

RESOLUTION NO. 2005- 115

AUTHORIZING SOLE SOURCE CONTRACT 2005-109 WITH NORFOLK SOUTHERN RAILWAY TO PROVIDE FORCE ACCOUNT SERVICES FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT FOR A PERIOD OF 690 DAYS AFTER NOTICE TO PROCEED AT A PRICE NOT TO EXCEED \$52,420.00 (RTA DEVELOPMENT FUND, EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET).

WHEREAS, the Euclid Corridor Transportation Project as described requires work on and around the Norfolk Southern Railway Bridge located at East 55th Street and Euclid Ave; and

WHEREAS, the Authority has a need for Force Account Services from Norfolk Southern Railway to aid in the completion of the Euclid Corridor Transportation Project C-03; and

WHEREAS, this work is necessary for the completion of the Euclid Corridor Transportation Project (ECTP); and

WHEREAS, the Ohio Revised Code, Section 306.43H(2) provides that competitive bidding is not required when the expenditure is for goods or services, or any combination thereof, after the reasonable inquiry the board or any officer or employee the Board designees finds that only one source of supply is reasonably available; and

WHEREAS, Norfolk Southern Railway has been determined to be the only source for this force account work, and

WHEREAS, the offer of Norfolk Southern Railway Corporation located at 1200 Peachtree Street N.E., Atlanta, Georgia 30309 to provide Force Account Services was received on July 21, 2005; and

WHEREAS, after negotiations, the offer of Norfolk Southern Railway Company to provide Force Account Services for the Authority's ECTP for a period of 690 days after Notice to Proceed, at a total price of \$52,420.00 was agreed upon; and

WHEREAS, the General Manager/Secretary-Treasurer deems the negotiated offer of Norfolk Southern Railway Company 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 Norfolk Southern Railway Company, as negotiated, to provide Force Account Services for the Authority's ECTP for a period of 690 days after Notice to Proceed be and the same is hereby accepted.

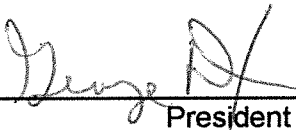
Section 2. That the General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to enter into a contract with Norfolk Southern Railway Company to provide Force Account Services for the Authority's ECTP for a period of 690 days after Notice to Proceed.

Section 3. That said contract shall be payable from the RTA Development Fund, Euclid Corridor Transportation Project Department budget, including but not limited to Capital Grant OH-03-0247, at a price not to exceed \$52,420.00 (\$41,936.00 in Federal Funds which represents 80% of the total cost).

Section 4. 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 2005-051; 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: September 6 2005



President

Attest: 

CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: AUTHORIZING SOLE SOURCE CONTRACT 2005-109 WITH NORFOLK SOUTHERN RAILWAY TO PROVIDE FORCE ACCOUNT SERVICES FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT FOR A PERIOD OF 690 DAYS AFTER NOTICE TO PROCEED AT A PRICE NOT TO EXCEED \$52,420.00 (RTA DEVELOPMENT FUND, EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET).	Resolution No.: 115 2005-
	Date: September 1, 2005
	Initiator: Euclid Corridor Transportation Project
ACTION REQUEST: <input 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 for Force Account Services for the Euclid Corridor Transportation Project (ECTP) for work on and around the Norfolk Southern Railway Bridge.
- 2.0 **DESCRIPTION/JUSTIFICATION:** The Authority requires Force Account Services as part of ECTP for the proper construction and safety procedures relating to the East 55th Street Norfolk Southern Bridge. These services will include Preliminary Engineering, Construction Engineering, Accounting, and Flagging. The work the Authority will perform is on and around the Norfolk Southern Railway bridge which is located at East 55th Street and Euclid Avenue.
- 3.0 **PROCUREMENT BACKGROUND:** The sole source contract is exempt from competitive bidding as authorized under Section 306.43H(2) of the Ohio Revised Code. Norfolk Southern Railway is the only source authorized to provide these Force Account Services. Norfolk Southern Railway has all drawings and appropriate documentation regarding this bridge. Norfolk Southern Railway will continue its daily bridge service for approximately four passenger and sixty freight trains during construction.

 The Authority requested a proposal from Norfolk Southern Railway. The ECTP Real Estate section of the Authority reviewed the proposal for compliance. The Procurement Department determined the price, after negotiations, to be fair and reasonable to the Authority.
- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** Affirmative action information is forthcoming and there was no DBE goal established for this procurement.
- 5.0 **POLICY IMPACT:** Does not apply.
- 6.0 **ECONOMIC IMPACT:** This contract will be funded by the Euclid Corridor Transportation Project Department budget, including but not limited to Capital Grant OH-03-247, Line Item 13.23.01 at a total price of \$52,420.00 (\$41,936 in Federal Funds which represents 80% of the total cost). This price is 5% below the \$55,000.00 estimate for these services.
- 7.0 **ALTERNATIVES:** Reject this offer. Rejection of this offer would prevent completion of the ECTP Contract C-03.

- 8.0 RECOMMENDATION: This project will be reviewed by the Planning and Development Committee at their September 6, 2005 meeting and recommended for approval to the Board of Trustees. It is recommended that the proposal of Norfolk Southern Railway to provide force account services for the Euclid Corridor Transportation be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer 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