (Adult Drug Court Cannabis Youth Treatment) the follow-up rate is 106%. Because most interviews are ahead of schedule, the GPRA website actually calculates them above 100%

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.  
Not applicable.

7. Describe what future plans, if any, the County can take to permit competition before any subsequent purchases of the required supplies or services.  
Cuyahoga County Common Pleas Court Corrections Planning Board is committed to open and full competition when applicable.

Ed FitzGerald made a motion to approve, Wade Steen seconded, the item was approved.

Approve  
 Disapprove  
 Hold

6. Other Business

**BC2012-337**

Department of Development, requesting an exemption from aggregation of contracts to allow approval of a contract with C.B. Mullins Construction Company for the anticipated cost of \$30,200. The

anticipated start-completion dates are December 3, 2012 through May 31, 2013.

**1. Description of Supplies or Services (If contract amendment, please identify contract time period and/or scope change)**

This contract covers Lead Hazard Remediation services at 1589 Hopkins Ave Units 1-4 Lakewood, OH.

**2. Estimated Dollar Value and Funding Source(s) including percentage breakdown (If amendment, please enter original contracted amount and additional amount, if any)**

The contract amount is \$30,200. The project is 100% funded through the U.S. Department of Housing and Urban Development Lead Hazard Remediation Grant passed through the County Board of Health.

**3. Rationale Supporting the Use of the Selected Procurement Method**

Competitive bidding was carried out by the Department of Development as usual for Lead Hazard Remediation services. The lowest bidder of three qualified bidders for this job was C.B. Mullins Construction Company.

**4. What other available options and/or vendors were evaluated? If none, include the reasons why.**

All Lead Abatement Contractors registered with Cuyahoga County were asked to bid, and the lowest of three bids was selected.

**5. What ultimately led you to this product or service? Why was the recommended vendor selected?**

Lead Hazard Remediation services are carried out based on a standard Lead Risk Assessment by Cuyahoga County Board of Health. The lowest of 3 bids from qualified contractors registered with Cuyahoga County was selected.

**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.**

Since Lead Hazard Remediation bids rarely come in over \$25,000, and since the informal bidding process used by the Department of Development ensures full and open competition among all Lead Abatement Contractors registered with Cuyahoga County, nothing would be gained by repeating the bidding process. Additionally, with the health of the young children at risk due to exposure to lead paint, delay for bidding would cause a health risk.

**7. Describe what future plans, if any, the County can take to permit competition before any subsequent purchases of the required supplies or services.**

Since the Department of Development already uses a sealed bid process with at least three bids required from qualified contractors, the current informal bid process will be continued except for very large jobs.

Ed FitzGerald made a motion to approve, Dale Miller seconded, the item was approved.

Approve  
 Disapprove  
 Hold

7. Public Comment – There was no public comment.

**Note: David Merriman announced that at the December 10 meeting the Board will have a discussion to confirm the date and time of the last meeting of the year.**

8. Adjournment – Ed FitzGerald made a motion to adjourn, Dale Miller seconded, the meeting was adjourned at 11:42 A.M.