

RESOLUTION NO. 2005-116

RATIFYING EMERGENCY CONTRACT 2005-105 WITH DCNG TECHNICAL SERVICES, INC. FOR PROJECT 11.05- REPLACEMENT OF THE GAS DRYERS FOR THE HAYDEN BUS GARAGE, AS SPECIFIED, FOR A TOTAL PRICE OF \$44,899.00 (RTA CAPITAL FUND, ENGINEERING AND PROJECT DEVELOPMENT DEPARTMENT BUDGET).

WHEREAS, it has been determined that an emergency exists and the Authority is required to replace the defective gas dryers at the Hayden Bus Garage, as specified, in project 11.05; and

WHEREAS, the Ohio Revised Code Section 306.43(H)(1) allows that competitive procedures are not required in situations affecting safety, welfare, or the ability to deliver transportation services; and

WHEREAS, GCRTA Procurement Policy states upon authorization by the General Manager/Secretary-Treasurer, the Director of Procurement may direct that a non-competitive procurement be conducted to the minimum extent needed to meet an emergency situation and that the General Manager/Secretary-Treasurer shall contact the President of the Board of Trustees if the estimate cost to abate the emergency is anticipated to exceed his delegated authority; and

WHEREAS, said contact was made and approval was received for the General Manager/Secretary-Treasurer to proceed; and

WHEREAS, an offer was received on August 25, 2005 from DCNG Technical Services, Inc. located at 5012 South Barton Road, Lyndhurst, Ohio 44124, for said replacement of the gas dryers at the Hayden Bus Garage, as specified, at a total price of forty-four thousand eight hundred ninety-nine & 00/100 dollars (\$44,899.00); and

WHEREAS, in the best interest of the Authority, one offer was solicited and received for said for this emergency; and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer from DCNG Technical Services, Inc. to be the only firm known to have the technical qualifications to perform said replacement 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 from DCNG Technical Services, Inc. for emergency replacement of the gas dryers at the Hayden Bus Garage, be and the same is hereby accepted as the most advantageous to the Authority for said replacement.


Section 2. That the General Manager/Secretary-Treasurer of the Authority is hereby authorized by the Board of Trustees, under emergency procurement action, to enter into a contract with DCNG Technical Services, Inc. for the replacement of the defective dryers at the Hayden Bus Garage.

Section 3. That said contract shall be payable from the RTA Capital Fund, Engineering and Project Development Department budget at a total price of forty-four thousand eight hundred ninety-nine & 00/100 dollars (\$44,899.00).

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 2005-51, 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

  
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President

Attest:   
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CEO, General Manager/Secretary-Treasurer



TITLE/DESCRIPTION: RATIFYING EMERGENCY CONTRACT 2005-105 WITH DCNG TECHNICAL SERVICES, INC. FOR PROJECT 11.05-REPLACEMENT OF THE GAS DRYERS FOR THE HAYDEN BUS GARAGE, AS SPECIFIED, FOR A TOTAL PRICE OF \$44,899.00 (RTA CAPITAL, ENGINEERING AND PROJECT DEVELOPMENT DEPARTMENT BUDGET).	Resolution No.: 2005- 116
	Date: September 1, 2005
	Initiator: Engineering and Project Development
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 ratify a contract for the emergency replacement of gas dryers at the Hayden Bus Garage.
- 2.0 DESCRIPTION/JUSTIFICATION: The CNG fueling capability at the Hayden Garage suffered serious degradation and placed the fleet, property and personnel in jeopardy. On each CNG fueling compressor there is a dryer. The dryer separates the moisture content from the natural gas. This step is extremely critical for compressing natural gas. Moisture cannot be compressed. The performance of the drying units has deteriorated over time and have become unreliable. On August 24, 2005, a compressor was closed because of a faulty dryer. The other compressor required maintenance including replacement of the secondary filter that was saturated with water. The dryers needed to be replaced immediately if the Authority wanted to avert the potential for fire, compressor failure, and fueling system contaminants. The situation was declared an emergency and the General Manager/Secretary-Treasurer was called to authorize a sole source non-competitive procurement. Contact with the President and Vice President of the Board of Trustees was made to describe the situation and gain approval of the emergency procurement. After the approvals were gained, a Notice to Proceed was given to the contractor.
- 3.0 PROCUREMENT BACKGROUND: Competitive procedures under Section 306.43(H)(1) of the Ohio Revised Code are not required in situations affecting safety, welfare, or the ability to deliver transportation services. The GCRTA Procurement Policies approved by Board Resolution No. 2002-186 also provides that the General Manager/Secretary-Treasurer under emergency situations may direct that a non-competitive procurement be conducted to the minimum extent needed to meet an emergency situation.  
  
Due to the potential safety hazards to the CNG fueling system pending at the Hayden Bus Garage, it is necessary to replace the defective dryers. An offer was solicited from DCNG Technical Services, Inc., the only known technical expert certified to replace the gas dryers at the Hayden Bus Garage.  
  
A cost/price analysis has been performed and the Procurement Department has determined the price to be fair and reasonable to the Authority.
- 4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: The Affirmative Action information is forthcoming. A DBE goal was not established for this procurement. The prime contractor DCNG Technical Services, Inc., Cleveland Ohio is a RTA certified DBE (African-American) firm. DCNG Technical Services, Inc. will be performing approximately 100% of the base contract work with its own forces.

- 5.0 POLICY IMPACT: Does not apply.
- 6.0 ECONOMIC IMPACT: This contract will be funded through the RTA Capital Fund, Engineering and Project Development Department budget, including but not limited to 100% local funds, at a total price of forty-four thousand eight hundred ninety-nine & 00/100 dollars (\$44,899.00).
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this ratification will delay the replacement of the gas dryers and create a dangerous safety hazard to GCRTA employees, the Hayden Bus Garage and equipment.
- 8.0 RECOMMENDATION: The Operations Committee of the Board of Trustees will review this project at their September 6, 2005 meeting. It will be recommended that the offer of DCNG Technical Services, Inc. be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer to ratify the contract.
- 9.0 ATTACHMENT: 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