

RESOLUTION NO. 2002-51

AUTHORIZING CONTRACT 2001-144 WITH EAST PENN MANUFACTURING CO., INC., FOR THE FURNISHING OF BUS BATTERIES, AS SPECIFIED AND AS REQUIRED, FOR A PERIOD OF ONE YEAR IN AN AMOUNT NOT TO EXCEED \$60,305.00 – (GENERAL FUND, FLEET MANAGEMENT DEPARTMENT BUDGET)

WHEREAS, the Authority has a recurring requirement to replace existing batteries which are no longer serviceable; and

WHEREAS, the bid of East Penn Manufacturing Co., Inc, located at P.O. Box 147, Deka Road, Lyon Station, PA 19536, for the furnishing of bus batteries, as specified and as required, for a one year period was received on March 27, 2002, in an amount not to exceed \$60,305.00; and

WHEREAS, said bid was the only responsive bid received in response to the solicitation; and,

WHEREAS, Section 306.43B (5) of the Ohio Revised Code provides that when fewer than two responsive and responsible bids are received, that the authority may negotiate price with the sole responsive and responsible bidder, and,

WHEREAS, after discussions, an amount not to exceed sixty thousand three hundred five and 00/100 dollars (\$60,305.00), was accepted based on the contract requirements and unit prices negotiated for bus batteries for a one year period; and

WHEREAS, the General Manager deems acceptance of the bid of East Penn Manufacturing Co., Inc., as negotiated, to be in the best interest of 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 offer of East Penn Manufacturing Co., Inc., for the furnishing of bus batteries, as specified and required, be and the same is hereby accepted as a responsive bid from a responsible bidder.

Section 2. That the General Manager of the Authority be and he is hereby authorized to enter into a contract with East Penn Manufacturing Co., Inc. for the furnishing of bus batteries, as required and specified.

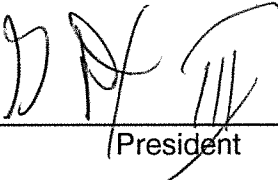
Section 3. That said contract shall be payable from the General Fund, Fleet Management Department Budget, in an amount not to exceed sixty thousand three hundred five & 00/100 dollars (\$60,305.00).

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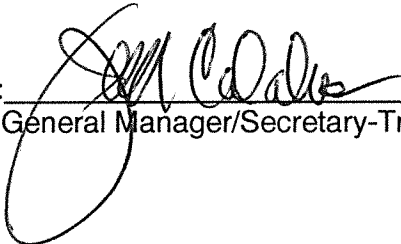
Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon compliance by the contractor with the Specifications and Addenda thereto, if any, the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2001-064 bonding and insurance requirements and all applicable laws relating to contractual obligations of the Authority.

Section 5. That this resolution shall become effective immediately upon its adoption.

Adopted: April 16 2002



President

Attest: 

CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: AUTHORIZING CONTRACT 2001-144 WITH EAST PENN MANUFACTURING CO., INC., FOR THE FURNISHING OF BUS BATTERIES, AS SPECIFIED AND AS REQUIRED, FOR A PERIOD OF ONE YEAR IN AN AMOUNT NOT TO EXCEED \$60,305.00 – (GENERAL FUND, FLEET MANAGEMENT DEPARTMENT BUDGET).	Resolution No.: 2002 -51
	Date: April 8, 2002
	Initiator: Fleet Management Department Budget
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 Authority to enter into a contract with East Penn Manufacturing Co., Inc., for bus batteries, as specified and as required, for a one year period.
- 2.0 DESCRIPTION/JUSTIFICATION: The Authority has a recurring need to procure bus batteries used in Authority coaches, paratransit, and maintenance vehicles. They are replacement batteries for units that are no longer serviceable and will provide integrity to the vehicle charging system.
- 3.0 PROCUREMENT BACKGROUND: Invitations for bids were sent to twelve (12) prospective bidders. One bid was received and opened on March 27, 2002.

Pursuant to Ohio Revised Code, Section 306.43B(5), the Authority may negotiate price with the sole responsive bidder when fewer than two responsive bids are received. Negotiations with East Penn Manufacturing Co., Inc., resulted in the following results:

<u>DESCRIPTION</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>TOTAL PRICE</u>
Group 31	500 Each	\$44.08	\$22,040.00
Group 908D	500 Each	\$76.53	\$38,265.00

A market survey was conducted of a sampling of six prospective bidders inquiring as to why they did not respond to the solicitation. The general response was that they felt they could not be competitive in this solicitation.

The bid of East Penn Manufacturing Co., Inc., was determined by the Procurement Department to be the only responsive bid by a responsible bidder.

A cost/price analysis has been performed and the Procurement Department has determined the price to be fair and reasonable to the Authority.

- 4.0 DBE/AFFIRMATIVE ACTION BACKGROUND: All Affirmative Action requirements have been met. A 0% DBE goal was established for this procurement due to the lack of subcontracting opportunities.
- 5.0 POLICY IMPACT: Does not apply.

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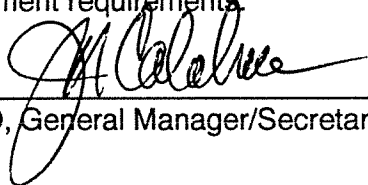
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- 6.0 ECONOMIC IMPACT: The contract will be funded through the RTA General Fund, Fleet Management Department budget in an amount not to exceed sixty thousand nine hundred eighty five and 00/100 dollars (\$60,985.00). This is within the budget estimate for this purchase.
- 7.0 ALTERNATIVES: Reject all bids. Rejection of this offer will delay the replacement of older equipment that may impact the service goals of the Authority.
- 8.0 RECOMMENDATION: It is recommended that the offer of East Penn Manufacturing Co., Inc. be accepted and the resolution passed authorizing the General Manager 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.



CEO, General Manager/Secretary-Treasurer