

RESOLUTION NO. 2002- 187

RATIFYING THE GENERAL MANAGER'S EMERGENCY AWARD OF CONTRACT 2002-123 TO NORTH COAST PAVING COMPANY FOR PROJECT 18TA – PARMA TRANSIT CENTER INTERIM REPAIRS IN THE AMOUNT OF \$83,117.00 (RTA CAPITAL FUND, PROJECT DEVELOPMENT & ENGINEERING DEPARTMENT BUDGET)

WHEREAS, the Authority deems it necessary to begin repairs to the Parma Transit Center temporary service parking lot as described under Project 18TA; and

WHEREAS, the Authority issued IFB No. 2002-123 to solicit bids for said repairs; and

WHEREAS, following receipt of said bids on November 7, 2002, the bid of North Coast Paving Company, 2417 Woodhill Road, Cleveland, Ohio 44104, in the amount of \$83,117.00, was determined to be the lowest responsible bid from a responsible bidder; and

WHEREAS, due to inclement weather, the parking lot surface deteriorated excessively, creating the potential for injury to persons, damage to property, and disruption of transit passenger service, creating an emergency as defined in Ohio Revised Code Section 306.43(H)(1)(a) and (c); and

WHEREAS, on November 11, 2002, the General Manager declared an emergency in accordance with Section VI-1 and VI-3 of the Authority's Procurement Policies and Procedures, with the concurrence of the Authority's Board of Trustees and awarded an emergency contract to North Coast Paving Company for the emergency paving, at the price bid and on the terms of IFB 2002-123.

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

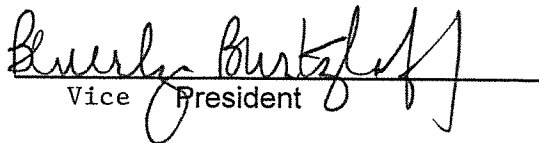
Section 1. That the action of the General Manager of the Authority in declaring and emergency and entering into a contract with North Coast Paving Company for paving at the Parma Transit Center temporary service parking lot pursuant thereto is hereby confirmed.

Section 2. That said contract shall be payable from the RTA Capital Fund, Project Development & Engineering Department Budget, in the amount of eighty-three thousand one hundred seventeen & 00/100 dollars (\$83,117.00).

Section 3. That said contract shall be binding upon and an obligation of the Authority contingent upon compliance by the contractor to the Specifications and Addenda, thereto, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2002-120; bonding and insurance requirements; and all applicable laws relating to the contractual obligations of the Authority.

Section 4. That this resolution shall become effective immediately upon its adoption.

Adopted: November 18, 2002

  
Vice President

Attest:   
CEO, General Manager/Secretary-Treasurer



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	Date: November 14, 2002
	Initiator: Project Development and Engineering
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 PURPOSE: This action will confirm the General Manager's award of an emergency contract to repair the parking lot used for bus operations until the Parma Transit Center is built.
- 2.0 DESCRIPTION/JUSTIFICATION: The parking lot designated as the site for passenger bus services until the Parma Transit Center is built was scheduled for repairs, under IFB No. 2002-123, due to deterioration caused by bus operations. During the solicitation period, excessive rain and use of the parking lot for the bus service combined to seriously accelerate deterioration of the parking lot, creating unsafe conditions for our customers and employees, as well as others who use the parking lot. An assessment by the Authority's engineers and Safety Department personnel determined that the deteriorated condition of the parking lot created a probability of vehicle damage and personal injury, which, if uncorrected would require disruption of revenue service to this area. Based on this information, the Director of Procurement recommended that the General Manager, in consultation with the Board of Trustees, declare an emergency, which he did on November 11, 2002.
- 3.0 PROCUREMENT BACKGROUND: Pursuant to Ohio Revised Code Section 3006-43(H)(1)(a), procurements under conditions which affect safety, welfare, or the ability to deliver transportation services are exempt from the competitive procurement process. In this instance, the Procurement Department had determined the bid of North Coast Paving Company to be the lowest responsive bid from a responsible bidder, recommending that an award be made at the November 19, 2002 Board meeting. After consultations with our civil engineer, and viewing photos of existing conditions, the General Manager with the consent of the Board, authorized the Procurement Department to issue notice to proceed with the work to North Coast Paving.

A total of 12 solicitation packages were requested by prospective bidders, with four bids received as follows:

North Coast Paving Company 24517 Woodhill Road Cleveland, OH 44104	\$83,117.00
Burton-Scott Contractors 14728 Maplewood Drive Burton, OH 44021	\$84,500.00
Precision Design & Construction Inc. 249 S.R. 303 Streetsboro, OH 44241	\$84,673.00
Velotta Paving Co., Inc, P.O. Box 1930 Willoughby, OH 44096	\$87,000.00

A price analysis was performed and the Procurement Department determined the bid of North to be fair and reasonable to the Authority.

- 4.0 DBE/AFFIRMATIVE ACTION BACKGROUND: All Affirmative Action requirements have been met. A 6% DBE goal was established for this procurement. North Coast Paving Company has committed to achieve a 9% DBE participation through the utilization of the following DBE firm(s):

DBE(s) Name/Address	DBE Category	Scope of Work	Amount	Percent
Granger Trucking, Inc., Garfield Hts., Ohio	African American	Trucking	\$7,488.00	9%
		<b>Total DBE Participation:</b>	<b>\$7,488.00</b>	<b>9%</b>

- 5.0 POLICY IMPACT: Does not apply.

- 6.0 ECONOMIC IMPACT: This procurement shall be payable from the RTA Capital Fund, Project Development & Engineering Department budget.

- 7.0 ALTERNATIVES: Reject this award. Rejection of this award will repudiate the General Manager's action and delay the emergency repairs. This will; leave the Authority liable for costs incurred by North Coast Paving Company and at risk for any personal injuries or property damaged resulting from the deteriorated condition of the parking lot.

- 8.0 RECOMMENDATION: It is recommended that the resolution be passed confirming the General Manager's action.

- 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