

RESOLUTION NO. 2007-19

AUTHORIZING AN INCREASE TO CONTRACT NO. 2006-010 WITH PERK COMPANY FOR CONSTRUCTION SERVICES ON PROJECT 38-C02 FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT, EAST ROADWAY TO INNERBELT, PUBLIC SQUARE AND EAST 17<sup>TH</sup> STREET EXTENSION IN AN AMOUNT NOT TO EXCEED \$561,309.64 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$23,994,163.03 (RTA DEVELOPMENT FUND, EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET)

WHEREAS, the Authority requires the services of a construction company for construction for the Euclid Corridor Transportation Project, Project 38-C02; and

WHEREAS, by Resolution No. 2006-05, the Board of Trustees authorized Contract No. 2006-010 in the amount of twenty-two million eight hundred ninety-two thousand four hundred ninety & 29/100 dollars (\$22,892,490.29) with Perk Company located at 8100 Grand Avenue, Cleveland, Ohio 44104 for the furnishing of said Construction Services; and

WHEREAS, the General Manager/Secretary-Treasurer has issued twenty-four (24) change orders in the net amount of five hundred forty thousand three hundred sixty-three & 10/100 dollars (\$540,363.10) based upon his change order authority granted in the Authority's Procurement Policies and Procedures; and

WHEREAS, project delays due to utility and vault construction have caused the construction work to be delayed; and

WHEREAS, the remaining construction activities need to be accelerated in order for Project 38-C02 to be finished on schedule; and

WHEREAS, Perk Company has offered to provide these revised construction services at a negotiated amount not to exceed five hundred sixty-one thousand three hundred nine & 64/100 dollars (\$561,309.64); 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 Perk Company, 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 Perk Company to provide additional construction services is hereby accepted as being in the best interest of the Authority.

Section 2. That the General Manager/Secretary-Treasurer be and he is hereby authorized to amend Contract No. 2006-010 with Perk Company to include the revised construction services.


Section 3. 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-90-X530-03 in an amount not to exceed \$370,464.37 and ODOT Grant A0018520062 in an amount not to exceed \$190,845.27, for a total amount of 561,309.64 (\$370,464.37 in Federal Funds which represents 66% of the total cost). The negotiated change order amount is 6% higher than the independent cost estimate. This amendment is contingent upon FTA approval of a budget revision for this change order.

Section 4. That the General Manager/Secretary-Treasurer change order authority be reinstated to its entirety.

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: January 16, 2007

  
\_\_\_\_\_  
President

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



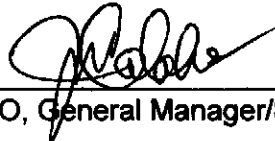
Greater Cleveland Regional Transit Authority  
**STAFF SUMMARY AND COMMENTS**

<b>TITLE/DESCRIPTION:</b> AUTHORIZING AN INCREASE TO CONTRACT NO. 2006-010 WITH PERK COMPANY FOR CONSTRUCTION SERVICES ON PROJECT 38-C02 FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT, EAST ROADWAY TO INNERBELT, PUBLIC SQUARE AND EAST 17 <sup>TH</sup> STREET EXTENSION IN AN AMOUNT NOT TO EXCEED \$561,309.64 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$23,994,163.03 (RTA DEVELOPMENT FUND, EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET)	<b>Resolution No.:</b> 2007-19
	<b>Date:</b> January 11, 2007
	<b>Initiator:</b> Euclid Corridor Transportation Project Department
<b>ACTION REQUEST:</b> <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. 2006-010 with Perk Company to compensate for delays and to accelerate the work effort.
- 2.0 **DESCRIPTION/JUSTIFICATION:** The Euclid Corridor Transportation Project (ECTP), Project 38-C02 has been delayed due to utility and vault construction. The change order compensates for the delays. Also additional work effort is required to complete the project in a timely manner. Accelerated work effort will be required. It should be noted that the additional services for the accelerated work are based on estimates and Perk Company will be paid only for services performed.
- 3.0 **PROCUREMENT BACKGROUND:** In March 2006, the Board of Trustees by Resolution No. 2006-053 authorized a contract with Perk Company to perform construction services for the Euclid Corridor Transportation Project, South Roadway to the Innerbelt, Public Square and E. 17<sup>th</sup> Street extensions. Furthermore, project delays required that the Authority expedite Perk Company's construction service. 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 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 20% DBE goal was established for this procurement in March 2006 (Resolution No. 2006-053) when the contract was awarded to Perk.
- 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-90-X530-03, Line Item 13.23.01, in an amount not to exceed \$370,464.37 and ODOT Grant A0018520062, Line Item 12.23.01, in an amount not to exceed \$190,845.27, for a total cost of \$561,309.64 (\$370,464.37 in Federal Funds which represents 66% of the total cost). The negotiated change order amount is 6% higher than the independent cost estimate. This amendment is contingent upon FTA approval of a budget revision for this change order.

- 7.0 ALTERNATIVES: Reject this offer. Rejection of this amendment will negatively impact the ability of the Authority to complete the ECTP construction.
- 8.0 RECOMMENDATION: This change order was reviewed by the Planning and Development Committee at their January 9, 2007 meeting. It is recommended that the offer of Perk Construction Company be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer to modify this 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.



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CEO, General Manager/Secretary-Treasurer

## APPROVED CHANGE ORDERS

### PROJECT NO. 38-C-02 ( ECTP Downtown Roadway)

Contract #2006.010

Contractor: Perk Company

Original Contract Amount \$22,892,490.29 Total G.M. C.O. Authority remaining **\$236,616.85**

Total Change Order Amount To Date \$ 540,363.10 (Net Changes \$263,383.15)

<i>ITEM NO.</i>	<i>NOTE</i>	<i>APPROVAL DATE</i>	<i>CHANGE ORDER</i>	<i>APPROVAL AUTHORITY</i>	<i>NEW CONTRACT AMOUNT</i>
1	1	05-30-06	\$16,315.00	\$483,685.00	\$22,908,805.2
2	2	07-07-06	\$0	\$483,685.00	\$22,908,805.2
3	3	07-07-06	\$20,597.00	\$463,088.00	\$22,929,402.2
4	4	07-17-06	\$13,560.00	\$449,528.00	\$22,942,962.2
5	5	07-31-06	\$5,181.82	\$444,346.18	\$22,948,144.1
6	6	08-01-06	\$21,195.03	\$423,151.15	\$22,969,339.1
7	7	08-21-06	\$0	\$423,151.15	\$22,969,339.1
8	8	08-22-06	\$0	\$423,151.15	\$22,969,339.1
9	9	08-30-06	-\$1,583.90	\$424,735.05	\$22,967,755.2
10	10	09-07-06	\$49,999.00	\$374,736.05	\$23,017,754.2
11	11	09-14-06	\$8,958.97	\$365,777.08	\$23,026,713.2
12	12	09-22-06	\$10,499.38	\$355,277.70	\$23,037,212.5
13	13	09-29-06	\$49,408.74	\$305,868.96	\$23,086,621.3
14	14	10-05-06	-\$59,003.35	\$364,872.31	\$23,027,617.9
15	15	10-24-06	\$33,549.40	\$331,322.91	\$23,061,167.3
16	16	10-25-06	\$65,086.19	\$266,236.72	\$23,126,253.5
17	17	10-25-06	\$5,774.92	\$260,461.80	\$23,132,028.4
18	18	10-27-06	\$1,569.00	\$258,892.80	\$23,133,597.4
19	19	10-28-06	\$10,500.00	\$248,392.80	\$23,144,097.4
20	20	11-09-06	\$201,715.00	\$323,657.75	\$23,345,812.4
21	21	11-13-06	\$21,171.20	\$302,486.55	\$23,366,983.6
22	22	12-03-06	\$2,594.79	\$299,891.76	\$23,369,578.4
23	23	01-03-07	\$49,150.00	\$250,741.76	\$23,418,728.4
24	24	01-05-07	\$14,124.91	\$236,616.85	\$23,432,853.3

**NOTES/CHANGE ORDER DESCRIPTION:**

- #1 Abandoned Water Valves.**
- #2 Establishment of Ductile Iron Pipe price**
- #3 100' of 12" ductile pipe installed and 100' of 12" vitrified clay pipe removed**
- #4 Additional Pavement Removal (Bid Item 139)**
- #5 PCO#13 MOT Public Square, PCO#14 MOT adjusted for vault work, PCO#15 Catch Basin Adjustment, PCO#16 Fire Hydrant relocation and Gas Line removal, PCO#17 Catch Basin relocation, and PCO#18 Catch Basin modification.**
- #6 PCO#25 for knock-out manhole adaptors, PCO#35 for removal of 681 lf of hand excavation.**
- #7 PCO#44 No Cost- 15" Bolt Pattern**
- #8 PCO#58 and #59- No Cost funding change**
- #9 PCO# 26 for pipe removal, #37 sign removal, #57 for additional 2" conduit, 60 for a credit for non-performance of granite curb removal.**
- #10 PCO#62 Acceleration Cost**
- #11 PCO#22 for relocation of conduit, PCO#23 relocation of storm conduit, PCO#24 relocation of Fire hydrant**
- #12 PCO#9 – 15 inch conduit, PCO#10 – Removal of existing footers, PCO#12 – modify catch basin**
- #13 PCO#32 split style conduit, PCO#36 built in place CPP manhole, PCO#63 built in place manhole, PCO#75 adjustment of quantities, PCO#76 built in place CPP manhole.**
- #14 PCO #83 Removal of Tree Pit on Public Square and replaced with brick pavers (Deductive Change)**
- #15 PCO#79 Quantity Adjustment-Duct bank**
- #16 PCO#93 Quantity adjustments-Ductbank**
- #17 PCO#73 Quantity increase in ductile Iron Pipe**
- #18 PCO#54 Drainage, PCO#65 Driveway Adjustments**
- #19 PCO#74 Flowable Fill**
- #20 This is for PCOs 7 & 8 which are for the Cuyahoga County fiber optic conduit authorized in Resolution 2006-148. This re-authorized the General Manager's signing authority for change orders. Adjustments have been made to reflect all change orders signed since August 15, 2006**
- #21 PCO#s 27,28,29,30,33,34,38,39,72 are small T&M changes**
- #22 PCO#40,#46,#47**
- #23 PCO#127, Quantity Adjustments**
- #24 PCO #48 (11" curbs), PCO#49 (Corlett vault), PCO#64 (Corlett pole layout), PCO#78 (Ornamental fence)**