

Minutes

Cuyahoga County Board of Control
County Administration Building, 4th Floor
April 8, 2013 11:00 A.M.

- 1. Call to Order: The meeting was called to order at 11:08 A.M.

Attendees: County Executive Edward FitzGerald
Councilman Michael Gallagher
Fiscal Officer Wade Steen
Councilman Dave Greenspan
Council President C. Ellen Connally - Alternate
Director Bonnie Teeuwen
Director Lenora Lockett
Board of Control Clerk David Merriman

Councilman Pernel Jones Jr. was unavailable.

Review and Approve Minutes – Ed FitzGerald made a motion to approve, Wade Steen seconded, the minutes were approved as written.

- 4. Tabled Item Returned for Review - There were no tabled items.

- 5. Scheduled Items for Review

BC2013-98

Department of Public Safety and Justice Services/Witness/Victim, requesting approval to apply for and accept grant funds from the U.S. Department of Justice, Office on Violence Against Women in the amount of \$192,447.00 for the FY2012 Domestic Violence Homicide Prevention Demonstration Initiative for the period 5/1/2013 - 4/30/2014.

Funding Source: 100% United States Department of Justice Grant funds.

Ed FitzGerald made a motion to approve, Michael Gallagher seconded, the item was approved.

Approve
 Disapprove
 Hold

- 6. Other Business

BC2013-99

Department of Development, requesting approval of an exemption from aggregation of contracts for allocation of HOME funds to Cuyahoga HOME consortium members, Community Housing Development Organizations and other non-profit and for-profit developers as approved by the Cuyahoga County Housing Consortium Review Board, without the necessity to request additional exemptions. (Cuyahoga County Board of Control, Contracting and Purchasing (Ordinance No.O2011-

0044 Section 3.5.(b))/Federal, State, or Other Grant Application Program (Ordinance No. O2011-0044 Section 4.4 (b) (17)).

Funding Source: 100% by federal HOME funds

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

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).

The HOME program contemplates and encourages the joining together by agreement of contiguous communities into a consortium for the purpose of carrying out the objectives of the program. The County, and the Communities of Cleveland Heights, Euclid, Lakewood, and Parma, formed the Cuyahoga Housing Consortium (the "Consortium") pursuant to the federal guidelines. The consortium members each sign an agreement which identifies the percentage of funding each community is entitled to on an annual basis.

Federal HOME funding allocations are used for the implementation of eligible HOME activities including homeowner rehabilitation, home buyer assistance, new construction, program administration and/or any other eligible HOME activity on an annual basis.

The HOME Consortium agreements provide that 40% of the funds are divided between the four participating communities at agreed upon percentages. 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).

The HOME Consortium is administered by a Consortium board which is made up of one representative from each participating community and three County Executive appointments for a total of seven. The board reviews and recommends approval of all HOME related activities.

At its regularly scheduled meeting in January 2013 the Consortium board recommended the approval and contractual obligation of the 2012 HOME funding allotment.

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

The 2012 HOME funding allocation is \$2,294,066. Of that amount \$624,883 is allocated to the four participating communities; \$300,425 is allocated to CHDO projects.

3. Rationale Supporting the Use of the Selected Procurement Method (include state contract # or GSA contract # and expiration date)

The participating communities are political subdivisions of the State of Ohio and a member of the Cuyahoga HOME Consortium as approved by the U.S. Department of Housing and Urban Development.

As such the communities are entitled to an allocation of HOME funds received and administered by the Cuyahoga County Department of Development. No other entity has the right or privilege to the communities' allocation of HOME funds.

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

There are no other available options and/or vendors as the structure of the Cuyahoga HOME Consortium is agreed upon by the participating communities and approved by the U.S. Department of Housing and Urban Development. Each participating community is entitled to an allocation of the annual award of federal HOME funding as outlined in the consortium agreement.

5. What ultimately led you to this product or service? Why was the recommended vendor selected? Federal HOME funds are a formula grant provided to entitlement communities or entitlement communities that have formed a consortium for the receipt of these federal funds. Federal HOME funds can only be used for affordable housing related activities.

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.

Awards cannot be made through competitive bid as the U.S. Department of Housing and Urban Development ("HUD"), allow units of general local government to enter into mutual cooperation agreements to form consortiums for the purpose of obtaining funding from the HOME Program.

The HOME program contemplates and encourages the joining together by agreement of contiguous communities into a consortium for the purpose of carrying out the objectives of the program. The County, and the Communities of Cleveland Heights, Euclid, Lakewood, and Parma, formed the Cuyahoga Housing Consortium (the "Consortium") pursuant to the federal guidelines.

Each participating community is entitled to an allocation of the annual award of federal HOME funding as outlined in the consortium agreement. No other entity is eligible for the funding.

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 county department of development can permit competition only for the share of the HOME funds allocated to the county.

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

Approve
 Disapprove
 Hold

BC2013-100

Department of Health and Human Services/Division of Children and Family Services, requesting approval of an alternative procurement process on RQ26486 which will result in an award recommendation in the

amount of \$24,900.00 for on-going Case Management review services for the period 7/1/2013 - 6/30/2014. Board of Control (Ordinance No.O2011-0044 Section 4.4(b) (16)).

Funding Source: 33% Federal funds; 67% Health and Human Services Levy funds.

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

The Division of Children and Family Services (DCFS) is requesting authorization for an alternative procurement process regarding a request for qualifications (RFQ) for On-going Case Management for Employee Cases. The term is scheduled from July 1, 2013 to June 30, 2014 at an amount not-to-exceed \$24,900.00.

DCFS is seeking external, part-time, individual case workers to provide case management for active, on-going Cuyahoga County Division of Children and Family Services (DCFS) employee cases. Ultimately, DCFS is trying to avoid a conflict of interest.

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

\$24,900.00: Estimated Dollar Amount

Funding codes: CF135509-0278-H02140

Funding source: 33% Federal / 67% HHS Levy.

3. Rationale Supporting the Use of the Selected Procurement Method

In this instance, per the purchasing changes effective January 1, 2013, the new procedure for an informal RFQ process that is less than \$25,000.00 requires using Buyspeed On-line (BSO) to compile a vendor's list based on the commodity code for Human Services and its subset, Case Management, which is made up of registered service providers, not individuals. As part of this required change, all parties on the BSO vendor's list would have to be sent this RFQ.

This particular RFQ is designed to solicit responses from external, part-time, individual case workers who can provide case management services for active, on-going DCFS employee cases without a conflict of interest. Sending this RFQ to the parties listed on the BSO vendor list would make it difficult to avoid a conflict of interest since its list contains several of DCFS' current, contracted service providers.

Nevertheless, a competitive procurement method will be utilized for this informal RFQ process. DCFS is asking for permission to modify the current procedures to allow for a minimum of three individuals to be solicited, via e-mail, to respond to the requirements of this RFQ, rather than all the vendors listed under the associated BSO commodity code.

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

None - DCFS is seeking external, part-time, individual case workers to provide case management for active, on-going Cuyahoga County Division of Children and Family Services (DCFS) employee cases. Ultimately, DCFS is trying to avoid a conflict of interest. The BSO process does not allow for individuals to be solicited who are not affiliated with current services providers and the individuals from within current services providers present a conflict of interest that we need to avoid.

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

The On-going Case Management services contract needs the expertise of external case workers to provide case management for active, on-going Cuyahoga County Division of Children and Family Services (DCFS) employee cases. Currently, investigations involving DCFS employees are handled through one of three contiguous counties, with whom we have a Memorandum of Understanding. If an investigation

results in the need for on-going services, DCFS has no provision in place to assure that an outside party will provide the required case management. DCFS is concerned that the practice of internal staff managing cases of co-workers represents a serious conflict of interest.

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.

Without this service it is not possible for these employee cases to be properly handled without a possible conflict of interest.

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

Plan to issue an RFQ in an attempt to find qualified individuals, not service provider agencies.

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

Approve
 Disapprove
 Hold

7. Public Comment – There was no public comment.

8. Adjournment – Ed FitzGerald made a motion to adjourn, C. Ellen Connally seconded, the meeting was adjourned at 11:17 A.M.