

RESOLUTION NO. 2007-24

AUTHORIZING SOLE SOURCE CONTRACT NO. 2006-137 WITH ARINC, INC. TO PROVIDE MAINTENANCE AND SUPPORT OF THE CONSOLIDATED TRAIN DISPATCH SYSTEM FOR A PERIOD OF ONE YEAR AT A TOTAL COST OF \$196,871.00 (GENERAL FUND, RAIL DISTRICT DEPARTMENT BUDGET)

WHEREAS, the Authority has a need to continue maintenance and support services of its Consolidated Train Dispatch System (CTDS); and

WHEREAS, said maintenance and support are only available through ARINC, Inc. located at 4553 Glencoe Avenue, Suite 100, Marina del Rey, California 90292, the original licensor of this system; and

WHEREAS, ARINC, Inc. has offered to provide such services for a period of one year at a negotiated total price of one hundred ninety-six thousand eight hundred seventy-one & 00/100 dollars (\$196,871.00); and

WHEREAS, the Ohio Revised Code, Section 306.43H(3) provides that competitive bidding is not required when the expenditure is for a renewal or re-negotiation of a lease of license for telecommunications or electronic data processing equipment, service or systems, or for the maintenance thereof as supplied by the original source or its successors or assigns; and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer of ARINC, Inc., as negotiated, to provide maintenance and support services for the CTDS to be in the Authority's best interest and recommends the same to 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 ARINC, Inc., as negotiated, to provide maintenance and support services for the Authority's CTDS for a period of one year be and the same is hereby accepted.

Section 2. That the General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to enter into a contract with ARINC, Inc. to provide maintenance and support services for the CTDS for a period of one year.

Section 3. That said contract shall be payable out of the General Fund, Rail District Department budget at a total price of one hundred ninety-six thousand eight hundred seventy-one & 00/100 dollars (\$196,871.00) for a period of one year.

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon 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 ARINC, 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: February 20, 2007



President

Attest:



CEO, General Manager/Secretary-Treasurer



Title/Description: AUTHORIZING SOLE SOURCE CONTRACT NO. 2006-137 WITH ARINC, INC. TO PROVIDE MAINTENANCE AND SUPPORT OF THE CONSOLIDATED TRAIN DISPATCH SYSTEM FOR A PERIOD OF ONE YEAR AT A TOTAL COST OF \$196,871.00 (GENERAL FUND, RAIL DISTRICT DEPARTMENT BUDGET)	Resolution No.: 2007-24
	Date: February 15, 2007
	Initiator: Rail District Department
ACTION REQUEST: <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 renew a contract for software and hardware maintenance and support of the Consolidated Train Dispatch System (CTDS) for a period of one year.

- 2.0 **DESCRIPTION/JUSTIFICATION:** The CTDS is a combination of hardware and software that are critical to efficient and effective operations of the Authority's rail system. It must be able to function without significant delays for any reason. This software and hardware maintenance and support agreement ensures timely resolution of system problems. ARINC, Inc. provides site inspections and telephone support to assist the Authority personnel.

- 3.0 **PROCUREMENT BACKGROUND:** This sole source contract for maintenance and support services is exempted from competitive bidding as authorized by Section 306.43H(3) of the Ohio Revised Code. ARINC, Inc. developed the CTDS on a proprietary basis and is the only source for maintenance and support services. The CTDS was procured in 1994 to control and monitor the rapid transit signal system from a single facility. This facilitates emergency single tracking operations and requires a minimum of service interruptions for maintenance. Equipment requiring maintenance is modified annually due to both obsolescence and system expansions.

 The Information Systems Department reviewed the offer for adherence to the technical scope. A price analysis was performed and the Procurement Department has determined the negotiated price to be fair and reasonable 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 subcontracting opportunity.

- 5.0 **POLICY IMPACT:** Does not apply.

- 6.0 **ECONOMIC IMPACT:** This contract will be funded through the General Fund, Rail District Department budget at a total price of one hundred ninety-six thousand eight hundred seventy-one & 00/100 dollars (\$196,871.00) for a period of one year. This negotiated price is 5% below the budgeted amount for 2007 and equal to the amount paid in 2006.


Staff Summary & Comments

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- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would jeopardize the functionality of critical systems for operations.
- 8.0 RECOMMENDATION: It is recommended that the offer of ARINC, 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.



CEO, General Manager/Secretary-Treasurer