

**MINUTES OF THE
BOARD OF PARK COMMISSIONERS
OF THE
CLEVELAND METROPOLITAN PARK DISTRICT**

SEPTEMBER 8, 2016

The Board of Park Commissioners met on this date, Thursday, September 8, 2016, 8:00 a.m., at the Board's office, 4101 Fulton Parkway, Cleveland, Ohio.

The roll call showed Vice President Dan T. Moore and Vice President Bruce G. Rinker to be present. It was determined there was a quorum. President Debra K. Berry was absent from the meeting. Chief Executive Officer, Brian M. Zimmerman, Chief Financial Officer, Karen Fegan, and Senior Assistant Legal Counsel, Kyle G. Baker, were also in attendance.

APPROVAL OF MINUTES.

No. 16-09-139: It was moved by Vice President Moore, seconded by Vice President Rinker and carried, to approve the **amended minutes from the Regular Meeting of March 24, 2016 (Resolution No. 16-03-060 on page 81373)**, which were previously submitted to the members of the Board, and by them read.

Vote on the motion was as follows:

Ayes: Messrs. Moore and Rinker.

Nays: None.

No. 16-09-140: It was moved by Vice President Moore, seconded by Vice President Rinker and carried, to approve the minutes from the Regular Meeting of August 18, 2016, which were previously submitted to the members of the Board, and by them read.

Vote on the motion was as follows:

Ayes: Messrs. Moore and Rinker.

Nays: None.

ACTION ITEMS.

- (a) **Authorization of the 2017 Tax Levy Amounts and Rates**
(Originating Source: Karen Fegan, Chief Financial Officer)

By statute, the Board of Park Commissioners are required to adopt a resolution accepting the amounts and rates determined by the County Budget Commission, and authorizing them to levy the taxes necessary. It is therefore requested that the Board adopt the following resolution.

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET COMMISSION,
AND AUTHORIZING THE NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY FISCAL OFFICER(S)**

WHEREAS, This Board of Park Commissioners, in accordance with the provisions of law, have previously adopted a Tax Budget for the next succeeding fiscal year, commencing January 1, 2017; and

WHEREAS, The Budget Commission of Cuyahoga and Medina Counties, Ohio, has certified their actions hereon to this Board, together with an estimate by the County Fiscal Officers of the rate of each tax necessary to be levied by this Board, and what part thereof is without and what part within the ten-mil tax limitation; therefore, be it

RESOLVED, By the Board of Park Commissioners of Cleveland Metroparks, of Cuyahoga and Medina counties, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Counties the rate of each tax necessary to be levied within and without the ten-mil limitation as follows:

SCHEDULE A

**Summary of Amounts Required from General Property Tax
Approved by Budget Commission and County Fiscal Officer's Estimated Tax Rates**

	Estimate of amount to be derived from levies	County Fiscal Officer's Estimate of Tax To Be Levied	
		Inside 10-Mill Limit	Outside 10-Mill Limit
General/Capital Funds	\$ (A)	.05	2.7

(A) To be provided by County Budget Commission in mid-December.

ACTION ITEMS (cont.)

and be it further

RESOLVED, that the Secretary of this Board be and is hereby directed to certify a copy of this Resolution to the County Fiscal Officer of said County.

No. 16-09-141: It was moved by Vice President Moore, seconded by Vice President Rinker and carried, to approve the resolution above.

Vote on the motion was as follows:

Ayes: Messrs. Moore and Rinker.

Nays: None.

- (b) ***Authorization of Land Acquisition and Clean Ohio Conservation Fund Grant Application: Golden Retreat, LLC Property (±11.0 acres) – Hinckley Reservation (Originating Sources: Brian M. Zimmerman, Chief Executive Officer/Joseph V. Roszak, Chief Operating Officer/Kyle G. Baker, Senior Assistant Legal Counsel/Stephanie Kutsko, Land Protection Manager/Kristen Trolio, Grant and Outreach Coordinator)***

Background

Hinckley Reservation, consisting of 2,953 acres, is comprised of significant contiguous natural resources and a variety of recreational opportunities which combine to create a park that serves as a unique regional destination. The protection goal for Hinckley Reservation is focused on preserving the East Branch of the Rocky River, its tributaries and other sensitive resources within the reservation. Cleveland Metroparks is interested in a relatively large in-holding of ±11.0 acres adjacent to the southeastern corner of Hinckley Reservation due to its proximity to sensitive natural resources within the reservation.

Recommended Fee Acquisition of ± 11.0 acres

The Golden Retreat, LLC property located at 195 Ledge Road in Hinckley Township (reference map, page **82264**) was recently listed for sale by owner. The property is a significant 3-sided in-holding adjacent to Hinckley Reservation situated between a mosaic of forest, meadow, wetland, stream and riparian habitats. The property provides an important buffer to the adjacent Category III wetlands and upper reaches of a headwater stream valley. A large portion of the property is currently mowed and the acquisition of this property would present an opportunity to restore the landscape to a native condition. The property also provides future restoration opportunities that would restore and enhance ecosystem services within the watershed. Cleveland Metroparks has recently been in communication with the landowners and visited the property. After negotiations the owners, Jill Morrill and James Morrill have agreed to sell the ±11.0 acres via fee simple title for \$375,000. Acquisition of the property would contribute to Cleveland Metroparks goal of buffering existing sensitive resources.

ACTION ITEMS (cont.)

Cleveland Metroparks has the opportunity to apply for Clean Ohio Conservation Program Funds to acquire and restore the property. Acquisition of this property is contingent upon receiving Clean Ohio funds. The proposed funding for the acquisition, restoration, and associated due diligence costs are shown below:

Acquisition Costs:

Land Value	\$ 330,000
Structure Value (not eligible for Clean Ohio funding)	\$ 45,000
Due Diligence (appraisal, title, environmental, etc.)	\$ 5,000
Restoration/Demolition	\$ 30,000
<hr/>	
Total cost to acquire fee simple title:	\$ 410,000

Funding:

Clean Ohio Conservation Program Funding (74%)	\$ 270,100
Cleveland Metroparks – Clean Ohio Match (26%)	<u>\$ 94,900</u>
Total Clean Ohio Project	\$ 365,000
Cleveland Metroparks – Non eligible Clean Ohio expenses (cost of structure)	<u>\$ 45,000</u>

Total Acquisition Cost: \$410,000

Total Cleveland Metroparks Contribution (in-kind and cash): \$139,900

The acquisition is contingent on receiving Clean Ohio funding with Cleveland Metroparks contribution of \$139,900.

The required resolution is on page **82265**.

No. 16-09-142: It was moved by Vice President Moore, seconded by Vice President Rinker and carried, to authorize the acquisition of fee simple title of ±11.0 acres as hereinabove described, from Golden Retreat, LLC, for a purchase price of \$375,000, contingent on funding and subject to the terms and conditions hereinabove summarized, and subject to the approval of the environmental assessment report and evidence of title, including exceptions to title, by the Chief Legal and Ethics Officer; further, that the Board authorize the submittal of a grant application to the Ohio Public Works Commission for funding assistance through the Clean Ohio Conservation Program Fund as described above; further, to authorize and

ACTION ITEMS (cont.)

agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms and conditions of the program; and finally, that the Board authorize the Chief Executive Officer to enter into agreements and execute any other documents as may be required to accept the grant upon award and to acquire the property; form of document(s) to be approved by Chief Legal and Ethics Officer.

Vote on the motion was as follows:

Ayes: Messrs. Moore and Rinker.

Nays: None.

- (c) ***Contract Amendment - RFP #6032-B: Replacement Edgewater Beach House – Construction Guaranteed Maximum Price 1 – Edgewater Site Improvements, Community Connector and Early Building Package***
(Originating Source: Sean E. McDermott, P.E., Chief Planning and Design Officer)

Background

On March 13, 2015 the Board awarded a Guaranteed Maximum Price (GMP) Contract to The Albert M. Higley Co. (Higley), for construction manager (at risk) services for construction of improvements at Edgewater Beach inclusive of the replacement Edgewater Beach House, Lakefront Reservation. At the time of the Board's award, only the preconstruction stage compensation was fixed at \$10,000. Per the contract, a Guaranteed Maximum Price for construction is then developed and brought back to the Board for approval.

Since March of 2015, the design and pricing of the improvements at Edgewater Beach has solidified, following several rounds of cost estimating and design modifications. As reported to the Board during the August 18, 2016 Board meeting, the design of the improvements has evolved to carefully balance the important site aspects with the replacement Beach House.

GMP Establishment

The Albert M. Higley Co. has submitted the first of two Guaranteed Maximum Price amendments which will be presented to the Board in a phased approach:

Guaranteed Maximum Price 1 (GMP1) is as follows, and includes the Edgewater parking lot and utility improvements, the community connector to the W. 76th Street pedestrian tunnel and early item packages (i.e. foundations) for the replacement Beach House:

ACTION ITEMS (cont.)

<u>BP</u>	<u>Bid Package Description</u>	<u>GMP Value</u>
01	Rammed Aggregate Piers	\$ 104,300
02	Earthwork & Site Utilities	\$ 382,672
03	Cast-In-Place Concrete	\$ 617,800
04	Precast Concrete	\$ 187,150
05	Structural Steel, Joist & Deck	\$ 233,500
06	Asphalt Paving	\$ 100,000
	Landscaping	\$ 25,000
COST OF THE WORK:		\$ 1,650,422
	General Conditions & Requirements (7.19%)	\$ 118,665
	Construction Contingency (3.0%)	\$ 49,513
	Taxes and Insurance (1.11%) (Based on GMP Total)	\$ 21,191
	Subcontractor Bonds / Default Insurance (1.2%)	\$ 19,805
	CM Fee (3%)	\$ 49,513
GUARANTEED MAXIMUM PRICE (GMP1):		\$ 1,909,109

GMP 1 is intended to be followed by GMP 2 at the upcoming September, 26, 2016 Board meeting. GMP 2 will include the remaining scopes of work to construct the replacement Beach House.

Construction Schedule

Higley’s construction schedule associated with the proposed GMP anticipates a spring 2017 project delivery, barring any documented unseasonal weather. Cleveland Metroparks staff will monitor construction progress and provide updates to the Board.

No. 16-09-143:

It was moved by Vice President Moore, seconded by Vice President Rinker and carried, to authorize the Chief Executive Officer to amend the Guaranteed Maximum Price (GMP) contract with **The Albert M. Higley Co.**, for construction of the site improvements, community connector, and early building package for the replacement **Edgewater Beach House at Edgewater Park, Lakefront Reservation**, to reflect a GMP in the amount of **\$1,909,109**, in addition to the \$10,000 already awarded, for a revised contract amount of **\$1,919,109**. Form of contract to be approved by the Chief Legal and Ethics Officer.

Vote on the motion was as follows:

Ayes: Messrs. Moore and Rinker.

Nays: None.

ACTION ITEMS (cont.)

- (d) ***Change Order No. 4 – Contract No. 1315 – Cleveland Metroparks E. 55th Marina, Dock Renovations and Replacement, Lakefront Reservation***
(Originating Sources: Sean McDermott, Sean E. McDermott, P.E., Chief Planning and Design Officer/Andy Simons, Project Manager)

Background:

On December 17, 2015, the Board awarded Bid #6137, to Nerone & Sons, Inc. (Nerone) for the construction of E. 55th Marina, Dock Renovations and Replacement for an amount not to exceed \$672,735.00. Work on both A&B Docks was complete at the commencement of the 2016 boating season but the planned replacement of the fuel dock was held in the hopeful anticipation of award of a Boating Infrastructure Grant (BIG) by the Ohio Department of Natural Resources to install additional courtesy docks. Now that Cleveland Metroparks has been notified of the \$100,000 BIG award the cost associated with the additional courtesy docks can be added to Nerone's contract. Furthermore, during the course of work already performed throughout the marina, several additional items have been identified and included in the scope described herein.

Change Order No. 4:

During the original bidding of Bid #6137, Cleveland Metroparks staff secured competitive bid prices for the fabrication and installation of additional sections of courtesy docks. Therefore in the event that the aforementioned Boating Infrastructure Grant was secured, a competitively secured price would already be established. Nerone provided a bid cost of \$28,750 per section of courtesy dock, with each section consisting of two (2) dock fingers, capable of docking four (4) boats each. With the BIG funds available and the consideration of the additional costs associated with the dock installation, three (3) sections of dock can be added to the fuel dock, increasing the capacity of proposed courtesy docks from the base bid plan amount of four (4) to the post grant award amount of sixteen (16).

The scope of Change Order No. 4 is as follows:

- Fuel Dock – Courtesy Docks – Fabrication and installation of three (3) dock sections
- Fuel Docks – Courtesy Docks – Submerged vegetation removal / management
- Fuel Docks – New stainless steel fuel pans
- Docks A & B – Replace 3 additional fire line sections
- Docks A & B – Replace gangway/slip transition boards
- Dock A – Replace a defective feeder cable connector
- Docks A & B - Strap replacement to reset additional slip floats
- Pump Out – Replace Wildwood Marina boat pump-out with same make and model as E. 55th Marina boat pump-out (included in base bid).

ACTION ITEMS (cont.)

Both pump-outs referenced herein are funded through Ohio Department of Resources Division of Watercraft's Clean Vessel Act.

Change Order No. 4 was preceded by Change Orders No. 1, 2 and 3 totaling \$27,845.08.

No. 16-09-144: It was moved by Vice President Moore, seconded by Vice President Rinker and carried, to approve Change Order No.4 with Nerone & Sons, Inc. in the amount of \$124,395.80 as described above resulting in a revised, total contract amount of \$824,975.88 and further, that the Board authorize the Chief Executive Officer to execute Change Order No. 4.

Vote on the motion was as follows:

Ayes: Messrs. Moore and Rinker.

Nays: None.

(f) ***RFP# 6167 – Historic and Cultural Resource Management Plan Consultation***
(Originating Sources: Sean E. McDermott, P.E., Chief Planning and Design Officer/Kelly B. Coffman, PLA, Sr. Strategic Park Planner)

Background:

On July 27, 2016 Cleveland Metroparks issued RFP# 6167 for interested respondents to submit proposals for Historic and Cultural Resource Management Plan consultation. Cleveland Metroparks is accredited by the Commission for Accreditation of Park and Recreation Agencies (CAPRA) and meets national standards of best practice in operation and service. CAPRA Standard 2.8, Historical and Cultural Resource Management Plans, requires an inventory of historical and cultural resources and strategies for how they will be managed. Cleveland Metroparks has prepared a basic plan in the past to fulfill the CAPRA Standard but now looks to develop a robust plan to guide the Park District going forward.

The Park District requested proposals from qualified consulting firms experienced in historic preservation work and/or the performance of Historical and Cultural Resources Management Plans for public entities such as park districts, zoos, or city, county or state governments. The selected consultant will review Park District assets, identify best practices for management of the assets, and assist in prioritizing recommended actions in consultation with Cleveland Metroparks staff. It is expected that the plan will take six (6) months to complete.

ACTION ITEMS (cont.)**Proposals Received for RFP #6167:**

Staff received three (3) proposals based upon the scope of services shown below:

- 1) Plan Format and Timeline:
 - a. Provide suggested Management Plan formats and examples;
 - b. Provide a summary of applicable State and Federal regulations; and
 - c. Conduct kick-off meeting with Park District staff to identify format and finalize approach for Cleveland Metroparks Historical and Cultural Resources Plan.
- 2) Inventory and Categorization:
 - a. Review building and site inventory provided by Cleveland Metroparks;
 - b. Review the preliminary manuscript inventory / paper archives;
 - c. Define and categorize contributing historic and cultural resources and include current listing status or eligibility for National Register of Historic Places;
 - d. Conduct working meeting with Park District staff to review categories and apply to case study reservation;
 - e. Conduct site visits to park facilities to assess historic and cultural resources (minimum five (5) days in field);
 - f. Apply classifications to remainder of inventory using methods from case study;
 - g. Evaluate resource Condition, Significance, and Potential Threats; and
 - h. Respond to Park District staff questions and inquiries.
- 3) Management Plan Preparation and Review:
 - a. Identify Proposed Best Practices, including potential partner entities/ roles of affiliates;
 - b. Identify Management Costs and Impacts;
 - c. Advise Park District on prioritization of proposed actions identified in Historical and Cultural Resource Management Plan; and
 - d. Conduct review meeting with Park District staff.
- 4) Management Tools to Include the Following (at minimum):
 - a. Cultural and Historic Resources Inventory and Categorization;
 - b. Management and Maintenance Best Practices summary for use by Park District field staff;
 - c. Project Development Flow Charts for Renovation and New Construction for Cleveland Metroparks staff, consultants, and affiliated partners who operate within the Park District;
 - d. Education and Interpretative Recommendations; and
 - e. Archive Management Recommendations.
- 5) Final Review and Adoption:
 - a. Attend one (1) Board of Park Commissioners meeting to present Management Plan with Park District staff;
 - b. Upon final acceptance, conduct training workshop for Park District staff and affiliates.
- 6) Miscellaneous:
 - a. Consultant must work with Cleveland Metroparks to ensure compliance with all Ohio public records laws.

ACTION ITEMS (cont.)

Proposals were received from the following firms:

<u>Consultant</u>	<u>Proposed Fee</u>	<u>Interviewed</u>
Commonwealth Heritage Group	\$32,208.80	x
JMT	\$32,265.92	
Lawhon & Associates, Inc.	\$30,980.00	x

Following the review of the proposals, a review panel of Tammy Oliver, Kelly Coffman, Judy MacKeigan, Stephen Mather and John Kilgore interviewed the two ranking consultants with the lowest fees to review the consultant’s background, the proposed scope and understanding of Cleveland Metroparks needs, among other important factors.

Best Value Rating Form (Consultant)
Cleveland Metroparks

Project Name: Historic and Cultural Resource Management Plan	Proposer's Name: Commonwealth Heritage Group (CW)
	Proposer's Name: JMT
Evaluation Date: 29-Aug-16	Proposer's Name: Lawhon & Associates, Inc. (LA)
Evaluator: Kelly Coffman	

Evaluation (Max 100 points)			CW	JMT	LA
Question	Description	Range	Score	Score	Score
1. Inventory	Approach and Proposed Deliverable	0-30	25		30
2. Categorization	Approach and Scope of Work	0-30	24		28
3. Priorities	Guidance for Prioritization	0-30	25		27
4. General	Preparation and Capacity	0-10	7		10
Notes:			Score	81	na
					95

Per the scoring associated with the interviewed consultants, Lawhon & Associates, Inc. proved to be the lowest and best proposal. Lawhon & Associates, Inc. was founded in 1985 in Columbus, Ohio and has maintained a Cleveland office – since 1993, currently located in Brecksville, Ohio. Lawhon & Associates, Inc.’s experience with historic and cultural resources will prove to be valuable to the Cleveland Metroparks.

No. 16-09-145: It was moved by Vice President Moore, seconded by Vice President Rinker and carried, to authorize the Chief Executive Officer to enter into an agreement, in a form acceptable to the Chief Legal & Ethics Officer, between Cleveland Metroparks and **Lawhon & Associates, Inc.** for its lowest and best proposal, as summarized above and maintained in the proposal file for RFP #6167, for Historic and Cultural Resource Management Plan Consultation, with a **contract amount of \$30,980.**

Vote on the motion was as follows:

Ayes: Messrs. Moore and Rinker.
 Nays: None.

AWARD OF BIDS:

No. 16-09-146:

It was moved by Vice President Moore, seconded by Vice President Rinker and carried, to authorize the following bid awards:

- (a) **Bid #6215:** **2016 Asphalt Pavement Improvements**
(see page **82253**);

- (b) **Bid #6216:** **2016 Parkwide Painting** (see page **82255**);
and

- (c) **Sole Source #6221:** **Toboggan Chutes Valve and Hose**
Replacement (see page **82257**).

Vote on the motion was as follows:

Ayes: Messrs. Moore and Rinker.

Nays: None.

AWARD OF BIDS (cont.):

**BID #6215 SUMMARY: 2016 ASPHALT PAVEMENT IMPROVEMENTS-
BIG CREEK, BRECKSVILLE, MILL STREAM RUN, AND
NORTH CHAGRIN RESERVATIONS**

(Originating Sources: Joseph V. Roszak, Chief Operating Officer/Jim Rodstrom, Director of Construction)

Cleveland Metroparks has developed and successfully utilized pavement rehabilitation techniques consisting of simple overlays on pavements with good structural characteristics or a varying degree of pavement repair followed by an overlay on pavements with sections in poor condition or lack of structural integrity. The 2016 Asphalt Pavement Improvements are proposed to utilize a repair and overlay approach similar to comparable projects completed over the past several years.

The 2016 asphalt resurfacing bid reflects the following scope of work:

Location	Description
Base Bid: Big Creek Reservation	1-1/2" asphalt overlay of approximately 2.65 miles of roadway on Big Creek Parkway and overlay of approximately 1,400 square yards of existing parking and all purpose trail pavement adjacent to the parkways being paved. Asphalt grind and overlay repair of approximately 11,796 square yards prior to the asphalt overlay with pavement marking restoration and berming.
Base Bid: Brecksville Reservation	1-1/2" asphalt overlay of approximately 1.80 miles of roadway on Valley Parkway within Brecksville Reservation and overlay of approximately 1,340 square yards of existing parking and all purpose trail pavement adjacent to the parkways being paved. Asphalt grind and overlay repair of approximately 12,082 square yards prior to the asphalt overlay with pavement marking restoration and berming.
Base Bid: Mill Stream Run Reservation	1-1/2" asphalt overlay of approximately 0.36 miles of roadway on Valley Parkway within Mill Stream Run Reservation and overlay of approximately 2,325 square yards of existing parking and all purpose trail pavement adjacent to the parkways being paved. Asphalt grind and overlay repair of approximately 716 square yards prior to the asphalt overlay with pavement marking restoration and berming.
Base Bid: North Chagrin Reservation	1-1/2" asphalt overlay of approximately 0.65 miles of roadway on Buttermilk Falls Parkway within North Chagrin Reservation and overlay of approximately 6,445 square yards of existing parking and all purpose trail pavement adjacent to the parkways being paved. Asphalt grind and overlay repair of approximately 5,174 square yards prior to the asphalt overlay with pavement marking restoration and berming.
Add Alternate A: Bonnie Park Parking Lot and Drive, Mill Stream Run Reservation	1-1/2" asphalt overlay of approximately 3,150 square yards of drive and 3,235 square yards of parking lot at the Bonnie Park Picnic Area in Mill Stream Run Reservation. Asphalt grind and overlay repair of approximately 1,079 square yards prior to the asphalt overlay with pavement marking restoration, catch basin adjustments, and berming.

AWARD OF BIDS (cont.):

Add Alternate B: Hogsback Road, Rocky River Reservation	1-1/2" asphalt overlay of approximately 0.40 miles of roadway on Hogsback Road within Rocky River Reservation. Asphalt grind and overlay repair of approximately 1,322 square yards and full depth asphalt replacement of approximately 2,266 square yards prior to the asphalt overlay with pavement marking restoration and berming.
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Bids were received on August 31, 2016 and are tabulated below:

BID #6215 - 2016 ASPHALT PAVEMENT IMPROVEMENTS BIG CREEK, BRECKSVILLE, MILL STREAM RUN, AND NORTH CHAGRIN RESERVATIONS			
Bidder Name	Base Bid	Add Alt A	Add Alt B
Carron Asphalt Paving, Inc.	\$1,149,000.00	\$71,000.00	\$120,000.00
The Shelly Co.	\$908,577.00	\$88,081.00	\$139,354.00
Karvo Paving	\$803,615.83	\$57,130.43	\$99,999.99
Chagrin Valley Paving	\$912,400.00	\$69,400.00	\$115,900.00
Barbicas Construction	\$888,000.00	\$71,060.00	\$129,675.00
<i>Engineer's Estimate</i>	<i>\$975,000.00</i>	<i>\$65,000.00</i>	<i>\$97,000.00</i>

Staff recommends awarding the **Base Bid plus add Alternate A** to Karvo Paving Company, Inc. Karvo has performed as the prime contractor on the Park District's annual asphalt improvement program each year from 2008 through 2015. They have completed approximately \$9.5 M in paving contracts for Cleveland Metroparks over the past several years and specialize in county, municipal, and commercial paving as well as ODOT projects.

2016 Budget Code: 1510-73462-A11002

RECOMMENDED ACTION:

That the Board authorize the Chief Executive Officer to enter into a contract with **Karvo Paving Company, Inc.** as the lowest and best bidder for Bid #6215, 2016 Asphalt Pavement Improvements, Big Creek, Brecksville, Mill Stream Run, and North Chagrin Reservations for the Base Bid amount of **\$803,615.83**, plus Add Alternate A for **\$57,130.43**, for the **total, lump sum amount of \$860,746.26**. In the event that the bidder cannot satisfy the bid, the award will be given to the next successive bidder who the Board, in its discretion, has reflected in the minutes as being the next lowest and best bidder who can satisfy the bid. The difference in cost and all related costs to the difference will be assumed by the original bidder and/or surety. Form of contract to be approved by the Chief Legal and Ethics Officer.

(See Approval of this Item by Resolution No. 16-09-146 on Page 82252)

AWARD OF BIDS (cont.):

BID #6216 SUMMARY: 2016 PARKWIDE PAINTING

(Originating Sources: Joseph V. Roszak, Chief Operating Officer/Jim Rodstrom, Director of Construction)

Cleveland Metroparks Park Operations Department has taken inventory and condition assessments of the exterior paint and/or stain on various structures throughout the Park District, including structures at the Zoo and on golf courses. Based on those assessments, seventeen structures were identified which warrant exterior paint and/or stain. Each structure is proposed to be properly washed, scraped, caulked (as needed), primed, and have two coats of paint and/or stain applied. Various structures also include repair or replacement of rotted wood siding before painting/staining operations begin.

The scope of work includes exterior painting and/or staining on the following buildings:

Base Bid:

1. The Chalet (Main Building, Barn, and Shed)
2. Emerald Necklace Marina (Main Building, Garage, Gazebo, Sheds, and Fence)
3. Euclid Creek Highland Shelters (Upper Shelter, Lower Shelter, and Cookhouse)
4. Harriet Keeler Shelter
5. Sleepy Hollow Clubhouse

Alternate A: Shawnee Hills Clubhouse

Alternate B: Shawnee Hills Maintenance Buildings

Bids were received on August 24, 2016 and are tabulated below:

Bidder Name	Lump Sum Base Bid	Alternate A: Shawnee Hills Clubhouse	Alternate B: Shawnee Hills Maintenance Buildings	Total: Base bid plus Alt. A and Alt. B
CertaPro Painters	\$107,202.00	\$37,490.00	\$13,484.00	\$158,176.00
Southwest Companies, Inc.	\$86,400.00	\$29,675.00	\$27,340.00	\$143,415.00
Kastra, LLC	\$152,000.00	\$36,400.00	\$28,500.00	\$216,900.00
Engineer's Estimate	\$120,000.00			

Staff recommends awarding the **Base Bid plus add Alternate A and add Alternate B to Southwest Companies, Inc.** Southwest Companies, Inc. has completed several projects for Cleveland Metroparks in recent years, including roofing work this year. They have also completed similar type projects for other northeast Ohio public and private entities. Southwest has been in business for 30 years and specialize in many facets of general contracting work, including large scale painting and roofing projects.

2016 Budget Codes: 1510-A15002, 3105-408001, 3106-506001, 3306-507001

AWARD OF BIDS (cont.):**RECOMMENDED ACTION:**

That the Board authorize the Chief Executive Officer to enter into a contract with **Southwest Companies, Inc.** as the lowest and best bidder for Bid #6216, 2016 Parkwide Painting for the Base Bid amount of \$86,400.00, plus add Alternate A for \$29,675.00, plus add Alternate B for \$27,340.00, for the **total, lump sum amount of \$143,415.00**. In the event that the bidder cannot satisfy the bid, the award will be given to the next successive bidder who the Board, in its discretion, has reflected in the minutes as being the next lowest and best bidder who can satisfy the bid. The difference in cost and all related costs to the difference will be assumed by the original bidder and/or surety. Form of contract to be approved by the Chief Legal and Ethics Officer.

(See Approval of this Item by Resolution No. 16-09-146 on Page 82252)

AWARD OF BIDS (cont.):**SOLE SOURCE SUMMARY #6221: TOBOGGAN CHUTES VALVE AND HOSE REPLACEMENT**

(Originating Sources: Joseph V. Roszak, Chief Operating Officer/Jim Rodstrom, Director of Construction)

Background

The Chalet toboggan chutes refrigeration system is approaching twenty five years of age with very limited upgrades since its initial installation. Although the system generally operates in a satisfactory manner, components of the piping system are beginning to show age and deterioration. The components and areas of most concern are the balancing valves and transition hoses. The valves regulate the glycol refrigerant flow through the system and the transition hoses connect the hard piping that runs down the middle raceway of the chutes to the internal piping within each precast concrete section of the chutes.

The scope of work includes the following:

1. Removal and storage of the glycol refrigerant from the entire cooling system.
2. Replacement of all 96 balancing valves, replacement of all 96 flexible transition hoses, and installation of an additional 96 isolation valves.
3. Recharging the system with stored glycol.
4. Proper balancing of valves and glycol to make chutes fully operational.

Recommendation

The chutes are historically unique to Northeast Ohio and employ a non-standard / customized design. Over the years when re-builds and upgrades have been necessitated, staff has initiated those repairs with the guidance of one very capable consultant. Johnson Controls, Inc. has been involved continuously and has performed the maintenance and repair contract for the chutes cooling system for numerous consecutive seasons. Their complete familiarity with the system has rendered an intimate knowledge of the sensitive balancing tasks that comprise not only the annual start-up, but the maintaining of this very unique system throughout the active season. System failures resulting in shut-downs have been practically non-existent over the years. In addition, Johnson Controls provides the shut-down services on this system at the end of every season which insures a smooth transition the following fall.

2016 Budget Code: 1572-73470-S16102

RECOMMENDED ACTION:

That the Board authorize the Chief Executive Officer to enter into a contract with Johnson Controls, Inc. for Sole Source #6221, Toboggan Chutes Valve and Hose Replacement for the **total, lump sum amount of \$61,663.00**. Form of contract to be approved by the Chief Legal and Ethics Officer.

(See Approval of this Item by Resolution No. 16-09-146 on Page 82252)

SERVICES (\$10,000 - \$50,000) ACQUIRED
SINCE LAST BOARD MEETING (Presented 09/08/16)

Cleveland Metroparks By-Laws, Article 5 (Procurement), Section 4 (a), as revised and approved by the Board of Park Commissioners on January 10, 2013, *"The CEO is authorized to enter into contracts and contract amendments for construction, change orders, and to purchase equipment, goods and services, and real estate, without prior approval of the Board in each instance, if the cost of the contract or contract amendment, for any single project, or the amount of the purchase, does not exceed \$50,000. Any contracts where the cost exceeds \$10,000 or any purchase where the amount exceeds \$10,000, and approved by the CEO, shall be reported to the Board at its next regularly scheduled meeting following the execution of said contract or said purchase,"* the following is provided:

<u>REF. NO. / ITEM – SERVICE</u>	<u>VENDOR</u>	<u>COST</u>	<u>PROCEDURE</u>
Various meats for zoo animal consumption supplied on an “as needed” basis for a one year period beginning August 11, 2016 and ending August 10, 2017.	Central Nebraska Packaging, Incorporated	\$50,000.00	(7)
.60 mitigation credits per United States Army Corps of Engineers for Seneca Golf Course improvements.	Nature Conservancy	\$43,200.00	(3)
Additional drinking fountain for Hinckley Reservation as part of comprehensive park-wide order placed in April of 2016.	David Williams and Associates	\$17,518.00 <u>588.00</u> \$18,106.00	(7)
Three (3) Cushman Trucksters – two for Lakefront Reservation and 1 for Emerald Necklace Marina.	Baker Vehicles Systems	\$24,312.00	(2)
Printing and binding expenses related to issuance of Cleveland Metroparks Centennial Book.	Great Lakes Integrated	\$50,000.00	(7)
Services to remove asbestos at the McFarland House in the South Chagrin Reservation.	Diamond Services, Inc.	\$16,900.00	(7)
Liquor licenses at various clubhouse/concession locations.	Ohio Department of Commerce	\$19,860.00	(3)

SERVICES (\$10,000 - \$50,000) ACQUIRED (cont.)

<u>REF. NO. / ITEM – SERVICE</u>	<u>VENDOR</u>	<u>COST</u>	<u>PROCEDURE</u>
Additional services needed at Edgewater due to rescheduled movie from extended schedule.	LED 3, LLC	\$16,040.00 <u>500.00</u> \$16,540.00	(7)
Additional invasive plant control treatment needed at Wildwood Marina due to heavy vegetation.	Aqua Doc	\$18,500.00 <u>2,600.00</u> \$21,100.00	(7)
Various food fish supplied on an “as needed” basis for a one year period beginning September 1, 2016 and ending August 31, 2017.	Atlantic/Pacific	\$26,802.40	(7)
Installation of digital signage and live cameras at toboggan chutes, Mill Stream Run Reservation.	Sound Com	\$16,945.00	(2)
LPA Professional Engineering Construction Management Services regarding the Valley Parkway Connector Trail.	Quality Control Inspections	\$49,920.00	(5)
Additional audio visual upgrades in Hickory Room at Rocky River Park Operations / Ranger Headquarters.	Sound Com	\$26,370.00 <u>6,910.00</u> \$33,280.00	(2)
1900 bales of 70/30 blend of wood fiber to cover 43 acres at Seneca Golf (not available from any bid).	Evergreen Seed Company	\$18,570.00	(7)
Asbestos removal at Wendy Park garage and boathouse.	Diamond Services, Inc.	\$34,171.20	(7)

===== **KEY TO TERMS** =====

- (1) “**BID**” – Formal bid invitations sent and advertised in *The Plain Dealer* 15 days preceding the bid opening.
- (2) “**COOPERATIVE**” – Purchased through cooperative purchasing programs i.e. – State of Ohio, US Communities, etc.
- (3) “**SOLE SOURCE**” – Purchased from one source as competitive alternatives are not available.
- (4) “**PROPRIETARY**” – Merchandise purchased for resale directly from the brand’s manufacturer.
- (5) “**PROFESSIONAL SERVICE**” – Services of an accountant, architect, attorney at law, physician, professional engineer, construction project manager, consultant, surveyor or appraiser as outlined under Article 5, Sections 1-4 of the Board By Laws and defined by ORC 307.86.
- (6) “**COMPETITIVE QUOTE (up to \$10,000)**” – Originally estimated \$10,000 or less, quoted by three vendors.
- (7) “**COMPETITIVE QUOTE (over \$10,000 to \$50,000)**” – Chosen through the accumulation of three written quotes.

CONSTRUCTION CHANGE ORDERS (09/08/16)

Pursuant to Cleveland Metroparks By-Laws, Article 5 (Procurement), Section 4 (b) and (c), as revised and approved by the Board of Park Commissioners on January 10, 2013, "...the CEO is not authorized to enter into any change orders to construction contracts, without prior approval of the Board in each instance, except that the CEO is authorized to enter into change orders to construction contracts, without prior approval of the Board in each instance, where the additional cost is less than THE LESSER OF: (i) \$50,000, or (ii) ten percent (10%) of the cost of the contract. Each change order by the CEO under this Article shall be reported to the Board at the next meeting of the Board following the execution of said change order."

(c). "Amendment to Professional Service Contract. For professional service contracts greater than \$50,000, the CEO is not authorized to enter into any amendment to professional services or other special services agreement, without prior approval of the Board in each instance, except that the CEO is authorized to enter into amendments to professional services and other special services agreements for additional fees, without prior approval by the Board in each instance, where the additional fees for the agreement by the CEO pursuant to this Section, aggregate less than THE LESSER OF: (i) \$50,000, or (ii) ten percent (10%) of the cost of the agreement. Each amendment by the CEO under this Section shall be reported to the Board at the next meeting of the Board following the execution of said amendment.", the following is provided:

<u>Contract</u>	<u>Item/Service</u>	<u>Vendor</u>	<u>Change Order No.</u>
<p><u>2016 Park-wide Roofing</u> \$69,200.00</p> <p>Revised Contract Amount: Change order #1 Added \$2,591.13.</p> <p>Total revised to \$71,791.13</p>	<p>Labor and material for plywood, joist, gutter-board, fascia and ledge replacement at Sleepy Hollow maintenance building.</p>	<p>Absolute Roofing, Inc.</p>	<p>Change Order No.1</p>
<p><u>55th Marina dock repairs</u> \$680,964.21</p> <p>Revised Contract Amount: Change order #3 Added \$19,615.87</p> <p>Total revised to \$700,580.08</p>	<p>Remove and replace existing electrical feeder wire/panel to new fuel dock and install aeration fountain.</p>	<p>Nerone and Sons, Inc.</p>	<p>Change Order No.3</p>

INFORMATION/BRIEFING ITEMS/POLICY.

- a. ***Chief Executive Officer's Employee Guests***
(Originating Source: *Brian M. Zimmerman, Chief Executive Officer*)

Kurt S. Shoaff, Area Park Manager

Kurt Shoaff came to Cleveland Metroparks in November, 2015 in the position of Area Park Manager. Kurt was previously an Administrative Manager for the City of Cleveland Department of Public Works, Division of Park Maintenance & Properties. While with the City of Cleveland, he was responsible for planning, managing, coordinating and administering all activities and personnel of such staff positions as administration, citizen participation, research, and finance. He also supervised assistant managers and unit leaders/foremen who were assigned specific functions in the performance of necessary duties. Kurt oversaw park operations in 161 parks, 19 recreation centers, City of Cleveland Safety Force facilities, and other City properties that comprised 1,487 acres. Kurt holds a Masters of Recreation Management from the University of Idaho, and a Bachelor of Sports Science from Ohio University.

Jeremy Skaggs, Area Park Manager

Jeremy Skaggs has held the position of Area Park Manager for Cleveland Metroparks since November 2015. Prior to joining the staff of Cleveland Metroparks, he was the Operation Manager for the Enhancement Department at The Brickman Group Ltd. While at Brickman, Jeremy administered five crews of three to five individuals per crew on multiple jobsites throughout the week. He tracked and managed labor hours to ensure proper efficiencies, scheduled and ordered materials for everyday operations, facilitated the safety of the crew and equipment, and trained new hires on company safety and procedural policies to enable both customer satisfaction and employee education. Jeremy holds an Associate of Applied Science in Landscape Contracting and Construction Management from The Ohio State University.

- b. ***Strawberry Pond and Strawberry Lane All Purpose Trail Improvements – North Chagrin Reservation***
(Originating Sources: *Sean E. McDermott, P.E., Chief Planning and Design Officer/Jim Rodstrom, P.E., Director of Construction*)

As reflected in the recently updated North Chagrin Reservation Master Plan (2015), Strawberry Pond and the surrounding trail network are identified for specific improvements. Staff will update the Board on the efforts underway to improve the pond through the use of recently secured grant funds, improve pond outlet conditions, convert former roadway surfaces to trail and construct fishing decks for expanded recreational opportunities.

INFORMATION/BRIEFING ITEMS/POLICY (cont.)

- c. ***Project Development Update – Euclid Beach Pier – Euclid Creek Reservation***
(Originating Source: Sean E. McDermott, P.E., Chief Planning and Design Officer)

Following the 2016 beach improvements performed to Villa Angela Beach at Euclid Creek Reservation, the next phase of the Euclid Beach Pier project is nearing commencement. Staff will provide an update on the impending removal of the existing pier structure, planned for fall of 2016, and the preliminary concept of a future pier.

AWARD OF BIDS; CONSTRUCTION CHANGE ORDERS; STATUS RE: CAPITAL PROJECTS.

The following were presented to the Board for award/acknowledgment: bid tabulations, as shown on pages **82252** through **82257**; \$10,000 to \$50,000 purchased items/services report, pages **82258** through **82259**; and construction change orders, page **82260**.

APPROVAL OF VOUCHERS AND PAYROLL.

No. 16-09-138: It was moved by Vice President Moore, seconded by Vice President Rinker and carried, to approve payroll and vouchers, employee withholding taxes, and ADP payroll, as identified on pages **82266** to **82343**.

Vote on the motion was as follows:

Ayes: Messrs. Moore and Rinker.
Nays: None.

PUBLIC COMMENTS.

Ms. Marty Leshar of Olmsted Township read from a prepared statement. Also in attendance was a resident by the name of Cecelia who resides in the Edgewater area. The comments of both Ms. Leshar and Cecelia can be heard in their entirety by accessing the “About Us” section of Cleveland Metroparks website under “Board Meetings/Board Meeting Archives.”

DATE OF NEXT MEETING.

The next Regular Meeting of the Board of Park Commissioners was scheduled by the Board for **Monday, September 26, 2016, 1:00 p.m.** at the Board's office, 4101 Fulton Parkway, Cleveland, Ohio.

ADJOURNMENT TO EXECUTIVE SESSION.

No. 16-09-148: At 9:10 a.m., upon motion by Vice President Moore, seconded by Vice President Rinker and carried, the meeting adjourned to an Executive Session for the purpose of discussing the Acquisition/Purchase of Real Property and potential Imminent Litigation, as stated by Senior Assistant Legal Counsel, Kyle G. Baker.

Vote on the motion was as follows:

Aye: Mr. Rinker
Aye: Mr. Moore
Nays: None.

No action was taken as a result of the Executive Session.

ADJOURNMENT.

No. 16-09-149: There being no further matters to come before the Board, upon motion by Vice President Moore, seconded by Vice President Rinker, and carried, Vice President Rinker adjourned the meeting at 9:46 a.m.

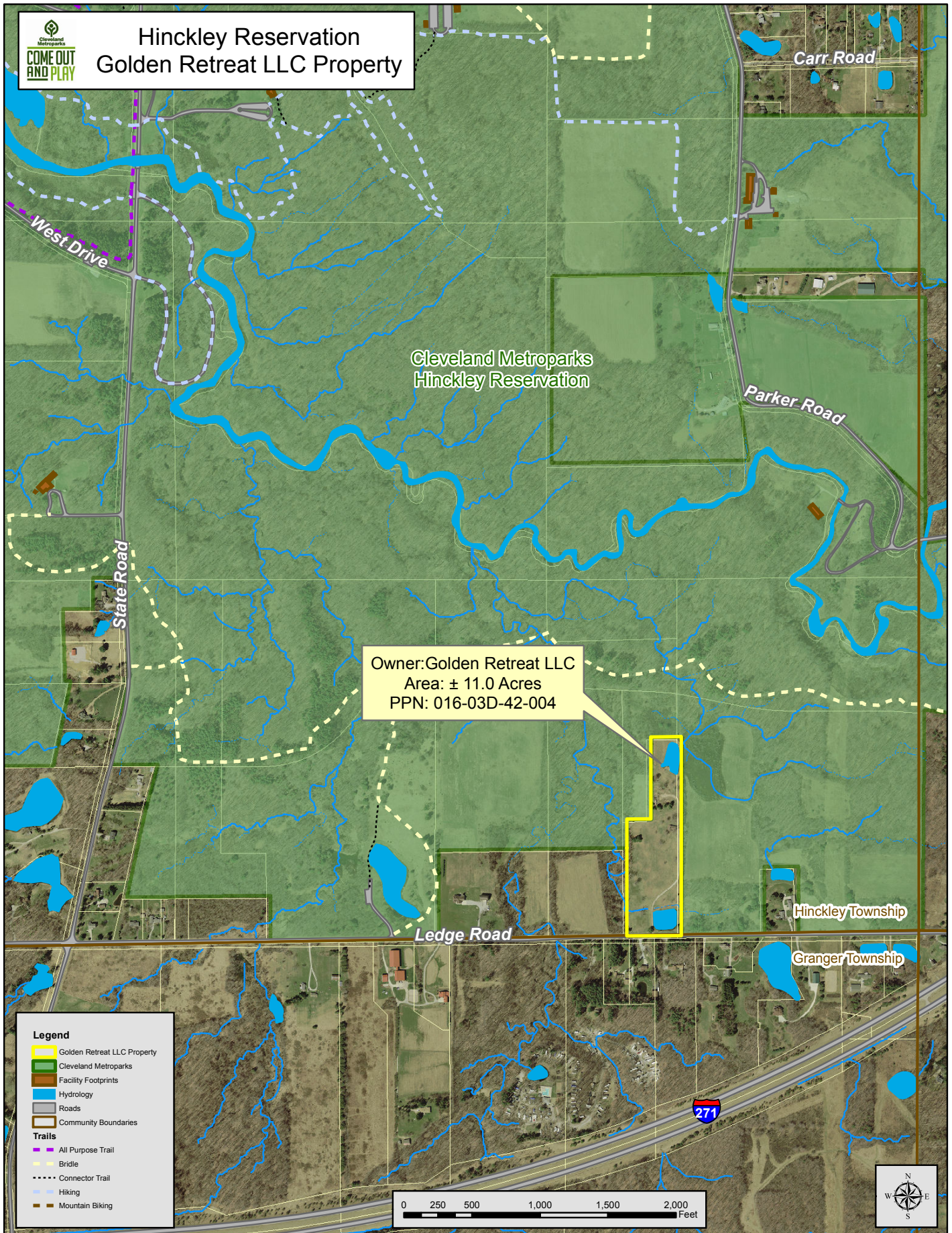
Vote on the motion was as follows:

Ayes: Messrs. Moore and Rinker.
Nays: None.

President.

Attest:

Secretary.



**Resolution Authorizing Application to the
Clean Ohio Conservation Fund
September 8, 2016**

WHEREAS, The State of Ohio, through the Ohio Public Works Commission, administers financial assistance for greenspace conservation, through the Clean Ohio Conservation Fund program, and

WHEREAS, Cleveland Metroparks desires financial assistance under the Clean Ohio Conservation Fund program, and

WHEREAS, Cleveland Metroparks desires to acquire ± 11 acres as part of Hinckley Reservation Reservation, referred to as the Golden Retreat, LLC property,

NOW THEREFORE, be it resolved by the Board of Park Commissioners of the Cleveland Metropolitan Park District:

That the Board of Park Commissioners of the Cleveland Metropolitan Park District approves filing this application for financial assistance.

That Brian M. Zimmerman, Chief Executive Officer, is hereby authorized and directed to execute and file an application with the Ohio Public Works Commission and to provide all information and documentation required to become eligible for possible funding assistance and further, that Brian M. Zimmerman is authorized to enter into any agreements as necessary and appropriate for obtaining this financial assistance.

That the Board of Park Commissioners of the Cleveland Metropolitan Park District does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the Clean Ohio Conservation Fund program.

Debra K. Berry, President
Board of Park Commissioners

CERTIFICATE OF RECORDING OFFICER

I the undersigned, hereby certify that the foregoing is a true and correct copy of the resolution adopted by Cleveland Metroparks on the 8th day of September 2016, and that I am duly authorized to execute this certificate.

Brian M. Zimmerman
Chief Executive Officer

RESOLUTION NO. 16-09-138

The following vouchers have been reviewed as to legality of expenditure and conformity with the Ohio Revised Code.

Attest: _____
 Chief Financial Officer

BE IT RESOLVED, that the following **Checks** dated August 15, 2016 in the amount of \$1,425.72; and **Checks** dated August 17, 2016 in the amount of \$169,986.78; and **Checks** dated August 24, 2016 in the amount of \$202,018.38; **Checks** dated August 26, 2016 in the amount of \$579,296.53; and **Checks** dated September 8, 2016 in the amount of \$2,246,075.45; and **Net Payroll** dated June 12, 2016 to June 25, 2016 in the amount of \$1,472,296.63; and **Withholding Taxes** in the amount of \$350,178.59; and **Net Payroll** dated June 26, 2016 to July 9, 2016 in the amount of \$1,503,432.45; and **Withholding Taxes** in the amount of \$363,352.58; and **Net Payroll** dated July 10, 2016 to July 23, 2016 in the amount of \$1,532,693.45; and **Withholding Taxes** in the amount of \$374,290.11; and **Bank Fees/ADP Fees** in the amount of \$48,545.93; and **ACH Debits (FirstEnergy;Sales Tax)** in the amount of \$259,924.94; and **“Then and Now Certificates”** including **Visa Purchasing Card** purchases dated August 7, 2016 to August 27, 2016 in the amount of \$392,729.38; and **Visa Travel Card** purchases dated August 7, 2016 to August 27, 2016 in the amount of \$19,838.08; and **Purchases**, including but not limited to purchases of \$1,000.00 or more, as listed on the voucher summary for which certification of funds was not obtained before the purchase, be approved.

PASSED: September 8, 2016

Attest: _____
 President of the Board of Park Commissioners

 Chief Executive Officer

VOUCHER SUMMARY

	No. of Vendors	No. of Purchases	Amount	Average Vendor Amount	Average Purchase Amount	Code
Bid Items	38	260	\$ 1,232,263.87	\$ 32,428.00	\$ 4,739.48	C Bid Items
Board Authorized Payments	49	314	\$ 516,437.70	\$ 10,539.54	\$ 1,644.71	A Board Authorized Payments
Director Approved Payments	54	240	\$ 290,293.71	\$ 5,375.81	\$ 1,209.56	D Director Approved Payments
Telephone-Written Quote Items	22	46	\$ 76,777.53	\$ 3,489.89	\$ 1,669.08	P Telephone-Written Quote Items
Telephone Quote Items	45	62	\$ 81,029.13	\$ 1,800.65	\$ 1,306.92	T Telephone Quote Items
Utilities	28	224	\$ 339,903.55	\$ 12,139.41	\$ 1,517.43	U Utilities
Health Insurance	0	0	\$ -	\$ 00.00	\$ 00.00	H Health Insurance
Other Exempt Items	57	62	\$ 635,434.14	\$ 11,147.97	\$ 10,248.94	E Other Exempt Items
Non-Bid Items less than \$1,000	66	144	\$ 25,497.70	\$ 386.33	\$ 177.07	N Non-Bid Items less than \$1,000
Purchases Obtained w/o Cert.	1	1	\$ 1,165.53	\$ 1,165.53	\$ 1,165.53	S Purchases Obtained w/o Cert.
	360	1353	\$ 3,198,802.86	\$ 8,885.56	\$ 2,364.23	

- N - Purchases less than \$1,000 for vendors who do not accept a credit card; purchase order is printed
- T - Telephone quoted items from \$1,000 to \$5,000 (Various vendors of our choice are contacted to provide a verbal quotation on a specific item. A minimum of three phone quotes are observed.)
- P - Telephone quoted items from \$5,001 to \$10,000 (The lowest of three phone quotes must submit a written quote.)
- D - Items from \$10,001 to \$50,000 approved by Chief Executive Officer including Article XII purchases.
- E - Exempt items - (Taxes, assessments, credit card payments and permit fees which require timely payments, employee reimbursements, prisoner housing, court costs, refunds, petty cash, special purchase account, land acquisition expense up to \$5,000 to secure closing transactions and legal obligations of the board.)
- C - A complete descriptive bid specification is developed, advertised for public notice and awarded to the lowest and/or best bidder including Article XII purchases.
- A - Board authorized payments.
- U - Utilities
- H - Health insurance purchase in accordance with our negotiated bargaining agreements and other employee/group insurance premiums.
- S - Purchases obtained without certifications of funds.

RECOMMENDED ACTION:

That The Board of Park Commissioners approves **Resolution No. 16-09-138** listed above.