

RESOLUTION NO. 2006-44

AUTHORIZING SOLE SOURCE CONTRACT NO. 2006-065 WITH IMPULSE NC, INC. FOR SEVEN SECTION INSULATORS AND TWO DIES AT A TOTAL PRICE OF \$29,969.67 (RTA CAPITAL FUND – RAIL DISTRICT DEPARTMENT BUDGET)

WHEREAS, there is a requirement for section insulators and dies for the overhead catenary system; and

WHEREAS, the Ohio Revised Code, Section 306.43H(2) provides that competitive bidding is not required when a regional transit authority, after reasonable inquiry, determines that only one source of supply is reasonably available; and

WHEREAS, IMPulse NC, Inc. has proprietary rights to the section insulators currently used on the Authority's catenary system; and

WHEREAS, the offer of IMPulse NC, Inc., located at 100 IMPulse Way, Mount Olive, N.C. 28365, to furnish seven (7) section insulators and two (2) dies for the Authority's overhead catenary system was received on February 21, 2006; and

WHEREAS, a negotiated contract price of twenty-nine thousand nine hundred sixty-nine & 67/100 dollars (\$29,969.67) was agreed upon; and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer of IMPulse NC, Inc. to be fair and reasonable 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 IMPulse NC, Inc., as negotiated, to provide seven (7) section insulators and two (2) dies for the overhead catenary system of the Authority 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 IMPulse NC, Inc. for the furnishing of seven (7) section insulators and two (2) dies for the overhead catenary system, as specified.

Section 3. That said contract shall be payable from RTA Capital Fund, Rail District Department budget, at a total price of twenty-nine thousand nine hundred sixty-nine & 67/100 dollars (\$29,969.67).

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 the contractual obligations of the Authority.

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

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President

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



Greater Cleveland Regional Transit Authority  
**STAFF SUMMARY AND COMMENTS**

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| TITLE/DESCRIPTION: AUTHORIZING SOLE SOURCE CONTRACT NO. 2006-065 WITH IMPULSE NC, INC. FOR SEVEN SECTION INSULATORS AND TWO DIES AT A TOTAL PRICE OF \$29,969.67 (RTA CAPITAL FUND – RAIL DISTRICT DEPARTMENT BUDGET) | Resolution No.:<br>2006-44             |
|   | Date:<br>March 16, 2006                |
|   | Initiator: Rail District<br>Department |
| ACTION REQUEST:<br><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 sole source contract for seven section insulators and two dies for the Rail Department.
- 2.0 DESCRIPTION/JUSTIFICATION: Section insulators control electrical power movement throughout the rail system. These units insulate the power from one section of the overhead to another and provide a safety feature when service is required. They also minimize service delays during accident investigation or derailment occurrences. The two die sets are required to install these insulators to the contact wire.
- 3.0 PROCUREMENT BACKGROUND: This sole source procurement is exempt from competitive bidding as authorized by Section 306.43H(2) of the Ohio Revised Code. An industry survey showed that no other manufacturer provides a compatible design to what the Authority currently has in operation. These units will be installed when the installation of new disconnect switches occurs and also as replacements to worn units. The Procurement Department requested a proposal from IMPulse NC, Inc. and negotiated a unit price of \$4,022.81 for the insulators and \$905.00 for each die set for a total price not to exceed \$29,969.67.  
  
A cost/price analysis was performed and the Procurement Department has determined the negotiated offer 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 subcontracting opportunities.
- 5.0 POLICY IMPACT: Does not apply.
- 6.0 ECONOMIC IMPACT: This procurement will be funded through the RTA Capital Fund, Rail Equipment Department budget in an amount not to exceed twenty-nine thousand nine hundred sixty-nine & 67/100 dollars (\$29,969.67). This price is just below the budget estimate of \$30,000.00.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer may result in unsafe conditions to the Authority's personnel and contractors when servicing power outages along the right- of-way.

8.0 RECOMMENDATION: It is recommended that the offer of IMPulse NC, Inc. 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.

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CEO, General Manager/Secretary-Treasurer

