

RESOLUTION NO. 2006-146

AUTHORIZING AN INCREASE TO CONTRACT NO. 2002-126 WITH K & J SAFETY AND CONSULTING SERVICES, INC. TO ADJUST THE WORK EFFORT REQUIRED FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT AND TO EXTEND THE CONTRACT TERM FOR AN ADDITIONAL FOURTEEN MONTHS, IN AN AMOUNT NOT TO EXCEED \$100,000.00 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$719,519.00 (RTA DEVELOPMENT FUND, EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET)

WHEREAS, the Authority requires the services of a safety consultant to provide Safety and Security Certification for the Euclid Corridor Transportation Project; and

WHEREAS, by Resolution No. 2003-110, the Board of Trustees authorized Contract No. 2002-126 in the amount of \$574,519.00 with K & J Safety and Security Consulting Services, Inc. located at 3257 Elcano Lane, Cantonment, Florida 32533 for the furnishing of said safety and security certification; and

WHEREAS, the General Manager/Secretary-Treasurer's approval of one change order for a total amount of \$45,000.00 increased said contract price to \$619,519.00; and

WHEREAS, project delays have caused the safety and security services to continue for an additional fourteen months; and

WHEREAS, K & J Safety and Security Consulting Services, Inc. has offered to provide these revised safety and security certification services for an additional 14 months at a total negotiated amount not to exceed \$100,000.00; and

WHEREAS, acceptance of said offer will cause the total amount of change orders to exceed the General Manager/Secretary Treasurer's delegated authority; and

WHEREAS, the General Manager/Secretary-Treasurer deems acceptance of the offer of K & J Safety and Security Consulting Services, Inc., as negotiated, to be in the best interest of the Authority and recommends acceptance thereof.

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 K & J Safety and Security Consulting Services, Inc. to provide additional safety and security services is hereby accepted as being in the best interest of the Authority.

Section 2. That the General Manager/Secretary-Treasurer be and he hereby is authorized to amend Contract No. 2002-126 with K & J Safety and Security Consulting Services, Inc. to include the revised safety and security services for an additional fourteen months.

Section 3. That the General Manager be and he is hereby re-authorized to exercise his full change order authority under the Authority's Procurement Policy, Section 9.0, as applied to Contract No. 2002-126.

Section 4. That said amendment shall be payable out of the RTA Development Fund, Euclid Corridor Transportation Project Department budget, including but not limited to Capital Grant OH-03-0228, in an amount not to exceed \$100,000.00 for a total contract amount not to exceed \$719,519.00 (\$80,000 in Federal funds which represents 80% of the amendment cost).

Section 5. That all other terms and conditions of said contract shall remain unchanged.

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

Adopted: August 15, 2006

\_\_\_\_\_  
President

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



TITLE/DESCRIPTION: AUTHORIZING AN INCREASE TO CONTRACT NO. 2002-126 WITH K & J SAFETY AND CONSULTING SERVICES, INC. TO ADJUST THE WORK EFFORT REQUIRED FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT AND TO EXTEND THE CONTRACT TERM FOR AN ADDITIONAL FOURTEEN MONTHS, IN AN AMOUNT NOT TO EXCEED \$100,000.00 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$719,519.00 (RTA DEVELOPMENT FUND, EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET)	Resolution No.: 2006-146
	Date: August 10, 2006
	Initiator: Euclid Corridor Transportation Project 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 increase Contract No. 2002-126 with K & J Safety and Security Consulting Services, Inc. to adjust the work effort and to extend the contract for an additional fourteen months.
  
- 2.0 DESCRIPTION/JUSTIFICATION. The Euclid Corridor Transportation Project (ECTP) has advanced to the point that additional work effort and time extension are required to adequately manage safety and security certification for the construction contracts. The following are construction task lines affected by the required time extension: Tasks 5-Preliminary Hazard Analysis, 7-Certifiable Items List, 8-Project files, 9-Open Items List, 10-Database and 20-Testing and Certificates. The justification for this change is twofold: The completion date of the safety and security certification contract requires an extension commensurate with the overall project completion date of December 31, 2008. The Authority has decided to split project 38-CO5 into two projects and to commence operation in a phased approach, which necessitates interim operating permits.
  
- 3.0 PROCUREMENT BACKGROUND: In July 2003, the Board of Trustees by Resolution No. 2003-110 authorized a contract with K & J Safety and Security Consulting Services, Inc. to perform safety and security services for the Euclid Corridor Transportation Project in an amount not to exceed \$574,519.00. The General Manager/Secretary-Treasurer approved one change order as detailed in Attachment A – Approved Change Order Log. Project delays require that the Authority continue K & J Safety and Security Consulting Services, Inc.’s safety and security certification duties for an additional fourteen months. This negotiated increase requires Board authorization, as it will exceed the General Manager/Secretary-Treasurer’s change order authority. This change order was reviewed and approved by the Authority’s Change Order Committee.  
  
 A cost analysis has been performed and the Procurement Department has determined the negotiated change order 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 the original contract approved in July 2003 and continues for this change order.
  
- 5.0 POLICY IMPACT: Does not apply.

- 6.0 **ECONOMIC IMPACT:** This amendment shall be funded from the RTA Development Fund, Euclid Corridor Transportation Project Department budget, including but not limited to Capital Grant OH-03-0228, Line Item 13.79.00, in an amount not to exceed \$100,000.00 for a total contract amount not to exceed \$719,519.00, (\$80,000.00 in Federal funds which represents 80% of the amendment cost). The negotiated change order amount is 49% less than the independent cost estimate of \$195,006.47 and 40% less than the original proposed amount of \$167,464.00.
- 7.0 **ALTERNATIVES:** Reject this offer. Rejection of this amendment will negatively impact the ability of the Authority to complete the ECTP project and meet the FTA safety and security requirements.
- 8.0 **RECOMMENDATION:** This amendment was reviewed by the Planning and Development Committee at their August 1, 2006 meeting and recommended for approval by the Board of Trustees. It is recommended that the offer of K & J Safety and Security Consulting Services, Inc., Inc. be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer to modify this contract.
- 9.0 **ATTACHMENTS:** Attachment A - Approved Change Order Log.

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

