

RESOLUTION 2004- 03

AUTHORIZING SOLE SOURCE CONTRACT NO. 2003-126 WITH GIRO, INC. FOR MAINTENANCE OF THE HASTUS SCHEDULING SYSTEM FOR A PERIOD OF THREE YEARS AT A TOTAL COST OF \$238,311.00 (GENERAL FUND, INFORMATION SYSTEMS DEPARTMENT BUDGET).

WHEREAS, the Greater Cleveland Regional Transit Authority currently utilizes Hastus Scheduling System licensed products for scheduling and run cutting in support of bus operations; and

WHEREAS, the required technical support is only available through Giro, Inc; and

WHEREAS, the offer of Giro, Inc. located at 75 Port-Royal Est, Bureau 500, Montreal (Quebec) Canada H3L 3T1, to provide continuing maintenance and support for the Authority's Hastus scheduling system for a period of three years was received on December 17, 2003; and

WHEREAS, after negotiations, an annual price of seventy nine thousand four hundred thirty seven and 00/100 dollars (\$79,437.00), equating to a total contract price of two hundred thirty eight thousand three hundred eleven and 00/100 dollars (\$238,311.00) for a period of three years was agreed upon; and

WHEREAS, Giro, Inc. developed the Hastus software, and is the sole source of technical maintenance services, and as such, the Hastus software is proprietary to Giro, Inc.; and

WHEREAS, Section 306.43H(3) of the Ohio Revised Code provides that competitive bidding is not required when the expenditure is for renewal or negotiation of a lease or license for telecommunications or data processing equipment service or systems, or for upgrade of such equipment services or systems, or for the maintenance thereof as supplied by the original source or its successors or assigns; and

WHEREAS, the General Manager deems acceptance of the offer of Giro, 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 Giro, Inc., as negotiated, for the maintenance of the Authority's Hastus scheduling system for a period of three years be and the same is hereby accepted as in the best interest of the Authority.

Section 2. That the General Manager of the Authority be and he is hereby authorized to enter into a contract with Giro, Inc. to provide maintenance of the Authority's Hastus scheduling system for a period of three years.

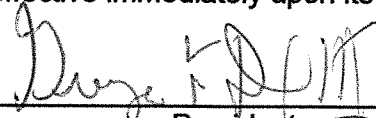
Section 3. That said contract shall be payable out of the General Fund, Information Systems Department budget, at a total cost of two hundred thirty eight thousand three hundred eleven and 00/100 dollars (\$238,311.00) for a period of three years.

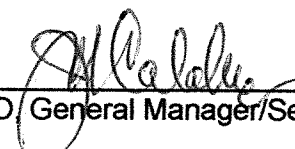
Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon appropriation for the current and future contract years and upon compliance by the contractor to the Specifications and Addenda, if any, the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2003-107, bonding and insurance requirements and all applicable laws relating to contractual obligations of the Authority.

Section 5. That the Greater Cleveland Transit Authority's Board of Trustees expects that Giro, Inc. will attempt to exceed the zero percent (0%) DBE goal assigned to this procurement.

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

Adopted: January 27, 2004

  
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President

Attest:   
\_\_\_\_\_  
CEO/General Manager/Secretary-Treasurer

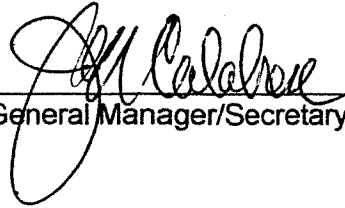


TITLE/DESCRIPTION: AUTHORIZING SOLE SOURCE CONTRACT NO. 2003-126 WITH GIRO, INC. FOR MAINTENANCE OF THE HASTUS SCHEDULING SYSTEM FOR A PERIOD OF THREE YEARS AT A TOTAL COST OF \$238,311.00 (GENERAL FUND, INFORMATION SYSTEMS DEPARTMENT BUDGET).	Resolution No.: 2004-03
	Date: January 22, 2004
	Initiator: Information Systems 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 action will allow the Authority to renew a contract for maintenance of its Hastus scheduling system for a period of three years.
- 2.0 DESCRIPTION/JUSTIFICATION: The Hastus system provides scheduling and runcutting for the Authority's bus and rail operations. Because of the critical nature of this system, it must be able to function without significant downtime or delays. This maintenance agreement will assure timely expert support to resolve any delay-threatening problems.
- 3.0 PROCUREMENT BACKGROUND: Under Ohio Revised Code Section 306.43(H)(3), the procurement of electronic data processing maintenance is exempt from a competitive process, due to the proprietary nature of such systems. Giro, Inc. developed the Hastus software, and is the sole source of technical maintenance services. Giro, Inc. has offered to provide Hastus software maintenance for an annual price of \$79,437.00 and a total contract price of \$238,311.00, for a period of three years. Maintenance fees are calculated in terms of the number of vehicles operating at peak hours (700 vehicles) and the type of Hastus optional modules the Authority uses. GCRTA added six modules to the Hastus software in 2003 which resulted in a higher maintenance cost.  
  
A cost analysis has been performed and the Procurement Department has determined that the rates and price are fair and reasonable to the Authority.
- 4.0 AFFIRMATIVE ACTION/DBE 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.
- 6.0 ECONOMIC IMPACT: This procurement will be funded through the RTA General Fund, Information Systems Department budget at a total price of two hundred thirty eight thousand three hundred eleven and 00/100 dollars (\$238,311.00) for a period of 3 years. The negotiated price is equal to the RTA cost estimate.

- 7.0 ALTERNATIVES: Reject this award. Rejection of this offer would prevent the Authority from maintaining its Hastus system, and risk problems with scheduling should the system experience technical problems.
- 8.0 RECOMMENDATION: It is recommended that the offer of Giro, Inc. as negotiated 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.



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CEO, General Manager/Secretary-Treasurer