



**AGENDA**  
**CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE**  
**MEETING**  
**WEDNESDAY, APRIL 2, 2014**  
**CUYAHOGA COUNTY JUSTICE CENTER**  
**COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR**  
**11:00 AM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE MARCH 19, 2014 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
  - a) R2014-0065: A Resolution making an award on RQ24787 to Cleveland Thermal, LLC for central heating and cooling services (steam and chilled water) and other related services at various County facilities for the period 4/1/2014 - 12/31/2033; authorizing the County Executive to execute the agreements and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
  - b) R2014-0091: A Resolution declaring that public convenience and welfare requires resurfacing of Bagley Road from Fitch Road to the Olmsted Township West Corporation Line in Olmsted Township; total estimated project cost \$2,475,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said township in connection with said project; and declaring the necessity that this Resolution become immediately effective.

- c) R2014-0092: A Resolution declaring that public convenience and welfare requires replacement of Columbus Road Bridge No. 01.09 over Bear Creek in the City of Bedford; total estimated project cost \$1,066,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.
- d) R2014-0093: A Resolution declaring that public convenience and welfare requires replacement of Mastick Road Bridge No. 03.13 side hill structure in the City of Fairview Park; total estimated project cost \$5,766,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.
- e) R2014-0094: A Resolution declaring that public convenience and welfare requires resurfacing of West 117<sup>th</sup> Street from Bellaire Road to Lake Avenue in the Cities of Cleveland and Lakewood; total estimated project cost \$1,600,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipalities in connection with said project; and declaring the necessity that this Resolution become immediately effective.
- f) R2014-0095: A Resolution making an award on RQ29138 to Ronyak Paving, Inc. in the amount not-to-exceed \$2,769,415.80 for repair and resurfacing of Highland Road from Euclid Avenue to Richmond Road in the Cities of Euclid and Richmond Heights; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$553,883.16 to fund said contract; and declaring the necessity that this Resolution become immediately effective.
- g) R2014-0096: A Resolution making an award on RQ29345 to Schirmer Construction LLC in the amount not-to-exceed \$889,233.40 for rehabilitation of East 49<sup>th</sup> Street Bridge No. 00.54 over abandoned railroad tracks in the City of Cleveland; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of

the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective.

- h) O2014-0011: An Ordinance amending Chapter 705 of the Cuyahoga County Code to establish payment procedures for connection charges collected for connection to County's water and sewer facilities in County Sewer District No. 14 and Cook, McKenzie and Sterns Roads; amending Cuyahoga County Resolution Nos. 052208 and 052209, each dated 6/2/2005; and declaring the necessity that this Ordinance become immediately effective.

## **6. MISCELLANEOUS BUSINESS**

- a) Update regarding Disparity Study

## **7. OTHER PUBLIC COMMENT**

## **8. ADJOURNMENT**

\*In accordance with Section 108.01 of the Cuyahoga County Code, complimentary parking in the Huntington Park Garage will be available for the public on any day when the Council or any of its committees holds meetings. Please see the Clerk to obtain a parking pass.



## **MINUTES**

### **CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE MEETING**

**WEDNESDAY, MARCH 19, 2014  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
11:00 AM**

#### **1. CALL TO ORDER**

**Chairman Jones called the meeting to order at 11:11 a.m.**

#### **2. ROLL CALL**

**Mr. Jones asked Assistant Deputy Clerk Carter to call the roll. Committee members Jones, Germana, Miller and Conwell were in attendance and a quorum was determined. Committee member Simon entered the meeting shortly after the roll call was taken. Councilmember Greenspan was also in attendance.**

#### **3. PUBLIC COMMENT RELATED TO THE AGENDA**

**The following citizens addressed the Committee regarding Resolution No. R2014-0065, a Resolution making an award on RQ24787 to Cleveland Thermal, LLC for central heating and cooling services:**

- a) Mr. Anthony Coyne, Esq and**
- b) Mr. Marc Divis, President of Cleveland Thermal, LLC.**

#### **4. APPROVAL OF MINUTES FROM THE FEBRUARY 20, 2014 MEETING**

**A motion was made by Mr. Miller, seconded by Ms. Conwell and approved by majority vote to approve the minutes of the February 20, 2014 meeting, with Mr. Germana abstaining from the vote.**

#### **5. MATTERS REFERRED TO COMMITTEE**

- a) R2014-0065: A Resolution making an award on RQ24787 to Cleveland Thermal, LLC for central heating and cooling services (steam and chilled water) and other related services at various County facilities for the period 4/1/2014 - 12/31/2033; authorizing the County Executive to execute the agreements and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

**Mr. Bonnie Teeuwen, Director of Public Works; Mr. Daniel Lindsey, Mechanical Engineer for URS; Mr. Majeed Makhlof, Law Director; Mr. Marc Divis, President of Cleveland Thermal, LLC; and Mr. Jamal Husani, Chief Transportation/Traffic Engineer, addressed the Committee regarding Resolution No. R2014-0065. Discussion ensued.**

**Committee members and Councilmembers asked questions of Ms. Teeuwen, Mr. Lindsey, Mr. Makhlof, Mr. Divis and Mr. Husani pertaining to the item, which they answered accordingly.**

**No further legislative action was taken on Resolution No. R2014-0065.**

- b) R2014-0066: A Resolution making an award on RQ29217 to Sterling Professional Group, LLC in the amount not-to-exceed \$876,150.00 for the Cuyahoga County Board of Elections Elevator Modernization Project; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

**Ms. Teeuwen and Ms. Lenora Lockett, Director of the Department of Procurement and Diversity, addressed the Committee regarding Resolution No. R2014-0066. Discussion ensued.**

**Committee members and Councilmembers asked questions of Ms. Teeuwen and Ms. Lockett pertaining to the item, which they answered accordingly.**

**On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2014-0066 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.**

- c) R2014-0067: A Resolution making an award on RQ28835 to Schirmer Construction LLC in the amount not-to-exceed \$2,279,945.11 for rehabilitation of Bellaire Road Bridge No. 24 over Countrymans Creek in the City of Cleveland and Village of Lindale; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on

behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$455,989.03 to fund said contract; and declaring the necessity that this Resolution become immediately effective.

**Ms. Teeuwen addressed the Committee regarding Resolution No. R2014-0067. Discussion ensued.**

**Committee members and Councilmembers asked questions of Ms. Teeuwen pertaining to the item, which she answered accordingly.**

**On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2014-0067 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.**

- d) R2014-0068: A Resolution making an award on RQ27932 to Hatch Mott MacDonald, LLC in the amount not-to-exceed \$612,955.00 for engineering design services for resurfacing of West 130<sup>th</sup> Street from Brookpark Road to Lorain Avenue in the Cities of Brook Park and Cleveland; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

**Ms. Teeuwen and Mr. Husani addressed the Committee regarding Resolution No. R2014-0068. Discussion ensued.**

**Committee members and Councilmembers asked questions of Ms. Teeuwen and Mr. Husani pertaining to the item, which they answered accordingly.**

**On a motion by Mr. Miller with a second by Mr. Jones, Resolution No. R2014-0068 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.**

**Mr. Jones requested to have his name added as an additional co-sponsor to Resolution No. R2014-0068.**

- e) R2014-0069: A Resolution authorizing an amendment to Contract No. CE1300176-01 with Perk Company, Inc. for repair and resurfacing of Snow Road from West 130<sup>th</sup> Street to Ridge Road in the Cities of Parma and Parma Heights for additional funds in the amount not-to-exceed \$598,885.74; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and

declaring the necessity that this Resolution become immediately effective.

**Ms. Teeuwen addressed the Committee regarding Resolution No. R2014-0069. Discussion ensued.**

**Committee members and Councilmembers asked questions of Ms. Teeuwen pertaining to the item, which she answered accordingly.**

**On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2014-0069 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.**

**6. MISCELLANEOUS BUSINESS**

**Mr. Jones announced that an update on the Disparity Study will be given at the next Public Works, Procurement & Contracting Committee meeting that will be held on Wednesday, April 2, 2014 at 11:00 a.m.**

**7. OTHER PUBLIC COMMENT**

**No public comments were given.**

**8. ADJOURNMENT**

**With no further business to discuss, Chairman Jones adjourned the meeting at 12:57 p.m., without objection.**

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0065

Sponsored by: <b>County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> making an award on RQ24787 to Cleveland Thermal, LLC for central heating and cooling services (steam and chilled water) and other related services at various County facilities for the period 4/1/2014 - 12/31/2033; authorizing the County Executive to execute the agreements and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works recommended an award on RQ24787 to Cleveland Thermal, LLC for central heating and cooling services (steam and chilled water) and other related services at various Cuyahoga County facilities for the period 4/1/2014 – 12/31/2033; and

WHEREAS, the primary goal is to provide chilled water and steam rates and other related services to various County facilities; and

WHEREAS, the procurement of utilities services under these agreements is subject to annual appropriations; and

WHEREAS, the Director of Public Works estimates that the average annual expenditure under these agreements is \$3,662,917.00 with a total estimated expenditure of \$73,258,335.00; and

WHEREAS, this project is funded 100% by General Funds; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby makes an award on RQ24787 to Cleveland Thermal, LLC for central heating and cooling services (steam and chilled water) and other related services for various Cuyahoga County facilities for the period 4/1/2014 – 12/31/2033.





First Reading/Referred to Committee: March 11, 2014  
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0091

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b></p> <p>Co-sponsored by: <b>Councilmember Gallagher</b></p>	<p><b>A Resolution</b> declaring that public convenience and welfare requires resurfacing of Bagley Road from Fitch Road to the Olmsted Township West Corporation Line in Olmsted Township; total estimated project cost \$2,475,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said township in connection with said project; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/ Department of Public Works/Division of County Engineer has recommended that public convenience and welfare requires the resurfacing of Bagley Road from Fitch Road to Olmsted Township West Corporation Line in Olmsted Township; total estimated project cost \$2,475,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and

WHEREAS, this project will be paid 100% from the County's Road and Bridge Fund; and

WHEREAS, the primary goal of this project is to properly maintain the County's infrastructure; and

WHEREAS, the location of the project is Bagley Road from Fitch Road to Olmsted Township West Corporation Line in Olmsted Township in Council District 5; and

WHEREAS, the anticipated start date for construction of this project is 2015; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby declares that public convenience and welfare requires the resurfacing of Bagley Road from Fitch Road to Olmsted Township West Corporation Line in Olmsted Township; total estimated project cost \$2,475,000.00.

**SECTION 2.** That special assessments are not to be levied nor collected to pay any part of the County's cost of this improvement.

**SECTION 3.** That the County Executive is hereby authorized to enter into and execute any and all necessary agreements of cooperation and any other documents with the City of Bedford in connection with this project.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 5.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: March 25, 2014

Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested on the Floor: March 25, 2014

Journal \_\_\_\_\_

\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0092

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> declaring that public convenience and welfare requires replacement of Columbus Road Bridge No. 01.09 over Bear Creek in the City of Bedford; total estimated project cost \$1,066,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/ Department of Public Works/Division of County Engineer has recommended that public convenience and welfare requires the replacement of Columbus Road Bridge No. 01.09 over Bear Creek in the City of Bedford; total estimated project cost \$1,066,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and

WHEREAS, this project will be paid 100% from the County's Road and Bridge Fund; and

WHEREAS, the primary goal of this project is to properly maintain the County's infrastructure; and

WHEREAS, the location of the project is Columbus Road Bridge No. 01.09 in the City of Bedford in Council District 9; and

WHEREAS, the anticipated start date for construction of this project is 2015; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby declares that public convenience and welfare requires the replacement of Columbus Road Bridge No.



\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: March 25, 2014

Committee(s) Assigned: Public Works, Procurement & Contracting

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_



# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0093

<b>Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> declaring that public convenience and welfare requires replacement of Mastick Road Bridge No. 03.13 side hill structure in the City of Fairview Park; total estimated project cost \$5,766,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/ Department of Public Works/Division of County Engineer has recommended that public convenience and welfare requires the replacement of Mastick Road Bridge No. 03.13 side hill structure in the City of Fairview Park; total estimated project cost \$5,766,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and

WHEREAS, this project will be funded as follows: (1) \$3,466,000.00 with County Road and Bridge Fund; and (2) \$2,300,000.00 from Issue 1; and

WHEREAS, the primary goal of this project is to properly maintain the County's infrastructure; and

WHEREAS, the location of the project is Mastick Road Bridge No. 03.13, side hill structure in the City of Fairview Park in Council District 1; and

WHEREAS, the anticipated start date for construction of this project is 2017; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby declares that public convenience and welfare requires the replacement of Mastick Road Bridge No. 03.13 side hill structure in the City of Fairview Park; total estimated project cost \$5,766,000.00.

**SECTION 2.** That special assessments are not to be levied nor collected to pay any part of the County's cost of this improvement.

**SECTION 3.** That the County Executive is hereby authorized to enter into and execute any and all necessary agreements of cooperation and any other documents with the City of Fairview Park in connection with this project.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 5.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: March 25, 2014  
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0094

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b></p>	<p><b>A Resolution</b> declaring that public convenience and welfare requires resurfacing of West 117<sup>th</sup> Street from Bellaire Road to Lake Avenue in the Cities of Cleveland and Lakewood; total estimated project cost \$1,600,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipalities in connection with said project; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/ Department of Public Works/Division of County Engineer has recommended that public convenience and welfare requires the resurfacing of West 117<sup>th</sup> Street from Bellaire Road to Lake Avenue in the Cities of Cleveland and Lakewood; total estimated project cost \$1,600,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipalities in connection with said project; and

WHEREAS, this project will be funded 100% with County Road and Bridge Fund; and

WHEREAS, the primary goal of this project is to properly maintain the County's infrastructure; and

WHEREAS, the location of the project is West 117<sup>th</sup> Street from Bellaire Road to Lake Avenue in the Cities of Cleveland and Lakewood in Council District 3; and

WHEREAS, the anticipated start date for construction of this project is 2014; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby declares that public convenience and welfare requires the resurfacing of West 117<sup>th</sup> Street from Bellaire Road to Lake Avenue in the Cities of Cleveland and Lakewood; total estimated project cost \$1,600,000.00.

**SECTION 2.** That special assessments are not to be levied nor collected to pay any part of the County's cost of this improvement.

**SECTION 3.** That the County Executive is hereby authorized to enter into and execute any and all necessary agreements of cooperation and any other documents with the Cities of Cleveland and Lakewood in connection with this project.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 5.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: March 25, 2014  
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0095

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b></p>	<p><b>A Resolution</b> making an award on RQ29138 to Ronyak Paving, Inc. in the amount not-to-exceed \$2,769,415.80 for repair and resurfacing of Highland Road from Euclid Avenue to Richmond Road in the Cities of Euclid and Richmond Heights; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$553,883.16 to fund said contract; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended an award an award on RQ29138 to Ronyak Paving, Inc. in the amount not-to-exceed \$2,769,415.80 for repair and resurfacing of Highland Road from Euclid Avenue to Richmond Road in the Cities of Euclid and Richmond Heights; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$553,883.16 to fund said contract; and

WHEREAS, the primary goal of the agreement is to repair and resurface 2.29 miles of Highland Road from Euclid Avenue to Richmond Road in the Cities of Euclid and Richmond Heights in Council District 11 and to properly maintain the County's infrastructure; and

WHEREAS, this project is funded as follows: (a) 80% or \$2,215,532.64 by Federal Funds, and (b) 20% or \$553,883.16 from the County Motor Vehicle \$5.00 License Tax Funds; and

WHEREAS, construction is scheduled to begin April 1, 2014 and scheduled to be completed October 31, 2014; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby makes an award on RQ29138 to Ronyak Paving, Inc. in the amount not-to-exceed \$2,769,415.80 for repair and resurfacing of Highland Road from Euclid Avenue to Richmond Road in the Cities of Euclid and Richmond Heights.

**SECTION 2.** That the County Executive is authorized to execute a contract in connection with said award and all documents consistent with this Resolution.

**SECTION 3.** That the County Council hereby authorizes the County Engineer, on behalf of the County Executive, to make application for the allocation from the County Motor Vehicle \$5.00 License Tax Fund in the amount \$553,883.16 to assist in funding the contract.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 5.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:



\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

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Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: March 25, 2014  
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0096

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b></p>	<p><b>A Resolution</b> making an award on RQ29345 to Schirmer Construction LLC in the amount not-to-exceed \$889,233.40 for rehabilitation of East 49<sup>th</sup> Street Bridge No. 00.54 over abandoned railroad tracks in the City of Cleveland; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended making an award on RQ29345 to Schirmer Construction LLC in the amount not-to-exceed \$889,233.40 for rehabilitation of East 49<sup>th</sup> Street Bridge No. 00.54 over abandoned railroad tracks in the City of Cleveland; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract; and

WHEREAS, the primary goal of the project is to repair and rehabilitate the East 49<sup>th</sup> Street Bridge No. 00.54 over abandoned railroad tracks in the City of Cleveland in Council District 7 and to properly maintain the County's infrastructure; and

WHEREAS, this project is funded 100% using funds from the Cuyahoga County Motor Vehicle \$7.50 License Tax Funds; and

WHEREAS, construction is scheduled to begin June 2, 2014 and scheduled to be completed October 31, 2014; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby makes an award on RQ28835 to Schirmer Construction LLC in the amount not-to-exceed \$889,233.40 for rehabilitation of East 49<sup>th</sup> Street Bridge No. 00.54 over abandoned railroad tracks in the City of Cleveland.

**SECTION 2.** That the County Executive is authorized to execute a contract in connection with said award and all documents consistent with this Resolution.

**SECTION 3.** That the County Council hereby authorizes the County Engineer, on behalf of the County Executive, to make application for the allocation from the County Motor Vehicle \$7.50 License Tax Fund for said amount to fund said contract.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 5.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
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First Reading/Referred to Committee: March 25, 2014  
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Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2014-0011

<b>Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer</b>	<b>An Ordinance</b> amending Chapter 705 of the Cuyahoga County Code to establish payment procedures for connection charges collected for connection to County's water and sewer facilities in County Sewer District No. 14 and Cook, McKenzie and Stearns Roads; amending Cuyahoga County Resolution Nos. 052208 and 052209, each dated 6/2/2005; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, on June 2, 2005, Cuyahoga County passed Resolution Nos. 052208 and 052209 establishing certain water and sewer connection charges for County Sewer District No. 14; and,

WHEREAS, pursuant to Resolution Nos. 052208 and 052209, water and sewer connection charges are to be paid in cash or by certified check payable to the County, at the time the connection permit is applied for; and,

WHEREAS, the County finds that such payment of water and sewer connection charges constitutes an undue hardship for the property owners and desires to encourage property owners to connect to new and existing water and sewers mains; and,

WHEREAS, the County desires to establish payment procedures that allows all property owners in County Sewer District No. 14 and Cook, McKenzie and Stearns Roads to pay water and sewer connection charges in yearly installments; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order to ensure that property owners connect to the County's new and existing water and sewer facilities.

**NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** Chapter 705 of the Cuyahoga County Code is hereby amended and replaced to read as follows:

### **Chapter 705: Water and Sewer Connection Charges**

#### **Section 705.01 Payment Procedures for County Sewer District No. 14**

- A. A property owner who connects any building, structure or other facility, either directly or indirectly, to the County's water and sewer facilities in County's Sewer District No. 14 shall pay the County a connection charge by electing one of the following payment options:
  - 1. Pay the full amount of the connection charge; or
  - 2. Enter into a payment program for a period not to exceed ten (10) years.
- B. The ten (10) year payment plan shall be based on the applicable connection charge schedule, plus an applicable interest rate determined by the Director of Public Works. The ten year payment plan and collection of funds will be established in accordance with Section 6117.02 of the Ohio Revised Code, and the Department of Public Works may require any additional assurances for payment, including the procurement and recording of a mortgage loan document, if deemed appropriate, upon consultation with legal counsel.
- C. Section 705.01 is intended to establish a payment plan for water and sewer connection charges payable by all property owners located in County Sewer District No. 14 that connect to new or existing County water and sewer facilities.
- D. Cuyahoga County Resolution Nos. 052208 and 052209, each dated 6/2/2005, which established charges payable for connection to the County's water and sewer facilities in County Sewer District No. 14, are hereby amended to reflect a repayment period not to exceed ten (10) years for all connection charges payable by property owners connecting to water and sewer facilities in County Sewer District No. 14.

**Section 705.02: Payment Procedures for Cook, Mackenzie and Stearns Roads**

- A. Notwithstanding the provisions of Section 705.01, a property owner who is converting from a septic system to a main line sanitary system on Cook, McKenzie and Stearns Roads shall pay the County a connection charge by electing one of the following payment options:
  - 1. Pay the full amount of the connection charge; or
  - 2. Enter into a payment program for a period of twenty (20) years.
- B. The twenty year payment plan shall be based on the 2011 connection charge schedule plus applicable interest at the rate of 3.52%, and will apply to those affected property owners that elect not to pay the connection charge in full by December 29, 2011. The twenty year payment plan and collection of funds will be established in accordance with Ohio Revised

Code 6117.02, and the Department of Public Works may require any additional assurances of payment, including the procurement and recording of a mortgage loan document, if deemed appropriate upon consultation with legal counsel.

- C. Chapter 705.02 of the Cuyahoga County Code is intended to alleviate the hardships on individual homeowners and property owners on Cook, McKenzie and Stearns Roads as of the date of the adoption of Cuyahoga County Council Ordinance No. 02011-0007 and is therefore not applicable to future developers that may seek this same accommodation.
- D. Any affected property owners on Cook, McKenzie and Stearns Roads who have previously paid sewer and water connection charges under the 2009, 2010 or 2011 rates shall be refunded any amounts paid in excess of the 2008 rates as set forth in Ordinance No. O2011-0007.
- E. Cuyahoga County Resolution Nos. 052208 and 052209, each dated 6/2/2005, which established charges payable for connection to the County's water and sewer facilities in County Sewer District No. 14, are hereby amended to reflect a repayment period of twenty (20) years for all connection charges payable by property owners connecting to water and sewer facilities on Cook, McKenzie and Stearns Roads.

**SECTION 2.** It is necessary that this Ordinance become immediately effective for the operation of the County and the reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of the Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time which it may be disapproved by the County Executive under Section 3.10 (6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10 (7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by the law.

**SECTION 3.** It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President      Date

\_\_\_\_\_  
County Executive      Date

\_\_\_\_\_  
Clerk of Council      Date

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