

Minutes

Cuyahoga County Board of Control

Monday, August 1, 2022 at 11:00 A.M.

County Headquarters

2079 East Ninth Street

Committee Room B

I – CALL TO ORDER

The meeting was called to order at 11:02 a.m.

Attending:

Lisa Rocco, Director of Operations, Fiscal Office (Alternate for Michael Chambers)

Nichole English, Administrator, Planning and Programming, Department of Public Works
(Alternate for Michael Dever)

Shaunquitta Walker, Purchasing Manager, Department of Purchasing (Alternate for Paul Porter)

Trevor McAleer, County Council, (Alternate for Pernell Jones)

Councilmember Dale Miller

Councilmember Nan Baker

II – REVIEW MINUTES – 7/25/2022

Trevor McAleer motioned to approve the minutes from the July 25, 2022 meeting; Nichole English seconded. The minutes were approved by unanimous vote, as written.

III – PUBLIC COMMENT

There was no public comment.

IV- CONTRACTS AND AWARDS

A. – Tabled Items

B. – New Items for Review

BC2022-463

Department of Public Works, submitting an amendment to Contract No. 128 with Ozanne Construction Company, Inc. for design-build services for the Central Booking Project at the Cuyahoga County Justice Center:

- a) to expand the scope of services for required construction services, necessary for building permit approval, effective upon contract signature of all parties.
- b) to extend the Guaranteed Substantial Completion Date from 3/31/2022 to 12/31/2022, with final project completion on 6/30/2023.
- c) and for additional funds in the amount not-to-exceed \$326,729.33.

Funding Source: General Fund – Capital

Matt Rymer, Department of Public Works, presented. Trevor McAleer asked what the date will be for full implementation of the new Central Booking process; asked for follow up on a proposed timeline for the new process; asked what the contingency total was for Phase 1 and what will it be for Phase 2; and asked if any contingency funds remain from Phase 1. Nan Baker asked about the security changes included in this amendment and why were they not included in the original scope of services; asked if the department agrees with the security changes and whether there are any more anticipated security changes forthcoming; and asked what the estimated amount for furnishings was left out of the original scope. Lisa Rocco motioned to approve the item; Dale Miller seconded. Item BC2022-463 was approved by unanimous vote.

BC2022-464

Department of Public Works, recommending an award on RQ8910 and enter into Contract No. 2628 with Professional Service Industries, Inc. (26-5) in the amount not-to-exceed \$200,000.00 for general environmental consulting services, commencing upon contract signature of all parties for a period of 3 years.

Funding Source: General Fund

Matt Rymer and Nichole English, Department of Public Works, presented. Nan Baker asked if some of the available services in this contract have already been performed or do some buildings need to be checked again for environmental hazards; and asked if these services relate to more recent purchases. Lisa Rocco motioned to approve the item; Nan Baker seconded. Item BC2022-464 was approved by unanimous vote.

BC2022-465

Fiscal Department,

- a) Submitting an RFP exemption, which will result in an award recommendation to Miller James Inc. in the amount not-to-exceed \$10,950.30 for the rental of audio/visual equipment for use at the Cuyahoga County Forfeited Land Sale, to be held at the Huntington Convention Center for the period 8/8/2022 – 8/12/2022.
- b) Recommending an award on Purchase Order No. 22003024 to Miller James Inc. in the amount not-to-exceed \$10,950.30 for the rental of audio/visual equipment for use at the Cuyahoga County Forfeited Land Sale, to be held at the Huntington Convention Center for the period 8/8/2022 – 8/12/2022.

Funding Source: Real Estate Assessment Fund

Mike Zapola, Fiscal Department, presented. Trevor McAleer asked if the use of space is at no cost. Nichole English motioned to approve the item; Dale Miller seconded. Item BC2022-465 was approved by unanimous vote.

BC2022-466

Court of Common Pleas/Juvenile Court Division, recommending an award and enter into Agreement No. 2586 with City of Garfield Heights in the amount not-to-exceed \$17,600.00 for Community Diversion Program services for the period 4/1/2022 – 12/31/2023.

Funding Source: Title IV-E Fund

LaTerra Brown, Juvenile Court Division, presented. There were no questions. Lisa Rocco motioned to approve the item; Dale Miller seconded. Item BC2022-466 was approved by unanimous vote.

BC2022-467

Sheriff's Department, recommending an award on Purchase Order No. 22003257 to ATD American (34-5) in the amount not-to-exceed \$106,900.00 for the purchase of (2,000) replacement self-protection blankets for jail inmates.

Funding Source: General Fund

Chris Costin and Associate Warden Damara Shemo, Sheriff's Department, presented.

Dale Miller asked what the difference in pricing between the recommended vendor and the lowest bidder, who was deemed non-compliant, was; said that the difference in pricing was significant; asked whether it would be more practical to reject the current bids, re-bid this purchase and inform the low bidder on the bid bond requirement; asked if the vendor can be told they will not be paid for services until product is received, in the absence of a bid bond; asked if the non-compliant vendor was the same one approved under time sensitive/mission critical purchase; asked if the department has more confidence that the recommended vendor has the ability to deliver materials; said he will vote in favor of this recommendation; and further commented that he believes this scenario will come up again and recommended that bid specifications be revised, to include a provision to waive bid bond requirements, at the County's discretion, under conditions negotiated between 2 parties, when there is a large price difference.

Nan Baker asked whether the 500 blankets purchased earlier in the year as a time sensitive/mission critical request have been delivered; asked when the 2,000 blankets being requested would be delivered; asked if the department anticipated the delivery date of 500 emergency blankets at the time of purchase and what was the promised delivery date; asked if they expect delays in delivery of this larger order; asked if Sheriff's Department is in critical need for additional blankets or can they manage with the expected 500 blankets and their current inventory; asked if 2,000 blankets are for future use; and asked for clarification on which vendor was used for time sensitive/mission critical and if it was the same vendor for this purchase.

Nichole English asked if Shaunquitta Walker could speak on the logistics of the bid bond requirement and if this requirement is ever waived; asked if the low bidder was a new or existing vendor; and said that the bid bond would be an extra expense for the vendor and that the pricing difference between the 2 vendors was significant.

Trevor McAleer asked when the prior emergency purchase of blankets is expected; asked if the non-compliant vendor explained why they failed to submit a bid bond; said it would be helpful to know whether it was a mistake or whether the non-compliant vendor never intended to submit a bid bond, which would help to direct next steps for this purchase; and asked when the 2,000 blankets will be delivered.

Shaunquitta Walker said it was the department's decision on whether to re-bid and take the risk on the delivery of items, if they are on backorder and if that same vendor would be able to bid at a later time; said that the bid bond requirement serves as security for the County to be reimbursed for inconvenience, should the vendor fail to deliver the product or renege on the purchase terms; said this is required of any formal process, particularly for purchases exceeding \$50,000.00; said Department of Purchasing does not reach out to non-compliant vendors during the bid tabulation review process, unless the department requests a waiver from the Law Department, to circumvent the bid process; said the non-compliant vendor was not contacted; and said that she will forward Mr. Miller's recommendation regarding new provision to bid requirements to the Director of Department of Purchasing.

Jerad Zibrotosky, said that the County wants to be sure requirements are met across the board, since there were other vendors who submitted bids and complied with the bid requirements and that all rules apply to all prospective vendors; said changes to the rules after bids were submitted is unfair to other vendors; and said that formal process encourages competition and a fair process and said he is unsure whether waiving a bid bond requirements has ever been done.

Lisa Rocco motioned to approve the item; Trevor McAleer seconded. Item BC2022-467 was approved by unanimous vote.

C. – Consent Agenda

There were no questions or comments on the Consent Agenda items. Lisa Rocco motioned to approve Consent Agenda Item No. BC2022-468 through -471; Dale Miller seconded. The Consent Agenda Items were approved by unanimous vote.

BC2022-468

Department of Public Works, submitting an amendment to Contract No. 2584 with AVI Foodsystems, Inc. for food service operations at the Cuyahoga County Justice Center Cafeteria for the period 7/1/2012 – 6/30/2022, to extend the time period to 3/31/2023 and to modify the contract terms for the re-opening of the cafeteria dining services, effective 7/1/2022.

Funding Source: General Fund (only if vendor experiences a loss of revenue)

BC2022-469

Department of Workforce Development, in partnership with City of Cleveland as designated Local Workforce Area No. 3, submitting a subgrant agreement with Ohio Department of Job and Family Services to define the roles and responsibilities of the parties with respect to the funds allocated to the Local Workforce Area for the administration of workforce development activities for the period 1/1/2021 – 6/30/2021.

Funding Source: N/A

BC2022-470

Fiscal Department, presenting proposed travel/membership requests for the week of 8/1/2022:

Dept:	Office of Medical Examiner							
Event:	Seminar entitled "Clandestine Laboratory Investigating Chemists Association (CLIC) 32 nd Annual Technical Training Seminar"							
Source:	The Clandestine Laboratory Investigating Chemists Association							
Location:	Houston, TX.							
Staff	Travel Dates	Registration *	Meals **	Lodging **	Ground Trans/ Mileage/ Luggage **	Air ***	Total	Funding Source
Shayna Taylor	9/4 - 9/10/2022	\$800.00	\$268.00	\$590.96	\$0.00	\$0.00	\$1,658.96	General Fund

*Paid to host

**Staff reimbursement

NOTE: since the traveler is on the Board of the CLIC organization, she is required to attend pre-seminar meetings. Due to this additional requirement, the CLIC is paying for the following – round trip airfare, hotel and meals for 9/4 and 9/5 as well as roundtrip ground transportation to and from the airport in Houston. This situation was provided to the Inspector General’s (IG’s) office for review due to the third-party payment of the respective expenses potentially considered an ethics violation. The IG’s office determined this acceptance of travel expenses was NOT an ethics violation. None of the noted amounts are included in the request above and will not flow through the County processes.

Purpose:

The purpose of this seminar is to obtain an in-depth understanding of the current drug and drug related issues facing the profession. Traveler will be able to collaborate with other chemists from all over the world as well as obtain new training on recent trends that are being seen around the world and how the profession is dealing with the changes/trends – i.e. best practices. Traveler will also obtain troubleshooting guidance from the seminar and peers.

<i>Dept:</i>	<i>Office of Medical Examiner</i>							
<i>Event:</i>	<i>Seminar entitled "National Association of Medical Examiners "NAME" 2022 Annual Meeting"</i>							
<i>Source:</i>	<i>National Association of Medical Examiners (NAME)</i>							
<i>Location:</i>	<i>Dallas, TX.</i>							
<i>Staff</i>	<i>Travel Dates</i>	<i>Registration *</i>	<i>Meals **</i>	<i>Lodging **</i>	<i>Ground Trans/ Mileage/ Luggage **</i>	<i>Air ***</i>	<i>Total</i>	<i>Funding Source</i>
<i>Elizabeth Mooney</i>	<i>10/14 - 10/18/2022</i>	<i>\$950.00</i>	<i>\$200.00</i>	<i>\$982.80</i>	<i>\$247.86</i>	<i>\$550.21</i>	<i>\$2,930.87</i>	<i>General Fund</i>

**Paid to host*

***Staff reimbursement*

**** Airfare will be covered by a contract with the County's Travel Vendor*

Purpose:

The purpose of this seminar is to obtain continuing medical education credits to maintain Ohio medical license. In addition, the meeting will provide the opportunity to network with several others in the organization and profession to identify any opportunities for improvement within the County processes.

BC2022-471

Department of Purchasing, presenting proposed purchases for the week of 8/1/2022:

Direct Open Market Purchases
(Purchases between \$5,000 - \$49,999.99 unless requiring assistance from the Department of Purchasing – See Below):

<i>Purchase Order Number</i>	<i>Description</i>	<i>Department</i>	<i>Vendor Name</i>	<i>Total</i>	<i>Funding Source</i>
22003322	Various medical supplies: wash bottles, nylon scimdry wipers, mounting medium, xylene, cotton-tipped applicators, cover glasses, microscope slide mailers, centrifuge tubes, pens, filter tips, wrapping film, pipet glass/tips and glass vials	Office of the Medical Examiner	Fisher Scientific Company LLC	\$7,233.30	General Fund
22003318	(900) cases of paper towels	Sheriff's Department	W.B Mason, Inc.	\$18,441.00	General Fund

Items/Services Received and Invoiced but not Paid:

<i>Purchase Order Number</i>	<i>Description</i>	<i>Department</i>	<i>Vendor Name</i>	<i>Total</i>	<i>Funding Source</i>
22003304	Skill up training for the Learn and Earn Program*	Cuyahoga Job and Family Services	JBK Group, Inc. dba Event Source	\$8,085.00	Health and Human Services Levy Fund
22003313	Skill up training for the Learn and Earn Program*	Cuyahoga Job and Family Services	Anna Maria of Aurora, Inc.	\$21,099.00	Health and Human Services Levy Fund

*Approval No. BC2021-738 dated 12/13/2021, which approved an alternative procurement process and exemption from aggregation on various purchase orders, which will result in various award recommendations to various providers in the total amount not-to-exceed \$2,000,000.00 to reimburse employers for employee wage and training expenses in connection with the Learn and Earn Program for the period 1/1/2022 – 12/31/2022.

Open Market Purchases
(Over \$50,000 or requiring assistance from the Department of Purchasing)

<i>Purchase Order Number</i>	<i>Description</i>	<i>Department</i>	<i>Vendor Name</i>	<i>Total</i>	<i>Funding Source</i>

V. OTHER BUSINESS

Time Sensitive/Mission Critical

BC2022-472

Department of Health and Human Services/Division of Children and Family Services, recommending an award to Riverview Behavioral Health in the amount not-to-exceed \$24,999.99 for out-of-home emergency placement services for the period 6/16/2022 – 12/31/2022.

Funding Source: 70% Health and Human Services Levy Fund and 30% Federal IV-E

Marcos Cortes, Department of Health and Human Services, presented. Dale Miller asked how this vendor was selected; asked what the age of the child was and whether their needs could not be addressed by any local providers; and asked for clarification on the per diem rate and commented that the rate seems high. Trevor McAleer asked what the per diem rate was; asked if this request will cover costs through 12/31/2022; and asked for follow up on how the child is transported out of state to receive services; Lisa Rocco motioned to approve the item; Trevor McAleer seconded. Item BC2022-472 was approved by unanimous vote.

Item of Note (non-voted)

Item No. 1

Department of Public Works, submitting a Tenancy Estoppel Certificate in connection with Contract No. 869 (formerly Contract No. CE1300539) with Sparky Plaza, LLC for lease of space for Auto Title Regional Office West, located at 27029 Brookpark Extension Road, North Olmsted for the period 12/1/2013 – 11/30/2023.

Funding Source: N/A

Item No. 2

Department of Public Safety and Justice Services, submitting an amendment to a grant agreement with State of Ohio, Department of Public Safety, Ohio Emergency Management Agency for mitigation activities and technical assistance in connection with the FY2020 Hazard Mitigation Grant Program for the period 1/10/2020 – 7/15/2022, to extend the grant period to 10/31/2022; no additional funds required.

Funding Source: FY2020 Hazard Mitigation Grant

Item No. 3

Office of Innovation and Performance,

- a) Requesting authority to apply for grant funds from State of Ohio, Department of Development, on behalf of its' Office of BroadbandOhio in the amount not-to-exceed \$9,700,000.00 for the deployment of broadband services in Cuyahoga County for the period 7/1/2022 – 6/30/2024.
- b) Submitting a grant agreement with State of Ohio, Department of Development, on behalf of its' Office of BroadbandOhio in the amount not-to-exceed \$9,700,000.00 for the deployment of broadband services in Cuyahoga County for the period 7/1/2022 – 6/30/2024.

Funding Source: Ohio Department of Development, Office of BroadbandOhio

VI – PUBLIC COMMENT

Matt Rymer, Department of Public Works, provided follow up information on a question asked by Trevor McAleer during his presentation of Item No. BC2022-463 regarding contingency funds already spent. Mr. McAleer asked for confirmation on the total cost of contingency fees for the project. Mr. Rymer responded.

VII – ADJOURNMENT

Lisa Rocco motioned to adjourn; Nichole English seconded. The motion to adjourn was unanimously approved at 11:34 a.m.