

RESOLUTION NO. 2023-52

AUTHORIZING CONTRACT NO. 2023-048 WITH RICHARD L. BOWEN & ASSOCIATES, INC. FOR PROJECT 24X - A/E SERVICES FOR E. 79TH STREET LIGHT RAIL STATION RECONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$859,825.01 (RTA DEVELOPMENT FUND - ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority ("Authority") needs to contract with a firm to provide engineering services for design and construction support for its E. 79th Street Light Rail Station described under Project 24X; and

WHEREAS, the proposal of Richard L. Bowen & Associates, Inc., with an office located at 2019 Center St. Suite 500, Cleveland, Ohio 44113, to perform said services was received on April 26, 2023 in response to a competitive solicitation; and

WHEREAS, after negotiations, Richard L. Bowen & Associates, Inc. has agreed to perform the required services in an amount not to exceed \$859,825.01; and

WHEREAS, the General Manager, Chief Executive Officer deems the offer of Richard L. Bowen & Associates, Inc., to be the most advantageous to the Authority, and recommends acceptance thereof by the Board of Trustees.

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 Richard L. Bowen & Associates, Inc., to provide services under Project 24X – A/E Services for E. 79th Street Light Rail Station Reconstruction, 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 enter into a contract with Richard L. Bowen & Associates, Inc. for the performance of said services.

Section 3. This procurement shall be payable through the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to pending FFY 2022 Federal Formula Grant in an amount not to exceed \$500,000.00 and pending FFY 2023 Federal Formula Grant in an amount not to exceed \$359,825.01, for a total contract amount not to exceed \$859,825.01.

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon compliance by the contractor to the Specifications and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees; bonding and insurance requirements and all applicable laws relating to contractual obligations of the Authority.

Section 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that Richard L. Bowen & Associates, Inc. will attempt to exceed the 14% minimum DBE goal assigned to this procurement.

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

Adopted: July 25, 2023



President

Attest: 

Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: PROJECT 24X - A/E SERVICES FOR E. 79TH STREET LIGHT RAIL STATION RECONSTRUCTION VENDOR: RICHARD L. BOWEN & ASSOCIATES, INC. AMOUNT: NOT TO EXCEED \$859,825.01	Resolution No.: 2023-52
	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 resolution will allow the Greater Cleveland Regional Transit Authority (“Authority”) to enter into a contract for Project 24X – A/E Services for E. 79th Street Light Rail Station Reconstruction.

- 2.0 **DESCRIPTION/JUSTIFICATION:** The East 79th Street Light Rail Station was built in the 1980’s and is located on the Blue and Green Lines. The station is elevated above the street level and is accessed by a single stairway. No ADA accessible entrance is provided. The concrete platforms and walks are deteriorating and beyond their useful life. Many of the lights along the stair way are no longer functional.

- 3.0 **PROCUREMENT BACKGROUND:** The Request for Proposals (“RFP”) was posted on the Authority’s Procurement website and advertised in the local newspapers. Forty-four (44) interested parties, including potential subcontractors, downloaded the solicitation package. Services were solicited through a competitive negotiated procurement, utilizing the Brooks Act procedures. Under this process, the Authority’s evaluation panel first selects the most technically qualified firm, solicits a pricing proposal from that firm, and negotiates price only with that firm. Should the Authority determine that an agreement could not be reached with the most qualified firm, it may reject that proposal and repeat the process with the next most qualified firm. In this instance, negotiations were held with Richard L. Bowen & Associates, Inc., the first ranked firm, and an acceptable price was reached.

 Richard L. Bowen & Associates, Inc. has successfully completed projects for Lorain County, the Central Ohio Transit Authority, the Authority, and Norfolk Southern, among others.

 The Procurement Department performed a cost analysis and determined the proposed pricing from Richard L. Bowen & Associates Inc., in an amount not to exceed \$859,825.01, to be fair and reasonable to the Authority. This negotiated price is approximately 3% below the Engineer’s Estimate of \$886,731.00.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 14% DBE goal was established for this procurement. Richard L. Bowen & Assoc., Inc. has committed to achieving the DBE participation goal through the utilization of Advanced Engineering Consultants (Asian Pacific male-owned) in the amount of \$75,920.00, Knight & Stolar, Inc. (Caucasian female-owned) in the amount of \$35,960.00, and Resource International (Subcontinent Asia female-owned) in the amount of \$173,827.00, for a total of \$285,707.00 or 33%.

- 5.0 **POLICY IMPACT:** Does not apply.

- 6.0 ECONOMIC IMPACT: This procurement shall be payable through the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to pending FFY 2022 Federal Formula Grant in an amount not to exceed \$500,000.00 and pending FFY 2023 Federal Formula Grant in an amount not to exceed \$359,825.01, for a total amount not to exceed \$859,825.01.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer will prevent the Authority from meeting federal and state regulatory requirements.
- 8.0 RECOMMENDATION: This procurement was discussed by the Board of Trustees at the July 18, 2023 Operational Planning & Infrastructure Committee meeting. It is recommended that the offer from Richard L. Bowen & Associates, Inc. be accepted and the resolution passed authorizing the General Manager, Chief Executive Officer to enter into a contract.
- 9.0 ATTACHMENTS: None.

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


General Manager, Chief Executive Officer