

RESOLUTION NO. 2006-36

AUTHORIZING CONTRACT NO. 2005-058 WITH ORX TO SUPPLY ONE USED RAIL CAR MOVER FOR THE RAIL MAINTENANCE FACILITY AT A TOTAL PRICE OF \$41,513.00 (RTA CAPITAL FUND - RAIL DISTRICT BUDGET)

WHEREAS, the Authority has the need to move rail vehicles within the rail maintenance shop in a safe and efficient manner; and

WHEREAS, the bid of ORX, located at One Park Avenue, Tipton, PA 16684 to provide a rail car mover for the Authority's Rail Maintenance Facility was received on February 9, 2006; and

WHEREAS, said bid was the only responsive bid from a responsible bidder received in response to the 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; and

WHEREAS, after negotiations, the bid of ORX to provide one rail car mover, as specified, for the Authority's Rail Maintenance Facility at a total price of \$41,513.00 was agreed upon; and

WHEREAS, the General Manager/Secretary-Treasurer deems acceptance of the bid of ORX, 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 ORX, as negotiated, to provide a rail car mover, as specified, for the Authority's Rail Maintenance Facility be and the same is hereby accepted as in the best interest of the Authority.

Section 2. That the General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to enter into a contract with ORX to provide a rail car mover, as specified, for the Authority's Rail Maintenance Facility.

Section 3. That said contract shall be payable out of the RTA Capital Fund, Rail District Department budget, at a total price of forty-one thousand five hundred thirteen & 00/100 dollars (\$41,513.00).

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 2005-051; bonding and insurance requirements and all applicable laws relating to contractual obligations of the Authority.

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Section 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects ORX 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: March 21, 2006

President

Attest: _____
CEO, General Manager/Secretary-Treasurer



Title/Description: AUTHORIZING CONTRACT NO. 2005-162 WITH ORX TO SUPPLY ONE USED RAIL CAR MOVER FOR THE RAIL MAINTENANCE FACILITY AT A TOTAL PRICE OF \$41,513.00 (RTA CAPITAL FUND - RAIL DISTRICT BUDGET)	Resolution No.: 2006-36
	Date: March 16, 2006
	Initiator: Rail District 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 to provide a rail car mover, as specified, for the Authority's Rail Maintenance Facility.
- 2.0 DESCRIPTION/JUSTIFICATION: The Authority requires a piece of equipment that provides for the safe and efficient movement of rail vehicles within the maintenance shop to allow for required vehicle maintenance in areas that aren't equipped with overhead power.
- 3.0 PROCUREMENT BACKGROUND: This is the third re-bid for this item. The first two solicitations received 0 bids and the most recent contractor, as authorized by the Board of Trustees by Resolution No. 2005-085, has gone out of business and is unable to perform under its contract. This third solicitation was posted on the procurement web site and advertised in the local newspapers. Five potential bidders downloaded this solicitation from the GCRTA web site. One bid was received for this solicitation.

 ORX will supply a used piece of equipment inspected and refurbished, as required, and will come with a new diesel engine to be installed by the contractor prior to delivery. The contract will include a six month warranty on the body and a two year warranty on the engine.

 Ohio Revised Code Section 306.43(B) states that when fewer than two responsive bids are received, a regional transit authority may negotiate a price with the sole responsive bidder. A price analysis has been performed and the Procurement Department has determined that the negotiated offer of ORX is 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 contract will be funded through the RTA Capital Fund, Rail District Department budget, at a total price of forty-one thousand five hundred thirteen & 00/100 dollars (\$41,513.00). This negotiated price is 59% below the budgeted amount of \$100,000.00 for this project.

- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer could potentially leave the Authority without a cost effective and safe means for movement of the rail vehicles within the rail maintenance facility to perform necessary repairs and maintenance of its vehicles.
- 8.0 RECOMMENDATION: It is recommended that the proposal of ORX, 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