

RESOLUTION NO. 2002 - 92

AUTHORIZING AN AMENDMENT TO CONTRACT NO. 97157 WITH ALSTOM SIGNALING INC. FOR THE PROVISION OF SPARE PARTS IN THE AMOUNT OF \$108,000.00 (RTA DEVELOPMENT FUND, PROJECT DEVELOPMENT & ENGINEERING BUDGET)

WHEREAS, the Board of Trustees of the Greater Cleveland Regional Transit Authority, on March 17, 1998 by Resolution No. 1998-28 authorized a contract with General Railway Signal Corporation (now Alstom Signaling Inc.) for the construction of Project 12 AH, Redline Cab Signal Upgrade (West Park to Brookpark) in the amount of \$3,831,684.00; and,

WHEREAS, the General Manager authorized additional changes in the scope of work resulting in a reduction to the contract price of \$219,693.00) and,

WHEREAS, the Authority has identified a need to include spare parts required to keep the signaling system in service during the first year of operation; and

WHEREAS, said parts are proprietary to Alstom Signaling, Inc.; and

WHEREAS, Sec. 306.43(H)(2) provides that competitive procedures are not required when the purchase of goods and services, or any combination thereof, and after reasonable inquiry, the Board of Trustees, or any officer or employee designated by the Board finds that only one source of supply is reasonably available; and

WHEREAS, after reasonable inquiry by Authority staff, the General Manager has determined that said parts are not reasonably available from any source other than Alstom Signaling, Inc.; and

WHEREAS, after negotiations, Alstom Signaling, Inc. has offered to provide said parts for a price of \$108,000.00; and

WHEREAS, the General Manager deems the offer of Alstom Signaling, Inc. as negotiated to be fair and reasonable 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 price of Contract No. 97157 with Alstom Signaling Inc. is hereby recognized as three million six hundred eleven thousand nine hundred ninety one & 00/100 dollars (\$3,611,991.00).

Section 2. That the General Manager of the Authority be and he is hereby authorized to amend the contract with Alstom Signaling Incorporated to provide spare parts and to increase the contract price by one hundred eight thousand & 00/100 dollars (\$108,000.00) for a total contract price of three million seven hundred nineteen thousand nine hundred ninety one & 00/100 dollars (\$3,719,991.00).

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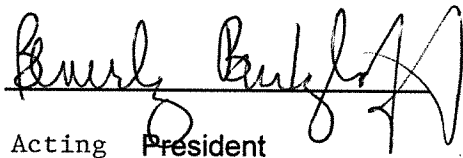
Section 3. That said change order shall be payable out of the RTA Development Fund, including but not limited to Capital Grant OH-03-0161 (\$86,400.00 in federal funds which represents 80% of the total cost).

Section 4. That all other terms and conditions of the original contract shall remain unchanged.

Section 5. That the General Manager be and is hereby re-authorized to exercise his full change order authority under the GCRTA Procurement Policy, Section 1-4.2.7.2, as applied under Contract No. 97157 with Alstom Signaling Inc.

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

Adopted:                     May 21                    , 2002

  
Acting President

Attest:   
CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority  
**STAFF SUMMARY AND COMMENTS**

<b>TITLE/DESCRIPTION:</b> AUTHORIZING AN AMENDMENT TO CONTRACT NO. 97157 WITH ALSTOM SIGNALING INC. FOR THE PROVISION OF SPARE PARTS IN THE AMOUNT OF \$108,000.00 (RTA DEVELOPMENT FUND, PROJECT DEVELOPMENT & ENGINEERING BUDGET)	<b>Resolution No.:</b> 2002- 92
	<b>Date:</b> May 9, 2002
	<b>Initiator:</b> Project Development and Engineering
<b>ACTION REQUEST:</b> <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 amend the current contract with Alstom Signaling Inc. for the provision of spare parts required to keep the signaling system in service during the first year of operations. The project is now nearing completion, and is anticipated to be in operation later this year.

2.0 **DESCRIPTION/JUSTIFICATION:** Because of the complexity of this state of the art system, long lead-time items are needed to maintain the system during the first year of the operation. Because this system is critical to the safe and continuous operation of the Red Line, parts must be readily available to avoid system shutdowns. The system is under a one-year warranty, and failed items will be sent back to the vendor for warranty repair. These items are proprietary and are only available from Alstom Signaling Inc.

3.0 **PROCUREMENT BACKGROUND:** This contract was the result of a competitive procurement process. The parts being purchased include electronic and mechanical components which are only available from the original equipment manufacturer. The list price for these items is \$189,483.00; Alstom offered a discounted price of \$151,545.00. After negotiations, a price of \$108,000.00 was agreed upon.

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

4.0 **DBE/AFFIRMATIVE ACTION BACKGROUND:** All Affirmative Action requirements have been met. A 10% DBE goal was established for this procurement. To date, Alstom Signaling, Inc. has achieved 44% DBE participation through the utilization of the following DBE firm(s):

STAFF SUMMARY AND COMMENTS  
AMENDMENT TO CONTRACT 97157

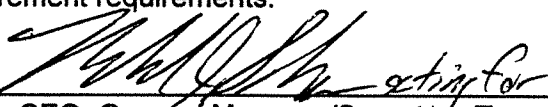
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DBE(s) Name/Address	DBE Category	Scope of Work	AMOUNT	PERCENT
Ohio Diversified	Caucasian Female	Flagging Services	\$7,740.25	.21%
Fournier Enterprises	Hispanic Female	Material/Program Management	\$130,788.94	3.52%
U.S. Utility	Caucasian Female	Installation	\$1,489,301.00	40%
Total DBE Participation			\$1,627,830.19	43.73%

- 5.0. POLICY IMPACT: Does not apply.
- 6.0. ECONOMIC IMPACT: This amendment shall be payable out of the RTA Development Fund, including but not limited to Capital Grant OH-03-0161, Line Item 12.63.01(\$86,400.00 in Federal funds which represents 80% of the total cost).
- 7.0. ALTERNATIVES: Reject this change order. Rejection of this contract amendment will prevent the Authority from acquiring the necessary spare parts that will allow for continuous service in the first year of operations of the Redline Cab Signaling Upgrade (West Park to Brookpark).
- 8.0. RECOMMENDATION: It is recommended that the resolution be approved and the General Manager authorized to amend the contract.
- 9.0. ATTACHMENTS: None

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

  
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CEO, General Manager/Secretary-Treasurer