

Cuyahoga County Board of Control
 County Administration Building, 4th Floor

October 24, 2011 11:00 AM

1. Call to Order
2. Review and Approve Minutes
3. Public Comment
4. Tabled Items Returned for Review
5. New Items for Review

Item	Requestor	Description	Board Action
BC2011-102	Department of Development	Airport Division, submitting an amendment to Contract No. CE0900154- 03, 07, 08 with R.W. Armstrong & Associates, Inc. for Engineering Design Services: Year Two. Pavement Maintenance Program for the period 2/12/2009 - 12/31/2014 for additional funds in the amount of \$155,200.00. Funding Source: 95% FAA Grant with 5% General Fund Match	<input type="checkbox"/> Approve <input type="checkbox"/> Disapprove <input type="checkbox"/> Hold
BC2011-103	Department of Health and Human Services	Employment & Family Services, submitting amendments to contracts with various providers for refugee resettlement services for the period 8/17/2009 - 9/30/2011 to extend the time period to 9/30/2012 and for additional funds: 1) No. CE0900755-01with Catholic Charities Health & Human Services in the amount of \$196,956.00. 2) No. CE0900756-01with West Side Ecumenical Ministry in the amount of \$120,203.00. Funding Source: 100% Federal Refugee Resettlement Services Award,CFDA	<input type="checkbox"/> Approve <input type="checkbox"/> Disapprove <input type="checkbox"/> Hold

6. Other Business

Item	Requestor	Description	Board Action
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BC2011-104	County Treasurer	<p>Authorization under Section 4.4(b)(16) of the County's Contracting and Purchasing Procedures Ordinance to utilize the process under Ohio Revised Code Section 5721.33 (copy attached to agenda) for the negotiation and sale of county tax certificates.</p> <p>Note that in addition to the requirements of ORC 5721.33, the County has also posted the notice of sale on the County Treasurer's web site and the National Tax Lien Association's web site.</p>	<p><input type="checkbox"/> Approve <input type="checkbox"/> Disapprove <input type="checkbox"/> Hold</p>
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- 7. Public Comment
- 8. Adjournment

2. Review and Approve Minutes

MINUTES

Cuyahoga County Board of Control
Cuyahoga County Administration Building
4th Floor-Multipurpose Room
Monday, October 17, 2011-11:45 a.m.

1. Call to Order

Meeting was called to order at 11:51 a.m.

2. Review and Approve Minutes

A motion was made by Bonnie Teeuwen seconded by Ed FitzGerald to approve minutes as written.

3. Public Comment

There was no public comment.

4. Tabled Items for Review

1. BC2011-94 Information Service Center Requesting a sole source and exemption request for Unify Solutions, Inc. for IT consultant services in connection with the County's Office of Human Resources SAP payroll system. The exemption is needed to bridge the program from its historical contracts and maintenance structure. The ISC has reduced this service by one of three consultants since May. An additional consultant will be reduced once open enrollment is complete. ISC will then re-evaluate and ultimately competitively procure this service in the future.
2. Information Services Center, submitting a contract with Unify Solutions, Inc. in the amount not-to-exceed \$380,000.00 for consultant services for SAP application development for the period 7/1/2011 - 6/30/2012.

Funding Source:100% General Fund

Motion to approve by Ed FitzGerald, Seconded by Michael Gallagher. Item Approved

5. New Items for Review

BC2011- 95 Information Services Center Submitting a state contract with Mythics, Inc., in the amount not-to-exceed \$406,755.96 for Countywide maintenance on Oracle software products for the period 6/1/2011 - 5/31/2012.

Funding Source: 100% General Fund

Item Held.

BC2011- 96 Office of Procurement and Diversity Recommending an award on RQ20612 to Fifth Third Bank in the amount of \$309,000.00 for procurement card services for the period 2/1/2012 -12/31/2014.

Funding Source: 100% General Fund

Motion to approve by Ed FitzGerald. Seconded by Dale Miller. Item Approved.

BC2011-97 Office of Procurement and Diversity Recommending an award: Department of Public Safety and Justice Services

a) on RQ20835 to Harris Corporation in the amount of \$100,881.12 for radio communication equipment for use by Cuyahoga County Sheriffs SWAT Team (GSA Contract No. GS-35F-0407L).

Funding Source: 99.12658% FY09 SHSGP, .83742% General Fund

Motion to approve by Ed FitzGerald. Seconded by Dale Miller. Item Approved.

BC2011-98 Office of Procurement and Diversity Recommending an award: Juvenile Court

a) on RQ20584 to Mizanin Reporting Service, Inc. (5-2) in the amount of \$180,000.00 for court reporting services for the period 1/1/2012 - 12/31/2013.

Funding Source: 100% General Fund

Motion to approve by Ed FitzGerald. Seconded by Wade Steen. Item Approved.

BC2011-99 Sheriff's Office Submitting an amendment to Contract No. CE1000102-01 with SHC Services, Inc. dba Supplemental Healthcare for temporary nursing services for the period 1/1/2010 - 12/31/2012 for additional funds in the amount of \$40,000.00.

Funding Source: 100% General Fund

Motion to approve by Ed FitzGerald. Seconded by Bonnie Teeuwen. Item Approved.

BC2011-100 Department of Health and Human Services Employment & Family Services, submitting an amendment to Contract No. CE1100240-01 with Cleveland Housing Network, Inc. for utility assistance for TANF eligible residents for the period ~~4/1/2012~~ 2011- 3/31/2012 for additional funds in the amount of \$100,000.00.

Funding Source: 100% Federal TANF Funds

Motion to approve made by Ed FitzGerald. Seconded by Wade Steen. Item Approved.

BC2011-101 Department of Public Works Submitting an amendment to Contract No. CE0800817-01 with Conventional Wisdom Corp. for consultant services in connection with development of a Medical Mart/Convention Center to change the scope of services, effective 7/1/2011, and for additional funds in the amount not-to-exceed \$270,800.00.

Funding Source: 100% 2010 Bond Sales

Motion to Approve made by Ed FitzGerald. Seconded by Dale Miller. Item Approved.

6. Other Business:

A) Exemption from Aggregation of Contracts per Cuyahoga County Board of Control, Contracting and Purchasing Ordinance, Section 2.5

7. Adjournment

Motion to adjourn by Ed FitzGerald. Seconded by Dale Miller. Meeting adjourned at 12:21 p.m.

4. New Items for Review

BC2011-102

Title: Department of Economic Development/Airport Division, 2011-2012, R.W. Armstrong & Associates, Inc contract amendment in connection with the Year Two Pavement Maintenance Program: Apron A1, B reconstruction and Apron A2, C, D1 for Apron B reconstruction and runway rehabilitation projects at the County Airport.

A. Scope of Work Summary

1. The Department of Economic Development/Airport Division is requesting a contract amendment with RW Armstrong & Associates, Inc for the anticipated costs not to exceed \$155,200.00. The anticipated start-completion 9/26/2011 – 6/6/2012.
2. The primary goals of the project are to have said services to ensure contractor meets/exceeds the obligation of the contract and FAA design standards as well ensure compliance with the terms and condition of the airports grants assurances.
3. The services are required as part of the terms and condition of the grant issued by Federal Aviation Administration.

B. Procurement

1. The procurement method of this project was RFQ. The total value of the RFQ is not to exceed \$946,454.03.
2. The RFQ was closed on December 4, 2008. There was a SBE 31.5% participation.
3. N/A

C. Contractor and Project Information

1. The address(es) of all vendors and/or contracts is
R.W. Armstrong & Associates, Inc.
1501 N. Marginal Road, Suite 200
Cleveland, Ohio 44114
Council District 7

Resource International Inc
600 Superior Ave East, Suite 1300
Cleveland, Ohio 44114
Council District 7

G&T Associates, Inc
11925 Pearl Road, Suite 401
Strongsville, Ohio 44136
Council District 6 and 11

Consulting Engineering, Inc.
13477 Prospect Rpad Suite 101B
Strongsville, Ohio 44149
Council District 6 and 11

D. Project Status and Planning

1. The project is an extension of the existing project.
4. The project term has already begun to be performed concurrent with the construction project. The reason there was a delay in the request resulted from an unanticipated duration of review by multiple parties.

E. Funding

1. The projects are either funded through the FAA (95% which requires a 5% local match), ODOT (90% which requires a 10% local match), which the local funding is from the County Airport Capital Improvement Program.
2. The schedule of payments varies monthly to quarterly based on the amount of work being conducted by firm and subs.
3. The project is an amendment to a contract. This amendment changes to reflect the firm to provide project bidding, award design services for Apron A2 and Runway 6-24. In addition, provide quality assurance testing, construction administration and observation services as part of the Year Two Pavement Program: Aprons A1 & B Reconstruction; Apron A2, C, D1 and Runway 6-24 Rehabilitation in the amount not to exceed \$ 155,200.00. The history of the amendments is:

2009 Original Contract Amount: \$529,453.28

2009: 1st Amendment \$ 125,393.00 –Quality testing, construction oversight/administration 2009 FAA/ODOT funded projects.

2010: 2nd Amendment \$ 140,774.00- Quality testing; construction oversight and administration for the 2010 FAA/ODOT funded projects.

2010: 3rd Amendment (\$4,366.25) - The actual costs for these services for the ODOT portion of the project was less than anticipated. ODOT has requested the airport to utilize the entire amount of the grant, therefore, we are requesting to reduce the amount identified and put towards construction costs incurred.

BC2011-103

Title: The Department of Health and Human Services/ Employment & Family Services (EFS)-2011

A. Scope of Work Summary

1. Employment & Family Services requesting approval of an amendment to contracts CE0900755-01 with Catholic Charities Health & Human Services for the amount of \$196,956.00 and CE0900756-01 with West Side Ecumenical Ministry for the amount of \$120,230.00. The amendment period dates are 10/1/2011 - 9/30/2012. The contract extension to September 30, 2012 is requested to coincide with the revised funding allocation to Fed Fiscal Year for Refugee Resettlement Services. RQ14399 addresses possible contract extensions up to June 30, 2012.

2. The primary goals of the program:

- To engage participants in employment readiness services will demonstrate improved work readiness through a reduction of employment barriers as evidenced by pre and post testing, reassessment results, and/or employment.
- To enroll participants in English as a Second Language or short-term vocational education or recertification programs will gain improved skills as evidenced by pre and post testing and/or training certification.

B. Procurement

1. The procurement method for this project was RFP. The total value of the RFP was \$337,500.00.
2. The RFP closed on April 17, 2009. OPD waived the SBE participation goal for this RFP.
3. There were 3 proposals submitted for review, 2 proposals were recommended for award.

C. Contractor and Project Information

1. The addresses of vendors:
 Catholic Charities Health & Human Services
 7911 Detroit Ave. Cleveland, OH 44102
 Council District 03

West Side Ecumenical Ministry
 5209 Detroit Ave
 Cleveland, OH 44110
 Council District 03

2. The President of the boards for vendors (Non-Profit Agencies): Catholic Charities Health & Human Services; Partick Gareau, President West Side Ecumenical Ministry; Sharon Sobol Jordon, President & CEO
3. The program serves refugees throughout Cuyahoga County.

D. Project Status and Planning

1. The program is recurring annually based on the Federal Refugee Resettlement Services funding allocation.
2. The effective date of the amendments is October 1, 2011. Amendments were delayed pending receipt of the annual allocation.

E. Funding

1. The project is funded 100% by the Federal Refugee Resettlement Services Award, CFDA Number: 93.556.
 2. The schedule of payments is by monthly invoice.
 3. This is an amendment to the contracts. This amendment changes the total value and is the second (2nd) amendment of the contracts. The history of the amendments:
- | Contract | Period | Amount | Total |
|--------------|-----------------|--------------|--------------|
| CE0900755-01 | 8/17/09-6/30/10 | \$218,000.00 | \$218,000.00 |
| Amend #1 | 7/1/10-9/30/11 | \$314,805.00 | \$532,805.00 |
| CE0900756-01 | 8/17/09-6/30/10 | \$144,975.00 | \$144,975.00 |

Amend #1; 7/1/10-9/30/11; \$180,000.00; \$324,975.00 Grand Total: \$857,780.00

PURPOSE/OUTCOMES- PRINCIPAL OWNER(S): PURPOSE:

Assist eligible refugees in gaining employment and self sufficiency through a variety of work and training activities which will result in improved hard and soft skills necessary for success in the workplace. Identify strengths and barriers to employment and initiate effective interventions to mitigate or eliminate those barriers allowing them to move towards self-sufficiency. Assist in improving communication skills including reading, writing, speaking and understanding the English language in order to gain full-time employment in positions that offer benefits, financial independence and career advancement opportunities.

BC2011-104

Title: County Treasurer

Exemption Request

[Baldwin's Ohio Revised Code Annotated](#)
[Title LVII. Taxation](#)
[Chapter 5721. Delinquent Lands \(Refs & Annos\)](#)
[Tax Certificates](#)

R.C. § 5721.33

5721.33 Negotiated sale or transfer; purchaser affidavit; payment

[Currentness](#)

(A) A county treasurer may, in the treasurer's discretion, negotiate the sale or transfer of any number of tax certificates with one or more persons, including a county land reutilization corporation. Terms that may be negotiated include, without limitation, any of the following:

- (1) A premium to be added to or discount to be subtracted from the certificate purchase price for the tax certificates;
- (2) Different time frames under which the certificate holder may initiate a foreclosure action than are otherwise allowed under [sections 5721.30 to 5721.43 of the Revised Code](#), not to exceed six years after the date the tax certificate was sold or transferred;

(3) The amount to be paid in private attorney's fees related to tax certificate foreclosures, subject to [section 5721.371 of the Revised Code](#);

(4) Any other terms of the sale or transfer that the county treasurer, in the treasurer's discretion, determines appropriate or necessary for the sale or transfer.

(B) The sale or transfer of tax certificates under this section shall be governed by the criteria established by the county treasurer pursuant to division (E) of this section.

(C) The county treasurer may execute a tax certificate sale/purchase agreement and other necessary agreements with a designated purchaser or purchasers to complete a negotiated sale or transfer of tax certificates.

(D) The tax certificate may be sold at a premium to or discount from the certificate purchase price. The county treasurer may establish as one of the terms of the negotiated sale the portion of the certificate purchase price, plus any applicable premium or less any applicable discount, that the purchaser or purchasers shall pay in cash on the date the tax certificates are sold and the portion, if any, of the certificate purchase price, plus any applicable premium or less any applicable discount, that the purchaser or purchasers shall pay in noncash consideration and the nature of that consideration.

The county treasurer shall sell such tax certificates at a certificate purchase price, plus any applicable premium and less any applicable discount, and at a certificate rate of interest that, in the treasurer's determination, are in the best interests of the county.

(E)(1) The county treasurer shall adopt rules governing the eligibility of persons to purchase tax certificates or to otherwise participate in a negotiated sale under this section. The rules may provide for precertification of such persons, including a requirement for disclosure of income, assets, and any other financial information the county treasurer determines appropriate. The rules also may prohibit any person that is delinquent in the payment of any tax to the county or to the state, or that is in default in or on any other obligation to the county or to the state, from purchasing a tax certificate or otherwise participating in a negotiated sale of tax certificates under this section. The rules may also authorize the purchase of certificates by a county land reutilization corporation, and authorize the county treasurer to receive notes in lieu of cash, with such notes being payable to the treasurer upon the receipt or enforcement of such taxes, assessments, charges, costs, penalties, and interest, and as otherwise further agreed between the corporation and the treasurer. The eligibility information required shall include the tax identification number of the purchaser and may include the tax identification number of the participant. The county treasurer, upon request, shall provide a copy of the rules adopted under this section.

(2) Any person that intends to purchase a tax certificate in a negotiated sale shall submit an affidavit to the county treasurer that establishes compliance with the applicable eligibility criteria and includes any other information required by the treasurer. Any person that fails to submit such an affidavit is ineligible to purchase a tax certificate. Any person that knowingly submits a false or misleading affidavit shall forfeit any tax certificate or certificates purchased by the person at a sale for which the affidavit was submitted, shall be liable for payment of the full certificate purchase price, plus any applicable premium and less any applicable discount, of the tax certificate or certificates, and shall be disqualified from participating in any tax certificate sale conducted in the county during the next five years.

(3) A tax certificate shall not be sold to the owner of the certificate parcel or to any corporation, partnership, or association in which such owner has an interest. No person that purchases a tax certificate in a negotiated sale shall assign or transfer the tax certificate to the owner of the certificate parcel or to any corporation, partnership, or

association in which the owner has an interest. Any person that knowingly or negligently transfers or assigns a tax certificate to the owner of the certificate parcel or to any corporation, partnership, or association in which such owner has an interest shall be liable for payment of the full certificate purchase price, plus any applicable premium and less any applicable discount, and shall not be entitled to a refund of any amount paid. Such tax certificate shall be deemed void and the tax lien sold under the tax certificate shall revert to the county as if no sale of the tax certificate had occurred.

(F) The purchaser in a negotiated sale under this section shall deliver the certificate purchase price or other consideration, plus any applicable premium and less any applicable discount and including any noncash consideration, to the county treasurer not later than the close of business on the date the tax certificates are delivered to the purchaser. The certificate purchase price, less any applicable discount, or portion of the price, that is paid in cash shall be deposited in the county's general fund to the credit of the account to which ad valorem real property taxes are credited and further credited as provided in division (G) of this section. Any applicable premium that is paid shall be, at the discretion of the county treasurer, apportioned to and deposited in any authorized county fund. The purchaser also shall pay on the date the tax certificates are delivered to the purchaser the fee, if any, negotiated under division (J) of this section. If the purchaser fails to pay the certificate purchase price, plus any applicable premium and less any applicable discount, and any such fee, within the time periods required by this section, the county treasurer shall retain the tax certificate and may attempt to sell it at any auction or negotiated sale conducted at a later date.

(G) Upon receipt of the full payment from the purchaser of the certificate purchase price or other agreed-upon consideration, plus any applicable premium and less any applicable discount, and the negotiated fee, if any, the county treasurer, or a qualified trustee whom the treasurer has engaged for such purpose, shall issue the tax certificate and record the tax certificate sale by entering into a tax certificate register the certificate purchase price, any premium paid or discount taken, the certificate rate of interest, the date the certificates were sold, the name and address of the certificate holder or, in the case of issuance of the tax certificates in a book-entry system, the name and address of the nominee, and any other information the county treasurer considers necessary. The county treasurer may keep the tax certificate register in a hard-copy format or an electronic format. The name and address of the certificate holder or nominee may be, upon receipt of instructions from the purchaser, that of the secured party of the actual purchaser, or an agent or custodian for the purchaser or secured party. The county treasurer also shall transfer the tax certificates to the certificate holder. The county treasurer shall apportion the part of the cash proceeds from the sale representing taxes, penalties, and interest among the several taxing districts in the same proportion that the amount of taxes levied by each district against the certificate parcels in the preceding tax year bears to the taxes levied by all such districts against the certificate parcels in the preceding tax year, and credit the part of the proceeds representing assessments and other charges to the items of assessments and charges in the order in which those items became due. If the cash proceeds from the sale are not sufficient to fully satisfy the items of taxes, assessments, penalties, interest, and charges on the certificate parcels against which tax certificates were sold, the county treasurer shall credit the cash proceeds to such items pro rata based upon the proportion that each item of taxes, assessments, penalties, interest, and charges bears to the aggregate of all such items, or by any other method that the county treasurer, in the treasurer's sole discretion, determines is equitable. Upon issuing the tax certificates, the delinquent taxes that make up the certificate purchase price are transferred, and the superior lien of the state and its taxing districts for those delinquent taxes is conveyed intact to the certificate holder or holders.

(H) If a tax certificate is offered for sale under this section but is not sold, the county treasurer may strike the corresponding certificate parcel from the list of parcels selected for tax certificate sales. The lien for taxes, assessments, charges, penalties, and interest against a parcel stricken from the list thereafter may be foreclosed in the manner prescribed by [section 323.25](#), [5721.14](#), or [5721.18 of the Revised Code](#) unless, prior to the institution of such proceedings against the parcel, the county treasurer restores the parcel to the list of parcels selected for tax certificate sales.

(I) Neither a certificate holder nor its secured party, if any, shall be liable for damages arising from a violation of sections 3737.87 to 3737.891 or Chapter 3704., 3734., 3745., 3746., 3750., 3751., 3752., 6109., or 6111. of the

Revised Code, or a rule adopted or order, permit, license, variance, or plan approval issued under any of those chapters, that is or was committed by another person in connection with the parcel for which the tax certificate is held.

(J) When selling or transferring a tax certificate under this section, the county treasurer may negotiate with the purchaser of the certificate for fees paid by the purchaser to the county treasurer to reimburse the treasurer for any part or all of the treasurer's costs of preparing for and administering the sale of the tax certificate and any fees set forth by the county treasurer in the tax certificate sale/purchase agreement. Such fees, if any, shall be added to the certificate purchase price and shall be paid by the purchaser on the date of delivery of the tax certificate. The county treasurer shall deposit the fees in the county treasury to the credit of the tax certificate administration fund.

(K) After selling tax certificates under this section, the county treasurer shall send written notice by certified mail to the last known tax-mailing address of the owner of the certificate parcel. The notice shall inform the owner that a tax certificate with respect to such owner's parcel was sold or transferred and shall describe the owner's options to redeem the parcel, including entering into a redemption payment plan under [division \(C\)\(2\) of section 5721.38 of the Revised Code](#). However, the county treasurer is not required to send a notice under this division if the treasurer previously has attempted to send a notice to the owner of the parcel at the owner's last known tax-mailing address and the postal service has returned the notice as undeliverable.

Credits

(2009 H 1, eff. 10-16-09; 2008 S 353, eff. 4-7-09; 2008 H 562, eff. 9-23-08; 2004 H 168, eff. 6-15-04; 2002 H 198, eff. 3-31-03; 1997 H 371, eff. 2-25-98)

Current through 2011 Files 1 to 27, 29 to 47, and 49 of the 129th GA (2011-2012), apv. by 9/26/2011, and filed with the Secretary of State by 9/26/2011

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