

RESOLUTION NO. 2003-055

RATIFYING THE ACTION OF THE GCRTA IN AUTHORIZING ADDITIONAL DESIGN SERVICES UNDER CONTRACT 2001-118 WITH WILBUR SMITH ASSOCIATES, INC. OHIO FOR FINAL DESIGN OF THE EUCLID CORRIDOR TRANSPORTATION PROJECT AT A PRICE NOT TO EXCEED \$302,000.00; AND AUTHORIZING ADDITIONAL SERVICES AT A PRICE NOT TO EXCEED \$152,278.00; FOR A TOTAL PRICE NOT TO EXCEED \$454,278.00 (RTA DEVELOPMENT FUND, EUCLID CORRIDOR TRANSPORTATION PROJECT BUDGET)

WHEREAS, the Board of Trustees of the Greater Cleveland Regional Transit Authority by Resolution No. 2002-024 authorized a contract with Wilbur Smith Associates, Inc. Ohio to provide final design services for the Euclid Corridor Transportation Project at a cost not to exceed \$9,072,202 00; and

WHEREAS, the General Manager has authorized one change order in an amount not to exceed \$39,188.00 under his delegated authority, for a current total contract price not to exceed \$9,111,390.00; and

WHEREAS, as the result of value engineering and stakeholder-requested design changes, the GCRTA directed Wilbur Smith Associates, Inc. Ohio to provide additional final design services; and

WHEREAS, Wilbur Smith Associates, Inc. Ohio offered to provide said services at a negotiated price not to exceed \$302,000.00; and

WHEREAS, it is necessary to correct deficiencies in the vertical profile design provided by the Preliminary Engineering consultant; and

WHEREAS, Wilbur Smith Associates, Inc. Ohio has offered to provide such corrective services at a negotiated price not to exceed \$152,278.00; and

WHEREAS, the General Manager deems acceptance of the offer of Wilbur Smith Associates, Inc. Ohio, as negotiated, to be in the best interest of the Authority; and

WHEREAS, ratification of services performed to date and authorization to complete the remaining services requires approval 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. 2001-118 is recognized as an amount not to exceed nine million one hundred eleven thousand three hundred ninety & 00/100 dollars (\$9,111,390.00).

Section 2. That the action of the GCRTA in authorizing Wilbur Smith Associates, Inc. Ohio to perform additional design services for the Euclid Corridor Transportation Project, at a price not to exceed three hundred two thousand & 00/100 dollars (\$302,000.00) be and the same is hereby ratified.

Section 3. That the offer of Wilbur Smith Associates, Inc. Ohio to provide additional design services to perform corrective work on the vertical profile design at a negotiated price not to exceed one hundred fifty-two thousand two hundred seventy-eight & 00/100 dollars (\$152,278.00) be and the same is hereby accepted.

Resolution No. 2003-055
Page 2

Section 4. That the General Manager of the Authority be and he is hereby authorized to amend Contract No. 2001-118 with Wilbur Smith Associates, Inc. Ohio to include said additional design services.

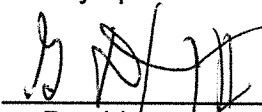
Section 5. That said amendment shall be payable from the RTA Development Fund, Euclid Corridor Transportation Project budget, including but not limited to 100% Local Funds, in an amount not to exceed four hundred fifty-four thousand two hundred seventy-eight & 00/100 dollars (\$454,278.00) for a total contract price of an amount not to exceed nine million five hundred sixty-five thousand six hundred sixty-eight & 00/100 dollars (\$9,565,668.00).

Section 6. That all other terms and conditions of the original contract shall remain unchanged.

Section 7. That the General Manager be and is hereby re-authorized to exercise his full change order authority under the Authority's Procurement Policy, Section 9.0, as applied to Contract 2001-118.

Section 8. That this resolution shall become effective immediately upon its adoption.

Adopted: April 15, 2003



President

Attest: 

CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: RATIFYING THE ACTION OF THE GCRTA IN AUTHORIZING ADDITIONAL DESIGN SERVICES UNDER CONTRACT 2001-118 WITH WILBUR SMITH ASSOCIATES, INC. OHIO FOR FINAL DESIGN OF THE EUCLID CORRIDOR TRANSPORTATION PROJECT AT A PRICE NOT TO EXCEED \$531,970.00; AND AUTHORIZING ADDITIONAL SERVICES AT A PRICE NOT TO EXCEED \$152,278.00; FOR A TOTAL PRICE NOT TO EXCEED \$684,248.00 (RTA DEVELOPMENT FUND, EUCLID CORRIDOR TRANSPORTATION PROJECT BUDGET)	Resolution No.: 2003-
	Date: April 14, 2003
	Initiator: Euclid Corridor Transportation Project
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 ratify the authorization of additional design services for final design of the Euclid Corridor Transportation Project and authorize additional design work.

2.0 **DESCRIPTION/JUSTIFICATION:** This action arises from three developments since the final design contract was awarded in February 2002:

- (1) The value engineering study at the 30% design point identified approximately \$8.0 million in project cost savings which were accepted by the Authority, and an additional \$10.6 million in potential savings which require further study before being accepted or rejected
- (2) Stakeholders, including the City of Cleveland, have revised their positions on design issues, partly to conform with other redevelopment efforts
- (3) Identified deficiencies in the work of earlier design consultants require corrective work

3.0 **PROCUREMENT BACKGROUND:** At the conclusion of the value engineering study in June 2002, Wilbur Smith Associates (WSA), the final design consultant, advised the Authority that implementing the accepted recommendations would involve a significant design effort; WSA could not quantify the cost involved until the proposed changes went through the City's design review process in November. In the interim, additional design changes were proposed as the result of stakeholder meetings. While this proposed change order was in evaluation and negotiation, WSA notified us of inaccuracies in the vertical profile work done by a previous consultant, which require correction.

Wilbur Smith Associates was directed to proceed with the additional services for items (1) and (2) above prior to initiation of a formal change order process. A negotiating process was initiated in the fall of 2002, and completed in March 2003, at an agreed-upon price of \$684,248.00 for all three items listed above.

Based upon the hourly rates given in the contract, the negotiated price appears to be fair and reasonable.

4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: All Affirmative Action requirements have been met. A 20% DBE goal was established for this procurement that was awarded in February 2002 (Reso. #2002-024). The change order will increase this contract amount to \$9,795,638. For the entire contract period, Wilbur Smith Associates has committed to achieve the goal through the utilization of the following DBE firm(s):

DBE(s) Name/Address	DBE Category	Scope of Work	Amount	Percent
The Outside In, Inc.	African American Male	Streetscape & Urban Design; Public Art Coordination	\$330,676**	3.38%
Gray & Pape, Inc.	White Female	Environmental Documentation; Construction Support	\$112,020	1.14%
Central Engineering, Inc.	Asian Pacific Male	Traffic Engineering & Controls	\$201,507**	2.06%***
KS Associates, Inc.	White Female	Roadway Design; Base Map & Surveys	\$600,661*	6.13%
Columbus Engineering d/b/a UTILOCATE	Asian Pacific Male	Roadway Design; Utility Design	\$407,252	4.16%
City Blue Printing	White Female	Reproduction & Mailing	\$350,000	3.57%
DAR Associates	African American Female	Public Involvement	\$50,728	.52%
Kapp & Associates, Inc.	White Female	Signage Design	\$30,500	.31%
		Total DBE Participation:	\$2,083,344	21.27%

* KS Associates' subcontract amount includes an additional \$39,188 from Change Order #1.
 ** Central Engineering and The Outside In, Inc.'s subcontract amounts reflect an additional \$52,735 and \$48,596, respectively, anticipated from potential change order #2.
 *** Central Engineering's subcontract amount reflects an additional \$54,613 anticipated from potential change order #4.

- 5.0 POLICY IMPACT: This action will exceed the General Manager's delegated change order authority and requires Board approval.
- 6.0 ECONOMIC IMPACT: This amendment shall be funded through the RTA Development Fund Fund, Euclid Corridor Transportation Project budget, including but not limited to 100% Local Funds. To the extent feasible, the Authority will seek recovery from the preliminary engineering consultant for the defective work it performed and was paid for.

STAFF SUMMARY & COMMENTS
ECTP Final Design Change Order
Page 3

- 7.0 ALTERNATIVES: Rejection of this amendment will prevent payment for services already performed, risking legal action against the Authority, and adversely affect the Euclid Corridor Transportation Project schedule.
- 8.0 RECOMMENDATION: This action was presented to the Board of Trustees Planning and Development Committee, which recommended its submittal to the whole Board. It is recommended that the resolution be passed ratifying the actions of the GCRTA and authorizing the General Manager to amend the contract.
- 9.0 ATTACHMENTS: Attachment A –Change Order Log.

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



CEO, General Manager/Secretary-Treasurer

CHANGE ORDER LOG

CONTRACT NO. 2001-118

FINAL DESIGN OF EUCLID CORRIDOR TRANSPORTATION PROJECT

DESCRIPTION	PRICE	DATE APP.	APP. BY	TOTAL PRICE	G.M. BALANCE
INITIAL CONTRACT PRICE			2002-024	\$9,072,202.00	\$ 500,000.00
Additional Survey Work	\$ 39,188.00	12/27/02	GM	\$9,111,390.00	\$ 460,812.00
VE Modifications & Vertical Profile	\$ 684,248.00				