

RESOLUTION NO. 2023-49

AUTHORIZING AN INCREASE TO CONTRACT NO. 2019-123 WITH HATZEL & BUEHLER, INC. FOR PROJECT 60B – WARRENSVILLE VAN AKEN SUBSTATION REPLACEMENT IN THE AMOUNT OF \$83,032.00 FOR A TOTAL CONTRACT AMOUNT OF \$3,118,758.00 AND REINSTATING THE GENERAL MANAGER, CHIEF EXECUTIVE OFFICER'S CHANGE ORDER SIGNING AUTHORITY IN ITS ENTIRETY (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority ("Authority") deemed it necessary to procure construction services, as specified, under Project 60B – Warrensville Van Aken Substation Replacement; and

WHEREAS, by Resolution No. 2019-105, the Board of Trustees authorized Contract No. 2019-123 in the amount of \$2,849,000.00 with Hatzel & Buehler, Inc., located at 1200 Resource Dr. Suite 10, Cleveland, OH 44131, for the furnishing of said construction services; and

WHEREAS, the General Manager, Chief Executive Officer has authorized change orders with a net additional contract value of \$186,726.00, utilizing the change order signing authority prescribed in the Authority's Procurement Policies and Procedures Manual, for a current total contract amount of \$3,035,726.00; and

WHEREAS, the Authority now requires additional construction services to maintain power to the substation to avoid schedule and customer disruption, under Project 60B – Warrensville Van Aken Substation Replacement; and

WHEREAS, Hatzel & Buehler, Inc. has offered to provide these additional construction services at a total negotiated cost of \$83,032.00, resulting in a new total contract amount of \$3,118,758.00; and

WHEREAS, said increase will exceed the General Manager, Chief Executive Officer's change order signing authority; and

WHEREAS, the General Manager, Chief Executive Officer is seeking Board authority to reinstate her change order signing authority in its entirety; and

WHEREAS, the General Manager, Chief Executive Officer deems acceptance of the offer of Hatzel & Buehler, Inc., as negotiated, to be in the best interest of the Authority and recommends acceptance thereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the negotiated offer of Hatzel & Buehler, Inc. to provide additional construction services under Project 60B – Warrensville Van Aken Substation Replacement, be and the same is hereby accepted.

Section 2. That the General Manager, Chief Executive Officer of the Authority be and she is hereby authorized to amend Contract No. 2019-123 with Hatzel & Buehler, Inc. to include these additional construction services.


Section 3. This change order shall be payable from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to, FTA Capital Grants OH-2016-055 and OH-2018-027 in an amount not to exceed \$83,032.00 (\$66,425.60 in federal funds which represents 80% of the total cost), for a new total contract amount of \$3,118,758.00.

Section 4. That the General Manager, Chief Executive Officer's change order signing authority be reinstated in its entirety.

Section 5. That all other terms and conditions of said contract shall remain unchanged.

Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: July 25, 2023



President

Attest:



Secretary/Treasurer



TITLE, DESCRIPTION: CONTRACT: INCREASE TO CONTRACT NO. 2019-123 FOR PROJECT 60B WARRENSVILLE VAN AKEN SUBSTATION REPLACEMENT VENDOR: HATZEL & BUEHLER, INC. AMOUNT: NTE \$83,032.00 AND REINSTATEMENT OF GENERAL MANAGER, CHIEF EXECUTIVE OFFICER'S CHANGE ORDER SIGNING AUTHORITY	Resolution No.: 2023-49
	Date: July 20, 2023
	Initiator: Engineering & Project Development Department
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review, Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 **PURPOSE, SCOPE:** This action will allow the Greater Cleveland Regional Transit Authority (“Authority”) to increase Contract No. 2019-123, Project 60B – Warrensville Van Aken Substation Replacement for the installation of a meter pedestal to ensure power feed to the substation and to reinstate the General Manager, Chief Executive Officer’s change order signing authority.
- 2.0 **DESCRIPTION, JUSTIFICATION:** This change order will ensure the meter pedestal has a power feed and is operational with the new substation. In addition, the contractor will have to re-work the existing station electrical pedestal cabinet power feed to incorporate this addition. The current contract documents did not incorporate the CEI wire relocation plans.
- 3.0 **PROCUREMENT BACKGROUND:** On November 19, 2019, the Board of Trustees, by Resolution No. 2019-105, authorized a contract with Hatzel & Buehler, Inc. to perform electrical and general construction services for the Warrensville Van Aken Substation Replacement project in an amount of \$2,849,000.00. Change orders to date have included additions in the amount of \$186,726.00, resulting in a current contract total amount of \$3,035,726.00.

 Additional project scope requires that the Authority increase the cost of the contract with Hatzel & Buehler, Inc. in an amount not to exceed \$83,032.00, resulting in a new contract total amount of \$3,118,758.00. This change order will cause the total change order amount to exceed the General Manager, Chief Executive Officer’s change order signing authority limit. This action also seeks reinstatement of the General Manager, Chief Executive Officer’s change order signing authority. A Change Order Log is attached as reference.

 The Change Order Committee has reviewed this change and recommended it be moved forward for approval.
- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 4% DBE goal was established for this procurement in November 2019. Hatzel & Buehler, Inc. has agreed to maintain the established DBE participation goal through the use of its existing DBE firms.
- 5.0 **POLICY IMPACT:** Does not apply.
- 6.0 **ECONOMIC IMPACT:** This change order shall be payable from the RTA Development Fund, Engineering & Project Development Department budget, including, but not limited to, FTA Capital Grants OH-2016-055 and OH-2018-027 in an amount not to exceed \$83,032.00 (\$66,425.60 in federal funds which represents 80% of the total cost), for a new contract total amount of \$3,118,758.00.

- 7.0 ALTERNATIVES: Rejection of this change order would leave the Authority without an operable substation needed for rail operations.
- 8.0 RECOMMENDATION: It is recommended that this change order be accepted and the resolution passed authorizing the General Manager, Chief Executive Officer to modify the contract.
- 9.0 ATTACHMENTS: Change Order Log.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.



General Manager, Chief Executive Officer

**APPROVED CHANGE ORDERS WARRENSVILLE VAN AKEN
SUBSTATION REPLACEMENT
PROJECT NO. 60B**

Contract # 60B

Contractor: Hatzel & Buehler, Inc.

Original Contract Amount \$2,849,000.00

Total G.M. C.O. Authority Remaining: \$63,274.00

Total Change Order Amount to Date: \$186,726.00

% Change to Date: 6.6%

C/O NO.	Change Order Description	Approval Date	Change Order Amount	New Contract Value
1	Additional Conduit	8/3/2020	\$12,795.00	\$2,861,795.00
2	Duct Bank Installation	8/21/2020	\$23,854.00	\$2,885,649.00
3	Concrete Frost Pads	8/24/2020	\$17,821.00	\$2,903,470.00
4	First Energy Wire Relocation	8/25/2020	\$17,164.00	\$2,920,634.00
5	Lightning Rod Protection	8/31/2020	\$6,318.00	\$2,926,952.00
6	Sitra MDC Relay Replacement	9/14/2020	\$13,765.00	\$2,940,717.00
7	DC Cables Disconnect Switches	10/13/2020	\$37,512.00	\$2,978,229.00
8	No Cost Time Extension	3/31/2021	\$0.00	\$2,978,229.00
9	SCADA System Outlets	4/28/2021	\$14,584.00	\$2,992,813.00
10	No Cost Time Extension	10/14/2021	\$0.00	\$2,992,813.00
11	Grounding Installation	1/25/2022	\$3,452.00	\$2,996,265.00
12	CEI Wire Reroute	4/8/2022	\$22,030.00	\$3,018,295.00
13	Landscape Modification	4/6/2022	\$6,533.00	\$3,024,828.00
14	No Cost Time Extension	9/1/2022	\$0.00	\$3,024,828.00
15	Safety Barricades	12/8/2022	\$10,898.00	\$3,035,726.00
16	No Cost Time Extension	4/25/2023	\$0.00	\$3,035,726.00