

RESOLUTION NO. 2007-22

**AUTHORIZING CONTRACT NO. 2006-128 WITH NOVACARE REHABILITATION OF OHIO, INC. TO PROVIDE PARATRANSIT ELIGIBILITY/FUNCTIONAL TESTING SERVICES TO THE AUTHORITY FOR A PERIOD OF THREE YEARS WITH TWO ONE-YEAR OPTIONS IN AN AMOUNT NOT TO EXCEED \$950,000.00 FOR THE BASE THREE YEARS AND IN AN AMOUNT NOT TO EXCEED \$125,000.00 FOR EACH OPTION YEAR FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,200,000.00 (GENERAL FUND, MARKETING & COMMUNICATIONS DEPARTMENT BUDGET)**

WHEREAS, the Greater Cleveland Regional Transit Authority has determined the need to develop an eligibility determination process for customers who want to utilize paratransit services; and

WHEREAS, the offer of NovaCare Rehabilitation of Ohio, Inc. located at 23825 Commerce Park Drive, Suite B, Beachwood, Ohio 44122 to provide this service for a period of three years with two one-year options, was received on November 20, 2006; and

WHEREAS, NovaCare Rehabilitation of Ohio, Inc. has offered to provide these services in an amount not to exceed \$950,000.00 for the base three years and in an amount not to exceed \$125,000.00 for each option year, for a total negotiated contract amount not to exceed \$1,200,000.00; and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer of NovaCare Rehabilitation of Ohio, Inc., as negotiated, to be the most advantageous to the Authority, cost and other factors considered, 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 offer of NovaCare Rehabilitation of Ohio, Inc., as modified by negotiations, to provide paratransit eligibility/functional testing services for a period of three years, with two one-year options, be and the same 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 enter into a contract with NovaCare Rehabilitation of Ohio, Inc. to provide paratransit eligibility/functional testing services for a term of three years, with the authority to exercise two one-year options.


Section 3. That said contract shall be payable out of the General Fund, Marketing & Communications Department budget in an amount not to exceed nine hundred fifty thousand & 00/100 dollars (\$950,000.00) for the base three years with the Authority retaining two, one-year options in an amount not to exceed one hundred twenty-five thousand & 00/100 dollars (\$125,000.00) for each option year for a total contract amount not to exceed one million two hundred thousand & 00/100 dollars (\$1,200,000.00).

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon future funding, compliance by the contractor to Specifications and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2006-77; bonding and insurance requirements and all applicable laws relating to the contractual obligation of the Authority.

Section 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that NovaCare Rehabilitation of Ohio, Inc. will attempt to exceed the 0% DBE goal assigned to this procurement.

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

Adopted: February 20, 2007

  
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President

Attest:   
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CEO, General Manager/Secretary-Treasurer



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

<b>TITLE/DESCRIPTION:</b> AUTHORIZING CONTRACT NO. 2006-128 WITH NOVACARE REHABILITATION OF OHIO, INC. TO PROVIDE PARATRANSIT ELIGIBILITY/FUNCTIONAL TESTING SERVICES TO THE AUTHORITY FOR A PERIOD OF THREE YEARS WITH TWO ONE-YEAR OPTIONS IN AN AMOUNT NOT TO EXCEED \$950,000.00 FOR THE BASE THREE YEARS AND IN AN AMOUNT NOT TO EXCEED \$125,000.00 FOR EACH OPTION YEAR FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,200,000.00 (GENERAL FUND, MARKETING & COMMUNICATIONS DEPARTMENT BUDGET)	<b>Resolution No.:</b> 2007-22
	<b>Date:</b> February 15, 2007
	<b>Initiator:</b> Marketing & Communications
<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 enter into a contract for paratransit eligibility/functional testing services.
  
- 2.0 **DESCRIPTION/JUSTIFICATION:** With the passage of the Americans with Disabilities Act in 1990, over 43 million Americans with disabilities were extended civil rights protection. Included in this legislation was a mandate to ensure persons with disabilities were provided equal access to the Nation's public transportation systems. Specifically, in the event an individual could not access a system's "fixed route" service due to a disability, structural barrier or environmental condition, it was mandated that complementary Paratransit service be provided. The legislation also included suggested guidelines for determining an individual's eligibility for this service. Initially, RTA was very liberal in it's eligibility determinations. However due to rising demand and the increasing cost of service, RTA adopted a more thorough eligibility determination process. Modeled on best practices from transit systems across the country, RTA developed an eligibility determination process that includes a comprehensive application, professional verification, and when necessary, a physical and/or cognitive functional test. Due to the lack of in-house expertise in the area of physical assessments, and the estimated cost of building a site and recruiting a staff to complete this work, RTA sought proposals from prospective providers to perform these services.
  
- 3.0 **PROCUREMENT BACKGROUND:** The Request for Proposal was posted on the GCRTA website and advertised in the local newspapers on three separate occasions starting in the fall of 2004. In each case either zero responses were received or the proposers were not technically qualified to perform these services. Section 306.43 (H) (2) of the Ohio Revised Code states that competitive procedures are not required when the purchase consists of goods or services, or any combination thereof, and after reasonable inquiry the board or any officer or employee the board designates finds that only one source of supply is reasonably available. In the spring of 2006 members of the GCRTA began discussions with NovaCare Rehabilitation of Ohio, Inc. Subsequently, NovaCare submitted a proposal for these services. After review by a panel of Authority employees and based upon their experience, multiple assessment sites, flexible service hours and qualified employees, the Authority is seeking to award a procurement to NovaCare Rehabilitation of Ohio, Inc. for a period of three years with two one-year options for renewal. NovaCare Rehabilitation of Ohio, Inc. is a division of Select Medical, a national rehabilitation provider with approximately 500 centers nationally. Transportation clients include Southeastern Pennsylvania Transportation Authority (SEPTA), Valley Transit Authority and the Regional Transportation Commission of Southern Nevada (RTC). Other local clients include Progressive Insurance, Lincoln Electric and Department of VA Affairs.

A cost analysis has been performed and the Procurement Department has determined that the negotiated rates of services are fair, reasonable and advantageous to the Authority.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 0% DBE goal was established for this procurement due to the lack of certified DBE firms.
- 5.0 **POLICY IMPACT:** Does not apply.
- 6.0 **ECONOMIC IMPACT:** The contract will be funded through the General Fund, Marketing & Communications Department budget in an amount not to exceed nine hundred fifty thousand & 00/100 dollars (\$950,000.00) for the base three years and in an amount not to exceed one hundred twenty-five thousand & 00/100 dollars (\$125,000.00) for each of the two option years for a total contract amount not to exceed one million two hundred thousand & 00/100 dollars (\$1,200,000.00). This is within the budgeted amount for these services.
- 7.0 **ALTERNATIVES:** Reject this offer. Rejection of this offer will have a negative impact on the Authority's provision of paratransit service to customers with disabilities that truly need paratransit transport. Functional Testing is recommended by FTA, as well as, experts in the field to improve paratransit service. It will allow GCRTA to identify customers who need paratransit and those who can use regular bus and train services.
- 8.0 **RECOMMENDATION:** An overview of the Paratransit Eligibility/Functional Testing program was presented to the Operations Committee at their February 20, 2007 meeting. It is recommended that the offer of NovaCare Rehabilitation of Ohio, Inc., as negotiated, be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer to enter into a contract.
- 9.0 **ATTACHMENTS:** None.

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