

RESOLUTION NO. 2006-226

AUTHORIZING AN INCREASE TO THE GENERAL MANAGER'S CHANGE ORDER AUTHORITY ON CONTRACT NO. 2005-145 ECTP – REHABILITATION OF EUCLID AVENUE FROM THE INNERBELT BRIDGE TO EAST 79TH STREET, WITH TERRACE CONSTRUCTION COMPANY, INC. FOR PROJECT 38-C03 (RTA DEVELOPMENT FUND, EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET)

WHEREAS, the Board of Trustees by Resolution No. 2006-014 authorized Contract No. 2005-145 in the amount of \$22,657,559.19 with Terrace Construction Company, Inc., 3965 Pearl Road, Cleveland, Ohio 44125 to construct Euclid Corridor Project 38-C03; and

WHEREAS, the General Manager/Secretary-Treasurer's approval of seventeen (17) change orders for a total of \$464,680.65 has increased said contract price to \$23,122,239.84; and

WHEREAS, the Authority recognizes the potential for additional change orders as Contract No. 2005-145 progresses; and

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

WHEREAS, the General Manager/Secretary-Treasurer deems the increase of General Manager change order authority 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 General Manager/Secretary-Treasurer change order authority be increased by an additional five hundred thousand & 00/100 dollars (\$500,000.00) to cover the cost of future potential change orders.

Section 2. That the General Manager/Secretary-Treasurer be and he is hereby authorized to amend Contract No. 2005-145 with Terrace Construction Company, Incorporated, as needed and required to cover the cost of future potential change orders.

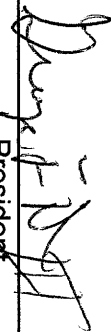
Section 3. That said amendment shall be payable from the RTA Development Fund, Euclid Corridor Transportation Project Department budget, including but not limited to 100% Local Funds and Grant Funds on an as needed basis in an amount that will not cause the total contract value to exceed twenty-three million six hundred fifty-seven thousand five hundred fifty-nine & 19/100 dollars (\$23,657,559.19).

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 Terrace Construction Company, Inc. to exceed the 20% minimum DBE goal assigned to this contract.

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

Adopted: December 19, 2006



President

Attest:



CEO, General Manager-Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

| | |
|--|-----------------|
| TITLE/DESCRIPTION: AUTHORIZING AN INCREASE TO THE GENERAL MANAGER'S CHANGE ORDER AUTHORITY ON CONTRACT NO. 2005-145 ECTP - REHABILITATION OF EUCLID AVENUE FROM THE INNERBELT BRIDGE TO EAST 79 TH STREET, WITH TERRACE CONSTRUCTION COMPANY, INC. FOR PROJECT 38-C03 (RTA DEVELOPMENT FUND, EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET) | Resolution No.: |
| | Date: |
| | Initiator: |

2006-226
December 14, 2006
Euclid Corridor
Transportation Project

ACTION REQUEST:

- Approval
 Review/Comment
 Information Only
 Other _____

- 1.0 **PURPOSE/SCOPE:** This action will allow the Authority to increase the General Manager/Secretary-Treasurer change order authority on Contract No. 2005-145 with Terrace Construction Company, Inc. to provide additional Construction services for the Euclid Corridor, Project 38-C03.
- 2.0 **DESCRIPTION/JUSTIFICATION:** This resolution will increase the General Manager/Secretary-Treasurer total change order authority on Contract No. 2005-145 to an amount not to exceed \$1,000,000.00. At present the General Manager/Secretary-Treasurer has utilized \$464,680.65 of change order authority from the initial authorized amount of \$500,000.00. The project is approximately 35% completed and this action will allow for future changes to be handled in an efficient and effective manner. All individual change orders that exceed \$50,000.00 shall require approval by the change order committee.
- 3.0 **PROCUREMENT BACKGROUND:** In January 2006, the Authority awarded a contract to Terrace Construction Company, Inc. to construct Euclid Avenue from the Innerbelt Bridge to East 79th Street in the amount of \$22,657,559.19 through the use of the competitive IFB process. During the course of construction, seventeen (17) change orders totaling \$464,680.65 have been authorized under the General Manager/Secretary-Treasurer's delegated change order authority. The initial authorized amount of the General Manager change order authority for a contract of this value is \$500,000.00
- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 20% DBE goal was established for this procurement in June 2006 when the contract was awarded to Terrace Construction Co., which the company agreed to meet using several identified certified DBE firms. Terrace understands its continuing contractual obligation to meet the agreed level of DBE participation, and that contract change orders affect the DBE amount.
- 5.0 **POLICY IMPACT:** Does not apply.
- 6.0 **ECONOMIC IMPACT:** This change order shall be payable from the RTA Development Fund, Engineering and Project Development Department budget, including but not limited to 100% Local Funds and/or Grant Funding as appropriate and in accordance with the Authority's guidelines and budgets authorization.

7.0 ALTERNATIVES: Reject this offer. Rejection of this offer will impact construction of contract No. 2005-145 and could cause delay claims to be forthcoming.

8.0 RECOMMENDATION: This authorization to increase the General Manager/Secretary-Treasurer change order authority was reviewed by the Board of Trustees Planning and Development Committee at their December 5, 2006 meeting and recommended for approval by the Board of Trustees. It is recommended that this change order 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. 38-C03
(ECTP-Euclid Avenue-Innerbelt to E.79th Street)

Contract # 2005-145

Contractor: Terrace Construction Company

Original Contract Amount \$22,657,559.19

Total G.M. C.O. Authority remaining **\$108,876.41**

Total Change Order Amount To Date \$464,680.65

| ITEM NO. | NOTE No. | APPROVAL DATE | CHANGE ORDER AMOUNT | APPROVAL AUTHORITY | NEW CONTRACT AMOUNT |
|----------|----------|---------------|---------------------|--------------------|---------------------|
| 1 | | 05/31/06 | \$850.31 | \$499,149.69 | \$22,658,409.50 |
| 2 | | 06/02/06 | \$14,649.50 | \$484,500.19 | \$22,673,059.00 |
| 3 | | 06/15/06 | -\$3,973.75 | \$488,473.94 | \$22,669,085.25 |
| 4 | | 06-23-06 | \$19,313.00 | \$469,160.94 | \$22,688,398.25 |
| 5 | | 07-05-06 | \$5,355.50 | \$463,805.44 | \$22,693,753.75 |
| 15* | 5 | 12-07-06 | \$37,362.50 | \$500,000.00 | \$22,731,116.25 |
| 6 | | 08-22-06 | \$0 | \$500,000.00 | \$22,731,116.25 |
| 7 | | 08-23-06 | \$0 | \$500,000.00 | \$22,731,116.25 |
| 8 | | 09-12-06 | \$22,060.00 | \$477,940.00 | \$22,753,176.25 |
| 9 | | 09-19-06 | \$98,223.09 | \$379,716.91 | \$22,851,399.34 |
| 10 | 0 | 10-05-06 | \$47,276.00 | \$332,440.91 | \$22,898,675.34 |
| 11 | 1 | 10-11-06 | \$9,551.84 | \$322,889.07 | \$22,908,227.18 |
| 12 | 2 | 10-16-06 | \$102,000.00 | \$220,889.07 | \$23,010,227.18 |
| 13 | 3 | 10-28-06 | \$11,917.35 | \$208,971.72 | \$23,022,144.53 |
| 14 | 4 | 11-28-06 | \$88,227.00 | \$120,744.72 | \$23,110,371.53 |
| 16 | 6 | 12-02-06 | \$10,145.45 | \$110,599.27 | \$23,120,516.98 |
| 17 | 7 | 12-02-06 | \$1,722.86 | \$108,876.41 | \$23,122,239.84 |

NOTES/CHANGE ORDER DESCRIPTION:

- 001) PCO#4 (Flag Pole removal)
- 002) PCO #8 (Additional 2" conduit), and PCO#9 (Credit-Main Line Tap)
- 003) PCO #6 (manholes D18 &D19) , 10 (Credit-Anchor Bolts), 12 (Bicycle Grates), and 14 (Traffic Compaction Surface)
- 004) PCO#15 (CPP Duct Bank)
- 005) PCO#16 (additional conduit) and PCO#18 (installation of catch basin)
- 006) PCO #31 and #32 No Cost- Funding Change
- 007) PCO# 33 No Cost – minor modifications at Masonic Temple Driveway
- 008) PCO#5 Insurance, PCO#34 Smooth Wall Sleeves
- 009) PCO#39 Adjustment in quantities
- 010) Innerbelt Bridge work
- 011) PCO#2- adjustment of shelter floors, PCO#20- catch basin modification, PCO#30-bolt templates, PCO#35-additional conduit,

Terrace Change Orders

Page 2

012) PCO #17- Rail Removal

013) PCO#43 Water Meter Vault South Side 3614-3618 Euclid Ave.

014) PCO#22PVC to Ductile Iron

015) *PCO#7 County Fiber Optic Conduit (To Be paid by County, not an RTA required CO. Adjustment to reflect additional authority given to CEO by #15, resolution 2006-148, on 08/15/06. CO 15 executed on 12/08/06

016) PCO# 28 Removal of Adesta concrete

017) PCO#29 Re-installation of construction baskets, caused by CPP