

RESOLUTION NO. 2005-154

AUTHORIZING CONTRACT NO. 2005-121 WITH TORSION CONTROL PRODUCTS, INC. FOR THE FURNISHING OF DAMPER ASSEMBLIES AND ENGINE FLYWHEELS, AS SPECIFIED AND AS REQUIRED, FOR A PERIOD OF ONE (1) YEAR IN AN AMOUNT NOT TO EXCEED \$83,625.00 (GENERAL FUND, FLEET MANAGEMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority requires the replacement of damper assemblies and engine flywheels used on the Authority's DDC 50 series engines; and

WHEREAS, the bid of Torsion Control Products, Inc., located at 530 E. Maple, Troy, MI 48083 for the furnishing of damper assemblies and engine flywheels, as specified and as required, for a period of one (1) year, was received on October 12, 2005; and

WHEREAS, the bid of Torsion Control Products, Inc. was the only responsive bid received in response to this solicitation; and

WHEREAS, in accordance with Ohio Revised Code Section 306.43(B), when fewer than two responsive bids are received, a regional transit authority may negotiate a price with the sole responsive bidder or may rescind the solicitation and re-procure the item; and

WHEREAS, after negotiations, an amount not to exceed eighty-three thousand six hundred twenty-five & 00/100 dollars (\$83,625.00) for a period of one (1) year was accepted; and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer of Torsion Control Products, 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 Torsion Control Products, Inc., as negotiated, be and the same is hereby accepted as a responsive offer from a responsible offeror.

Section 2. That the General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to enter into a contract with Torsion Control Products, Inc., for the furnishing of damper assemblies and engine flywheels, as specified and as required, for a period of one (1) year.

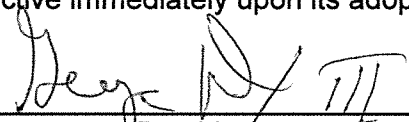
Section 3. That said contract shall be payable from the General Fund, Fleet Management Department budget, in an amount not to exceed eighty-three thousand six hundred twenty-five & 00/100 dollars (\$83,625.00).

Section 4. That said contract shall be binding upon and an obligation of the Authority, contingent upon compliance by the contractor to the Specification and Addenda; 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 the Greater Cleveland Regional Transit Authority's Board of Trustees expects that Torsion Control Products, Inc. will attempt to exceed the 0% minimum DBE goal assigned to this procurement.

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

Adopted: November 15, 2005



President

Attest: 

CEO/General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: AUTHORIZING CONTRACT NO. 2005-121 WITH TORSION CONTROL PRODUCTS, INC., FOR THE FURNISHING OF DAMPER ASSEMBLIES AND ENGINE FLYWHEELS, AS SPECIFIED AND AS REQUIRED, FOR A PERIOD OF ONE (1) YEAR IN AN AMOUNT NOT TO EXCEED \$83,625.00 (GENERAL FUND, FLEET MANAGEMENT DEPARTMENT BUDGET).	Resolution No.: 2005-154
	Date: November 10, 2005
	Initiator: Fleet Management 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 enter into a contract for the furnishing of damper assemblies and engine flywheels, as specified, on a requirement basis for a period of one (1) year.

2.0 **DESCRIPTION/JUSTIFICATION:** The assemblies and engine flywheels are required to replace units that are no longer serviceable and are in need of being rebuilt and/or replaced. Torsion Control Products, Inc. is the supplier to the OEM's and has the technology and proprietary data for the overhaul of the units in need of repair. These units are used on the DDC 50 series engines on the 9400 Metro Fleet Vehicles.

3.0 **PROCUREMENT BACKGROUND:** The solicitation was posted on the GCRTA Procurement web site and advertised in the local newspapers. Two (2) bids were received on October 12, 2005 for this solicitation. The second bidder was found non-compliant to the warranty requirement of the specification.

Pursuant to Ohio Revised Code Section 306.43(B), the Authority may negotiate price when less than two responsive bids are received. Negotiations failed to achieve a price reduction from Torsion Control Products, Inc. Price comparisons were based on the small purchase parts history of the damper assemblies and engine flywheels. A summary of the bid prices is as follows:

Torsion Control Products, Inc.	<u>GCRTA Part #</u>	<u>QTY.</u>	<u>Unit Price</u>
	82-37010	35	\$1,575.00
	82-34010	15	\$1,100.00
	81-34030	10	\$1,200.00

The bid of Torsion Control Products, Inc as negotiated, has been determined by the Procurement Department to be a responsive bid from a responsible bidder. A price analysis has been performed and the Procurement Department has determined the price to be fair and reasonable to the Authority.

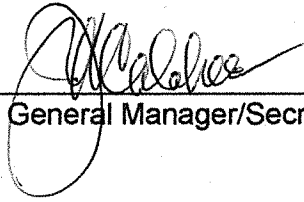
4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 0% DBE goal was established for this procurement due to the lack of certified DBE firms.

5.0 **POLICY IMPACT:** Does not apply.

6.0 **ECONOMIC IMPACT:** This procurement will be funded through the General Fund, Fleet Management Department budget, in an amount not to exceed eighty three thousand six hundred twenty five & 00/100 dollars (\$83,625.00). This amount is approximately 3% below the estimate of \$86,000.00 for this purchase.

- 7.0 ALTERNATIVES: Reject all bids. Rejection of this offer would not allow for the timely replacement of damper assemblies and engine flywheels, which would cause disruptions of service due to inoperable coaches.
- 8.0 RECOMMENDATION: It is recommended that the bid of Torsion Control Products, Inc., as negotiated, 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