

RESOLUTION NO. 2006-158

AUTHORIZING AN INCREASE TO CONTRACT NO. 2003-028(B) WITH E.B. KATZ INCORPORATED FOR PROJECT 17C - TRISKETT BUS GARAGE RECONSTRUCTION/PLUMBING TRADES IN THE AMOUNT OF \$34,642.00 (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Board of Trustees by Resolution No. 2003-083 authorized Contract No. 2003-028(B) in the amount of \$3,580,000.00 with E.B. Katz Incorporated located at 930 E. 70th Street, Cleveland, Ohio 44103 to provide services for Plumbing Trades for Project 17C, Triskett Bus Garage Reconstruction; and

WHEREAS, the General Manager/Secretary-Treasurer's approval of change orders for a total of \$245,743.00 has increased said contract price to \$3,825,743.00; and

WHEREAS, the Authority recognizes a need for additional plumbing services to provide piping and related work for storm water, compressed air, diesel fuel, and lubrication, for said Project; and

WHEREAS, E.B. Katz Incorporated has offered to provide these additional plumbing services at a negotiated price of \$34,642.00; and

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

WHEREAS, the General Manager/Secretary-Treasurer deems acceptance of the offer from E.B. Katz Incorporated, 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 E.B. Katz Incorporated to provide additional plumbing services be and the same is hereby accepted.

Section 2. That the General Manager/Secretary-Treasurer be and he hereby is authorized to amend Contract No. 2003-028(B) with E.B. Katz Incorporated to include additional plumbing services for Project 17C, Triskett Bus Garage Reconstruction.

Section 3. That said amendment shall be payable from the Development Fund, Engineering & Project Development Department budget, including but not limited to 100% Local Funds in the amount of thirty-four thousand six hundred forty-two & 00/100 dollars (\$34,642.00) for a total contract price of \$3,860,385.00.

Section 4. That all other terms and conditions of said contract shall remain unchanged.

Section 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects E.B. Katz Incorporated to exceed the 21% minimum DBE goal assigned to this contract.

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

Adopted: September 19, 2006

President

Attest: _____
CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: AUTHORIZING AN INCREASE TO CONTRACT NO. 2003-028(B) WITH E.B. KATZ INCORPORATED FOR PROJECT 17C-TRISKETT BUS GARAGE RECONSTRUCTION/PLUMBING TRADES IN THE AMOUNT OF \$34,642.00 (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)	Resolution No.: 2006-158
	Date: September 14, 2006
	Initiator: Engineering & 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: This action will allow the Authority to enter into a change order to contract 2003-028(B) with E.B. Katz Incorporated to provide additional Plumbing Trade services for the Triskett Bus Garage Reconstruction, Project 17C.
- 2.0 DESCRIPTION/JUSTIFICATION: The subject change order will cover the negotiated settlement for closing out the plumbing contract and covers additional work the contractor performed in an effort to complete the construction of the facility for the scheduled occupation by the Triskett District Operation. The proposed change order will provide piping and related work for storm water, compressed air, diesel fuel and lubrication. The Authority is currently reviewing the documentation to determine if a claim against the architect (Bowen & Associates) is warranted due to errors and omissions in connection with these work items. Negotiations included substantial credits for uninstalled cleanouts and lift pit drains included in the contract, but not required.
- 3.0 PROCUREMENT BACKGROUND: In June 2003, the Authority entered into a contract with E.B. Katz to provide Plumbing Trades for Project 17C, Reconstruction of the Triskett Bus Garage through the use of the competitive IFB process. During the course of construction, twenty-seven change orders totaling \$245,743.00 have been authorized under the General Manager/Secretary-Treasurer's delegated change order authority. The negotiated price will bring the total change order amount over the General Manager/Secretary Treasurer's delegated change order authority and will require Board approval.

A cost analysis has been performed and the Procurement Department has determined the change order price as negotiated to be fair and reasonable to the Authority.
- 4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: All Affirmative Action requirements were met at the time the original contract was approved in June 2003, when a 21.46% DBE goal was established for the procurement (Reso. # 2003-028B) utilizing the following DBE firm(s):

DBE(s) Name/Address	DBE Category	Scope of Work	AMOUNT	PERCENT
Coleman-Spohn Corporation	African American	Plumbing Work	\$716,749.00	19.88%
Thermo-Tec Insulation	Caucasian Female	Plumbing Insulation	57,000.00	1.58%
Total DBE Participation			\$773,749.00	21.46%

The change order/contract modification will increase this contract amount to \$3,860,385 for the contract period.

- 5.0 POLICY IMPACT: Does not apply
- 6.0 ECONOMIC IMPACT: This change order shall be payable from the RTA Development Fund, Project Development & Engineering Department budget, including but not limited to 100% Local Funds in the amount of thirty-four thousand six hundred forty-two & 00/100 dollars (\$34,642.00) for a total contract price of \$3,860,385.00. The change order amount of \$34,642.00 is 37% higher than the Engineer's Estimate of \$25,188.00.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer will impact the project closeout.
- 8.0 RECOMMENDATION: This change order was reviewed by the Board of Trustees Planning and Development Committee at their September 5, 2006 meeting and recommended for approval to the Board of Trustees. It is recommended that the offer of E.B. Katz Incorporated be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer to modify the contract.
- 9.0 ATTACHMENTS: Approved Change Order Log.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement Requirements.

CEO, General Manager/Secretary-Treasurer

**APPROVED CHANGE ORDERS
PROJECT NO. 17C
TRISKETT GARAGE RECONSTRUCTION - PLUMBING TRADES CONTRACT**

Contract # 2003-028(B)
Original Contract Amount: \$3,580,000.00
% Change to Date from Original
Contract Amount: 7%

Contractor: E.B. Katz, Inc.
Total Change Order Amount
To Date: \$245,743.00 In Increases

Item No.	Note No.	Approval Date	Change Order Amount	Approval Authority	New Contract Amount
1.	1	3/04/04	NO COST	General Mgr.	\$3,580,000
2.	2	3/29/04	NO COST	General Mgr.	\$3,580,000
3.	3	6/16/04	\$20,458.00	General Mgr.	\$3,600,458
4.	4	7/24/04	\$14,703.00	General Mgr.	\$3,615,161
5(A).	5	9/09/04	\$10,248.00	General Mgr.	\$3,625,409
6.	6	9/03/04	\$3,508.00	General Mgr.	\$3,628,917
7.(B)	7	9/23/04	(\$15,750.00)	General Mgr.	\$3,613,167
8.	8	10/24/04	\$4,900.00	General Mgr.	\$3,618,067
9.	9	10/28/04	\$2,500.00	General Mgr.	\$3,620,567
10.	10	12/10/04	\$5,526.00	General Mgr.	\$3,626,093
11.	11	1/05/05	\$30,138.00	General Mgr.	\$3,656,231
12.	12	1/12/05	\$17,755.00	General Mgr.	\$3,673,986
13.	13	1/19/05	\$10,600.00	General Mgr.	\$3,684,586
14.	14	2/7/05	\$1,213.00	General Mgr.	\$3,685,799
15.	15	2/5/05	\$20,923.00	General Mgr.	\$3,706,722
16.	16	2/5/05	\$2,403.00	General Mgr.	\$3,709,125
17.	17	2/5/05	\$9,408.00	General Mgr.	\$3,718,533
18.	CCD	2/17/05	\$15,200.00	General Mgr.	\$3,733,733
19.	18	2/24/05	\$11,682.00	General Mgr.	\$3,745,415
20.	19	3/05/05	\$25,013.00	General Mgr.	\$3,770,428
21.	20	4/11/05	\$1,804.00	General Mgr.	\$3,772,232
22.	21	4/13/05	No Cost	General Mgr.	No Change
23.	22	4/12/05	\$18,734.00	General Mgr.	\$3,790,966
24.	23 (B)	4/12/05	\$17,163.00	General Mgr.	\$3,792,929
25.	24	5/13/05	\$3,652.00	General Mgr.	\$3,796,581
26.	CCD 2A	6/3/05	\$4,340.00	General Mgr.	\$3,800,921
27.	25	6/3/05	\$23,206.00	General Mgr.	\$3,824,127
28.	26	6/29/05	No Cost	General Mgr.	\$3,824,127
29.	27	7/19/05	\$1,616.00	General Mgr.	\$3,825,743

NOTES/CHANGE ORDER DESCRIPTION:

- Five-day time extension for delayed Notice to Proceed. No Cost.
- Documenting design changes due to HVAC Contractor requested substitution. All costs paid by T. H. Martin Co. No cost to the Plumbing Trades' contract
- RCO#P3.02-Grade Beam Penetration, Bulletin No. 1/PR#10401919

APPROVED CHANGE ORDER LOG
CONTRACT NO. 2003-028(B)
PLUMBING TRADES/TRISKETT BUS GARAGE

4. RCO#P3.12-Provide Overflow Drain Outlets for Roof Drain, Bulletin No. 13/PR#10402144
5. RCO#P3.03-Extra Heavy Lube Piping/Bulletin No. 5/PR#10402257
6. RCO#P3.15-Drain Bus Lift for Articulates/Bulletin No. 12/PR#10402258
7. RCO#P3.06-Copper Line Compression Fittings/Groove Fittings (Credit)
8. RCO#P3.18-Elevator Sump Pump/Bulletin No. 24 (To be funded through CO7B-Credit)
9. RCO#P3.16-Gas Piping for Relocated Meter/Bulletin No. 17. To be funded through savings on CO#7(B)/RCO#P3.06.
10. RCO#P3.14-Fleetwatch Revisions/Bulletin #20-Items II.4.5.6 and .7.
To be funded through CO#7(B)/RCO#P3.06
11. RCO#P3.52-Veeder Root Revisions, Bulletin No. 33. To be funded through PR#10402795.
12. RCO#P3.50-Reroute Bus Wash Piping/Bulletin No. 44. To be funded through PR#10500150.
13. RCO#P3.13-Fire Pump Suction Control. To be funded through PR#10402330.
14. RCO#P3.11-Added Fire Protection/Bulletin No. 19. To be funded through PR#10500321.
15. RCO#P3.17-Relocate Sprinkler Piping/Bulletin No. 35. To be funded through PR#10500316.
16. RCO#P3.54-Waste Oil Tank Installation. To be funded through PR#10500316.
17. RCO#P3.20-Reroute for CPP Duct Bank. To be funded through PR#10402261.
18. **CCD#1** for RCO#P3.53-Catch Basin Repairs, Phase II/PR#10403360
19. RCO#P3.53-Catch Basin Repairs, Phase I/PR#10500614 This is for CO#18 which has not been issued, pending approved funding.
20. RCO#P3.14-Fleetwatch Revisions, Phase II/PR#10500921
21. RCO#P3.60-Airlines Isolating Valves/Bulletin #60/PR#10501197
22. RCO#P3.59Time Extension II /No Cost
23. RCO#P3.58-Lube Piping Shut-Off/PRC#10501181
24. RCO#P3.53-Catch Basin Repairs Finalizes the CCD cost/PR#10403360
25. RCO#P3.61-Diesel Fuel Line, Phase I/PR#10501567
26. CCD #2A-RCO#P3.61-Diesel Fuel Piping/Phase III/PR#10501814
27. RCO#P3.61-Diesel Fuel Line, Phase II/PR#10501814
28. RCO#P3.62-Time Extension III-NO COST
29. RCO#P3.66-Relocate Panel for Booster Pump /PR#10502129