

RESOLUTION NO. 2006-205

AUTHORIZING CONTRACT NO. 2006-122 WITH PORTS PETROLEUM CO., INC. FOR THE FURNISHING OF ULTRA LOW SULFUR DIESEL FUEL, AS SPECIFIED AND AS REQUIRED, FOR A PERIOD OF ONE (1) YEAR AT A PROJECTED TOTAL CONTRACT AMOUNT OF \$11,296,800.00 (GENERAL FUND, FLEET MANAGEMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority requires ultra low sulfur diesel fuel (ULSDF) for the operation of its revenue and non-revenue vehicles; and

WHEREAS, the Authority's ULSDF requirements were included in a consortium solicitation released by Metro Regional Transit Authority (Akron Metro), which included Stark Area Regional Transit Authority (SARTA), Western Reserve Transit Authority (WRTA), Portage Regional Transit Authority (PARTA), Laketran and Mentor Public Schools for ULSDF; and

WHEREAS, the bid of Ports Petroleum Co., Inc. with an office at 1337 Bachleyville Road, Wooster, OH 44691 for the furnishing of ULSDF, as specified and as required, for a period of one (1) year was received on October 23, 2006 at a firm fixed price of \$2.092 per gallon for a projected total contract amount of \$11,296,800.00; and

WHEREAS, the General Manager/Secretary-Treasurer deems the bid of Ports Petroleum Co. 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 bid of Ports Petroleum Co. Inc. for the furnishing of ultra low sulfur diesel fuel (ULSDF) for a period of one (1) year be and the same is hereby accepted as a responsive bid from a responsible bidder.

Section 2. That the General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to enter into a contract with Ports Petroleum Co. Inc., for the furnishing of ULSDF, as specified and as required, for a period of one (1) year commencing January 1, 2007.

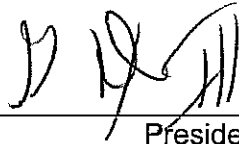
Section 3. That said contract shall be payable from the General Fund, Fleet Management Department budget, for a projected total contract amount of eleven million two hundred ninety-six thousand eight hundred & 00/100 dollars (\$11,296,800.00). This is contingent upon Board of Trustee's approval of the 2007 Operating Budget.

Section 4. That said contract shall be binding upon and an obligation of the Authority, contingent upon availability of future funds; compliance by the contractor to the Specifications and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2006-077; 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 Ports Petroleum Co. Inc. will attempt to exceed the 0% minimum DBE goal assigned to this procurement.

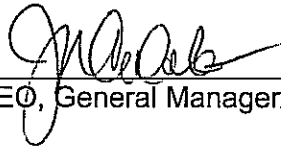
Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: November 21, 2006



\_\_\_\_\_  
President

Attest:



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



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

TITLE/DESCRIPTION: AUTHORIZING CONTRACT NO. 2006-122 WITH PORTS PETROLEUM CO. INC., FOR THE FURNISHING OF ULTRA LOW SULFUR DIESEL FUEL, AS SPECIFIED AND AS REQUIRED, FOR A PERIOD OF ONE (1) YEAR AT A PROJECTED TOTAL CONTRACT AMOUNT OF \$11,296,800.00 (GENERAL FUND, FLEET MANAGEMENT DEPARTMENT BUDGET)	Resolution No.: 2006-205
	Date: November 16, 2006
	Initiator: Fleet Management Department

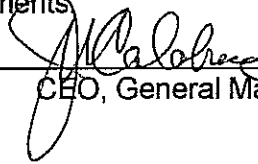
**ACTION REQUEST:**  
 Approval     Review/Comment     Information Only     Other \_\_\_\_\_

- 1.0 **PURPOSE/SCOPE:** This action will allow the Authority to enter into a requirements contract with Ports Petroleum Co. Inc., for the furnishing of ultra low sulfur diesel fuel (ULSDF), as specified and as required, for a period of one (1) year.
- 2.0 **DESCRIPTION/JUSTIFICATION:** ULSDF is required for the operation of the authority's revenue and non-revenue vehicles.
- 3.0 **PROCUREMENT BACKGROUND:** The authority's fuel requirement was part of a consortium bid released by Akron Metro. Other participants were SARTA, WRTA, PARTA and Laketran. Bids were opened on October 23, 2006. Two bids were received in response to the solicitation.
- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** The Office of Business Development does not conduct Affirmative Action reviews or establish DBE goals on procurements that represent GCRTA's participation in a purchasing consortium or collaborative purchasing effort, where the procurement solicitation is issued by another transit authority or agency.
- 5.0 **POLICY IMPACT:** Does not apply.
- 6.0 **ECONOMIC IMPACT:** This procurement will be funded through the General Fund, Fleet Management Department budget, for a projected total contract amount of eleven million two hundred ninety-six thousand eight hundred & 00/100 dollars (\$11,296,800.00) for a period of one (1) year commencing January 1, 2007. This is contingent upon Board of Trustee's approval of the 2007 Operating Budget. The firm fixed ULSDF price is 19% below the base budget amount for 2007.
- 7.0 **ALTERNATIVES:** Reject all bids. Rejection of this bid would significantly impact the Authority's ability to provide diesel fueling for the Authority's revenue and non-revenue vehicles causing potential disruptions in service.
- 8.0 **RECOMMENDATION:** This contract was reviewed by the Operations Committee at their November 14, 2006 meeting and recommended for approval by the Board of Trustees. It is recommended that the offer of Ports Petroleum Co., Inc. be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer to enter into a contract.

Staff Summary & Comments

9.0 ATTACHMENTS: None.

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

A handwritten signature in black ink, appearing to read "J. Palacios", is written over a horizontal line.

CEO, General Manager/Secretary-Treasurer