



City of Cleveland Memorandum
Justin M. Bibb, Mayor

June 14, 2024

The meeting of the Board of Control convened in the Mayor's Red Room on Friday, June 14, 2024 at 3:01 p.m. with Director Mark Griffin presiding. Although City Hall was closed to general public, the entrances to the Mayor's office and the Red Room were open to persons wishing to attend the meeting. Security guards at City Hall front and garage entrances were advised to admit anyone wishing to attend the meeting in person because it is a public meeting.

MEMBERS PRESENT: Directors Griffin, Abonamah, Keane, Acting Directors Kramer, Laird, Directors Margolius, Hernandez, Cole, McNamara, Acting Director Majeski

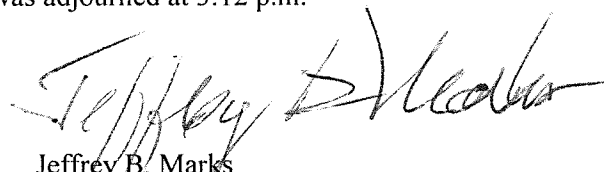
ABSENT: Mayor Bibb, Interim Director Drummond, Director McNair

OTHERS PRESENT: Michael Curry, Assistant Director
Office of Equal Opportunity

Richard Switalski, Manager
Engineering and Construction

Tomasz Kacki, Paralegal
Law Department

On motions, the resolutions attached were adopted, except as may be otherwise noted. There being no further business, the meeting was adjourned at 3:12 p.m.


Jeffrey B. Marks
Secretary – Board of Control

RESOLUTION No. 279-24

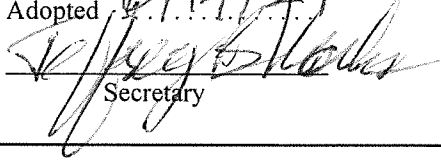
REQUIREMENT CONTRACT

BOARD OF CONTROL

Received ... 6/6/24

Approved ... 6/7/24

Adopted ... 6/14/24


Secretary

BY Director Keane

BE IT RESOLVED, by the BOARD of CONTROL of the CITY OF CLEVELAND that the bid of

Ferguson Enterprises, LLC dba Ferguson Waterworks

for an estimated quantity of vitrified clay and pvc pipe, Items 1-14 and 16-35,

for the Division of Water Pollution Control, Department of Public Utilities,

for a period of two (2) years starting upon the later of execution of a contract or the day following expiration of the currently effective contract for the goods and/or services,

received on May 8, 2024, under the authority of Section 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976,

which on the basis of the estimated quantity would amount to \$515,301.00 (0% - Net 30 days),

is affirmed and approved as the lowest and best bid, and the Director of Public Utilities

is requested to enter into a REQUIREMENT contract for the specified goods and/or services.

The REQUIREMENT contract shall further provide that the Contractor shall furnish all the City's requirements for such goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Directors Griffin, Abonamah, Keane, Acting Directors Kramer, Laird, Directors Margolius, Hernandez, Cole, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim director Drummond, Director McNair

RESOLUTION No. 280-24

REQUIREMENT CONTRACT

BOARD OF CONTROL

Received 6/6/24

Approved 6-7-24

Adopted 6/14/24

Jeffrey Keane
Secretary

BY Director Keane

BE IT RESOLVED, by the BOARD of CONTROL of the CITY OF CLEVELAND that the bid of

Lakeside Supply Company

for an estimated quantity of vitrified clay and pvc pipe, Items 36-42 and 44-85,

for the Division of Water Pollution Control, Department of Public Utilities,

for a period of two (2) years starting upon the later of execution of a contract or the day following expiration of the currently effective contract for the goods and/or services,

received on May 8, 2024, under the authority of Section 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976,

which on the basis of the estimated quantity would amount to \$77,715.00 (Net 30 days),

is affirmed and approved as the lowest and best bid, and the Director of Public Utilities

is requested to enter into a REQUIREMENT contract for the specified goods and/or services.

The REQUIREMENT contract shall further provide that the Contractor shall furnish all the City's requirements for such goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Directors Griffin, Abonamah, Keane, Acting Directors Kramer, Laird, Directors Margolius, Hernandez, Cole, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim director Drummond, Director McNair

RESOLUTION No. 281-24

REQUIREMENT CONTRACT

BOARD OF CONTROL

Received 6/6/24

Approved 6-7-24

Adopted 6/14/24

Secretary

BY Director Keane

BE IT RESOLVED, by the BOARD of CONTROL of the CITY OF CLEVELAND that the bid of

Core & Main LP

for an estimated quantity of vitrified clay and pvc pipe, Items 15 and 43,

for the Division of Water Pollution Control, Department of Public Utilities,

for a period of two (2) years starting upon the later of execution of a contract or the day following expiration of the currently effective contract for the goods and/or services,

received on May 8, 2024, under the authority of Section 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976,

which on the basis of the estimated quantity would amount to \$8,897.10 (0%-Net 30 days),

is affirmed and approved as the lowest and best bid, and the Director of Public Utilities

is requested to enter into a REQUIREMENT contract for the specified goods and/or services.

The REQUIREMENT contract shall further provide that the Contractor shall furnish all the City's requirements for such goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Directors Griffin, Abonamah, Keane, Acting Directors Kramer, Laird, Directors Margolius, Hernandez, Cole, McNamara, Acting Director Majeski

Nays: None

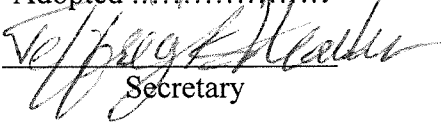
Absent: Mayor Bibb, Interim director Drummond, Director McNair

BOARD OF CONTROL

Received 6/6/24

Approved..... 6/12/24

Adopted ..6/14/24


Secretary

RESOLUTION No. 282-24

REQUIREMENT CONTRACT

By: Director Francis

BE IT RESOLVED, by the BOARD OF CONTROL of the CITY OF CLEVELAND, under the authority of Section 181.101(a)(25) of the Codified Ordinances of Cleveland, Ohio, 1976, that the conditional bid of

Municipal Emergency Services Incorporated,

except for such terms and conditions as are unacceptable to the Director of Law, for the Labor and Materials necessary for ARFF Bunker Gear, for the Department of Port Control Aircraft Rescue and Fire Fighting division,

for a period of one (1) year with two, one-year options to renew, beginning with the date of execution of a contract, received on May 22, 2024, which on the basis of the estimated quantity would amount to \$63,612.00,

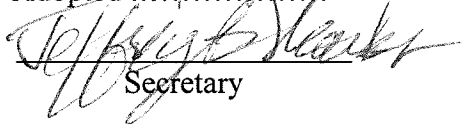
is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a REQUIREMENT contract for the goods and/or services specified.

The REQUIREMENT contract shall further provide that the Contractor shall furnish the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Directors Griffin, Abonamah, Keane, Acting Directors Kramer, Laird, Directors Margolius, Hernandez, Cole, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim director Drummond, Director McNair

BOARD OF CONTROLReceived 6/6/2024Approved 6/7/2024Adopted 6/14/24RESOLUTION No. 283-24
Secretary

By: Director Francis

BE IT RESOLVED by the Board of Control of the City of Cleveland that the bid of Suburban Maintenance & Construction, Inc., for the public improvement of the RTA Tunnel Membrane Replacement project, all items, for the Department of Port Control, received on May 16, 2024 under the authority of Ordinance No. 1365-2023, passed by the Council of the City of Cleveland on December 4, 2023, for a unit price for the improvement, in the aggregate amount of \$5,724,000.00, is affirmed and approved as the lowest responsible bid; and the Director of Port Control is authorized to enter into a contract for the improvement with the bidder.

BE IT FURTHER RESOLVED by the Board of Control of the City of Cleveland that employment of the following subcontractors by Suburban Maintenance & Construction, Inc. is approved:

<u>Subcontractor</u>	<u>Percentage</u>	<u>Amount</u>
The Cook Paving and Construction Company dba Cook Paving & Construction	4.30% DBE	\$246,030.00
Irizar Electric LLC	4.88% DBE	\$279,000.00
Cuyahoga Fence, LLC	1.28% DBE	\$ 73,228.20
AKA Team Waterproofing, LTD	1.81% SBE	\$103,400.00
All Contractors Supply	1.05% SBE	\$ 60,000.00
Coyle SWPP Professionals	0.17% SBE	\$ 10,000.00
DGL Consulting Engineers, LLC	0.31% SBE	\$ 17,500.00

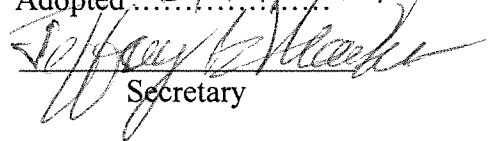
RESOLUTION No. 283-24

BOARD OF CONTROL

Received ... 6/6/2024

Approved... 6/7/2024

Adopted... 6/14/2024


Secretary

By: Director Francis

<u>Subcontractor</u>	<u>Percentage</u>	<u>Amount</u>
RAR Contracting Co., Inc.	0.87% SBE	\$ 50,000.00
Timeline Photography, LLC	0.009% SBE	\$ 550.00
A & A Safety, Inc.	Non-certified	\$ 10,000.00
Commerce Plumbing Company	Non-certified	\$ 78,110.00
Corcoran Tile	Non-certified	\$ 10,000.00
J.A.K. Contracting	Non-certified	\$ 80,000.00

Yeas: Directors Griffin, Abonamah, Keane, Acting Directors Kramer, Laird, Directors Margolius, Hernandez, Cole, McNamara, Acting Director Majeski

Nays: None

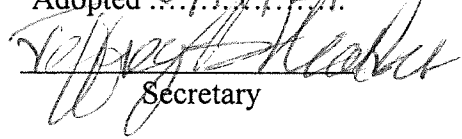
Absent: Mayor Bibb, Interim director Drummond, Director McNair

BOARD OF CONTROL

Received 6/6/24

Approved 6/12/24

Adopted 6/14/24


Secretary

RESOLUTION No. 284-24

REQUIREMENT CONTRACT

By: Director Francis

BE IT RESOLVED, by the BOARD OF CONTROL of the CITY OF CLEVELAND, under the authority of Ordinance No. 886-2023, passed September 25, 2023, that the bid of

Architectural Floors of Cleveland, Inc.,

for the Labor and Materials necessary for Floor and Wall Coverings, for the Department of Port Control,

for a period of two (2) years with two, one-year options to renew, beginning with the date of execution of a contract, received on May 9, 2024, which on the basis of the estimated quantity would amount to \$211,602.00,

is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a REQUIREMENT contract for the goods and/or services specified.

The REQUIREMENT contract shall further provide that the Contractor shall furnish the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Directors Griffin, Abonamah, Keane, Acting Directors Kramer, Laird, Directors Margolius, Hernandez, Cole, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim director Drummond, Director McNair

BOARD OF CONTROL

Received 6/6/24

Approved 6/13/24

Adopted 6/14/24

[Signature]
Secretary

RESOLUTION No. 285-24

By: Director Francis

WHEREAS, under the authority of Ordinance No. 1182-18, passed by the Council of the City of Cleveland on October 22, 2018, and Board of Control Resolution No. 460-19, adopted October 2, 2019, the City through its Director of Port Control, entered into a Lease By Way of Concession ("Agreement") with SP PLUS Corporation ("Lessee"), City Contract No. 3001 LS2020*005, to lease certain space at Cleveland Hopkins International Airport (the "Airport") to Lessee to manage, staff and operate an on-site valet parking service for a period of two years with three one-year options to renew, for the Department of Port Control; and

WHEREAS, because of the COVID-19 emergencies declared by the President of the United States, the Governor of the State of Ohio and the Mayor of the City of Cleveland, Board of Control Resolution No. 267-20, adopted August 5, 2020, amended Resolution No. 460-19 by modifying the concession fee; and

WHEREAS, by Resolution No. 193-21, adopted May 26, 2021, Board of Control Resolution No. 460-19, as amended by Resolution No. 267-20, was amended further by further modifying the concession fee at Lessee's request due to the suspension of Lessee's valet parking operations at the Airport in 2020; and

WHEREAS, because the aforementioned COVID-19 emergency declarations were rescinded in June 2021, Board of Control Resolution No. 460-19, as previously amended, was amended further by Resolution No. 240-21, adopted June 30, 2021, anticipating expiration of Lessee's valet parking operations suspension on June 30, 2021, and further modifying the concession fee; and

WHEREAS, due to operational changes to valet parking program operations at the Airport, the City and Lessee desire to modify the valet parking concession fees further; now, therefore,

BE IT RESOLVED, that Board of Control Resolution No. 460-19, adopted October 2, 2019, as previously amended, is amended further as follows:

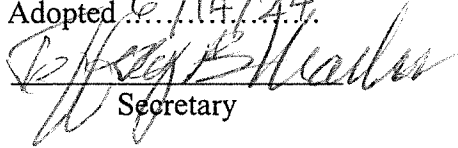
BOARD OF CONTROL

Received 6/03/24

Approved 6/13/24

Adopted 6/14/24

RESOLUTION No. 285-24


Secretary

By: Director Francis

Beginning on April 1, 2024 and continuing until and including the month immediately following the termination or expiration of the Agreement, the requirement for a Minimum Annual Guarantee set forth in Board of Control Resolution No. 460-19 and modified most recently in Resolution No. 240-21, is deleted and replaced by the following:

Lessee shall pay to the City a percentage fee of (i) sixty-five percent (65%) of Net Revenues and (ii) 10 percent (10%) of all Supplemental Revenues collected from ancillary services, if any (together, the "Percentage Fee"). If Net Revenues exceed \$4,500,000.00 in any calendar year during the Term, the Lessee's Percentage Fee to the City shall increase to sixty-six percent (66%) of Net Revenues and ten percent (10%) of all Supplemental Revenues for that year. If Net Revenues exceed \$5,000,000.00 in any calendar year during the Term, the Lessee's percentage fee to the City shall increase to sixty-seven percent (67%) of Net Revenues and ten percent (10%) of all Supplemental Revenues for that year.

BE IT FURTHER RESOLVED that the Director is authorized to execute all documents and do all things necessary to implement the above-modified concession fees.

BE IT FURTHER RESOLVED that all other terms of Resolution No. 460-19, as amended, not expressly amended by this resolution shall remain unchanged and in full force and effect.

Yeas: Directors Griffin, Abonamah, Keane, Acting Directors Kramer, Laird, Directors Margolius, Hernandez, Cole, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim director Drummond, Director McNair

RESOLUTION No. 286-24

BY: Director DeRosa

BOARD OF CONTROL

Received 6/6/24

Approved 6/12/24

Adopted 6/14/24

[Signature]
Secretary

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND, that the bid of Perk Company, Inc. for the 2024 City Wards of Cleveland Public Improvement by Requirements Bridge Construction Contract, base bid, all items, for the Office of Capital Projects, Division of Engineering and Construction, received on April 25, 2024, under the authority of Ordinance No. 1025-2023, passed by Cleveland City Council on October 23, 2023, upon a unit price basis for the improvements to be performed as ordered during the period of two years starting upon execution of a contract, at the unit prices set forth in the bid, which on the basis of the estimated work to be done would amount to \$6,604,627.50, is affirmed and approved as the lowest responsible bid, and the Director of the Mayor's Office of Capital Projects is authorized to enter into a public improvement by requirement contract for the improvement.

BE IT FURTHER RESOLVED that the employment of the following subcontractors by Perk Company, Inc, for the above-mentioned public improvement is approved:

Cuyahoga Supply and Tool, Inc.....(CSB/FBE/LPE).....\$345,000.00 (5.2%)

Yeas: Directors Griffin, Abonamah, Keane, Acting Directors Kramer, Laird, Directors Margolius, Hernandez, Cole, McNamara, Acting Director Majeski

Nays: None

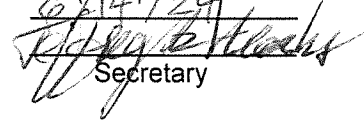
Absent: Mayor Bibb, Interim director Drummond, Director McNair

Board of Control

Received 6/6/24

Approved 6/12/24

Adopted 6/14/24


Secretary

RESOLUTION No. 287-24

BY: Director Williams

REQUIREMENT CONTRACT

BE IT RESOLVED, by the BOARD OF CONTROL of the CITY OF CLEVELAND

that all bids received on March 7, 2024, for the purchase of various pool chemicals, re-location, and transporting of various swimming pool chemicals for various recreation centers throughout Cleveland, Item: I-B, for the Division of Recreation, Department of Public Works, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, is rejected.

Yeas: Directors Griffin, Abonamah, Keane, Acting Directors Kramer, Laird, Directors Margolius, Hernandez, Cole, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim director Drummond, Director McNair

Board of Control

Received

6/6/24

Approved

6/12/24

Adopted

6/14/24

[Signature]
Secretary

RESOLUTION No.

288-24

BY: Director Williams

REQUIREMENT CONTRACT

BE IT RESOLVED, by the BOARD OF CONTROL of the CITY OF CLEVELAND that the bid of

Heritage Pool Supply Group, Inc. dba EMSCO,

for an estimated quantity of various pool chemicals, relocation, and transporting of various swimming pool chemicals for various Recreation Centers throughout Cleveland, items I: I-A, I-C, I-D, I-E, I-F, I-G, I-H, Item II and Item III,

for the Division of Recreation, Department of Public Works,

for a period of one (1) year beginning with the later of the date of execution of a contract or the day following expiration of the currently effective contract for the goods and/or services,

received on December 14, 2023 under the authority of Section No. 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976

which on the basis of the estimated quantity would amount to \$227,250.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a REQUIREMENT contract for the goods and/or services specified.

The REQUIREMENT contract shall further provide that the Contractor shall furnish the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Directors Griffin, Abonamah, Keane, Acting Directors Kramer, Laird, Directors Margolius, Hernandez, Cole, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim director Drummond, Director McNair

BOARD OF CONTROL

Received 6/6/24
Approved 6/12/24
Adopted 6/14/24
Secretary Jeffrey H. Adams

RESOLUTION No. 289-24

BY: Director Hernandez

WHEREAS, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 118-26-051 located at 2238 East 78th Street; and

WHEREAS, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels; and

WHEREAS, Tara Houston has proposed to the City to purchase and develop the parcel for new residential single-family development; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 5 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Tara Houston, for the sale and development of Permanent Parcel No. 118-26-051 located at 2238 East 78th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcels shall be \$2,100.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Griffin, Abonamah, Keane, Acting Directors Kramer, Laird, Directors Margolius, Hernandez, Cole, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim director Drummond, Director McNair

BOARD OF CONTROL

Received 6/6/24
Approved 6/12/24
Adopted 6/14/24
Secretary Jeffrey B. Harker

RESOLUTION No. 290-24

BY: Director Hernandez

WHEREAS, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

WHEREAS, under the Program, the City has acquired Permanent Parcel Nos. 107-10-087, 107-10-088 and 107-10-089 located on East 87th Street; and

WHEREAS, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development to sell or lease Land Reutilization Program parcels when certain specified conditions have been met; and

WHEREAS, Marous Brothers Construction, Inc. has proposed to the City to lease the parcels for construction staging; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 7 has approved the proposed lease or has not disapproved or requested a hold of the proposed lease within 45 days of notification of it;
2. The proposed lessee of the parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, to execute a lease for a period of 1 year, on behalf of the City of Cleveland with Marous Brothers Construction, Inc. for the purpose of construction staging on Permanent Parcel Nos. 107-10-087, 107-10-088 and 107-10-089, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for lease of the parcels shall be \$941.00 per year.

Yeas: Directors Griffin, Abonamah, Keane, Acting Directors Kramer, Laird, Directors Margolius, Hernandez, Cole, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim director Drummond, Director McNair