

RESOLUTION NO. 2007-30

AUTHORIZING AN INCREASE TO CONTRACT NO. 2007-012 WITH BURGESS & NIPLE TO PROVIDE ADDITIONAL ENVIRONMENTAL DOCUMENTATION REQUIRED BY ODOT FOR THE WESTLAKE PARK-N-RIDE LOT EXPANSION IN AN AMOUNT NOT TO EXCEED \$31,921.00 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$56,776.00 (RTA DEVELOPMENT FUND, PROGRAMMING AND PLANNING DEPARTMENT BUDGET)

WHEREAS, the Authority required an Ohio Department of Transportation (ODOT) pre-qualified environmental consultant to perform an environmental study for the expansion of the Westlake Park-n-Ride lot; and

WHEREAS, after negotiations, a small purchase contract was entered into with Burgess & Niple located at 1300 East Ninth Street, Cleveland, Ohio 44113 to perform this service in an amount not to exceed \$24,855.00; and

WHEREAS, additional environmental documentation services are required by ODOT for environmental approvals necessary to utilize their funds in said project. To complete the additional analysis and documentation it is necessary to increase the price of said contract in an amount not to exceed \$31,921.00 to fund this contract to comply with the additional Ohio Department of Transportation (ODOT) environmental documentation on the site that was not part of the scope of the original work; and

WHEREAS, the General Manager/Secretary-Treasurer deems it in the best interest of the Authority to obtain these additional services from Burgess & Niple; and

WHEREAS, said increase will exceed the General Manager/Secretary-Treasurer's small purchase authority.

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 Burgess & Niple to perform this additional scope of work, as negotiated, 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 amend Contract No. 2007-012 with Burgess & Niple to provide these additional services.

Section 3. That said amendment shall be payable from the RTA Development Fund, Programming and Planning Department budget including but not limited to 100% local funds in an amount not to exceed thirty-one thousand nine hundred twenty-one & 00/100 dollars (\$31,921.00) for a total contract amount not to exceed fifty-six thousand seven hundred seventy-six & 00/100 dollars (\$56,776.00).

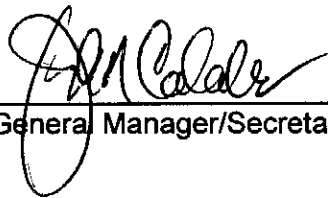
Section 4. That all other terms and conditions of said contract shall remain unchanged.

Section 5. That this resolution shall become effective immediately upon its adoption

Adopted: February 20, 2007



President

Attest: 

CEO, General Manager/Secretary-Treasurer



TITLE/DESCRIPTION: AUTHORIZING AN INCREASE TO CONTRACT NO. 2007-012 WITH BURGESS & NIPLE TO PROVIDE ADDITIONAL ENVIRONMENTAL DOCUMENTATION REQUIRED BY ODOT FOR THE WESTLAKE PARK-N-RIDE LOT EXPANSION IN AN AMOUNT NOT TO EXCEED \$31,921.00 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$56,776.00 (RTA DEVELOPMENT FUND, PROGRAMMING AND PLANNING DEPARTMENT BUDGET)	Resolution No.: 2007-30
	Date: February 15, 2007
	Initiator: Programming and Planning 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 enter into a change order with Burgess & Niple to provide additional environmental documentation required by ODOT for the Westlake Park-n-Ride lot expansion.

- 2.0 **DESCRIPTION/JUSTIFICATION:** At the time the initial small purchase contract was awarded, the Authority contracted for an environmental study to provide the documentation required to comply with the Federal requirements under the National Environmental Policy Act of 1969 (NEPA), as amended, for the expansion of the Westlake Park-n-Ride. This amendment is needed because ODOT requires additional environmental documentation on the site that was not part of the scope of work. It will include added information, testing, and documentation that had not been required originally.

- 3.0 **PROCUREMENT BACKGROUND:** As a result of a competitive solicitation, in October 2006, the Authority entered into a small purchase contract with Burgess & Niple to provide environmental documentation required by ODOT for the Westlake Park-n-Ride lot expansion in a negotiated amount not to exceed \$24,855.00. Subsequently, the Authority has been informed by ODOT that additional environmental documentation is required on the site. An estimated \$31,921.00 will be required to fund this additional work. Since the amount exceeds the small purchase limit, Board authorization is required.

A price analysis has been performed and the Procurement Department has determined the hourly rate to be fair and reasonable to the Authority.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** The Office of Business Development does not conduct Affirmative Action reviews or establish DBE participation goals on contracts that originate as small purchase (under \$25,000.00). However, Burgess & Niple have committed to utilizing DBE Firms.

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

- 6.0 **ECONOMIC IMPACT:** This change order will be funded from the RTA Development Fund, Programming and Planning Department budget including but not limited to 100% local funds in an amount not to exceed thirty-one thousand nine hundred twenty-one & 00/100 dollars (\$31,921.00) for a total contract amount not to exceed fifty-six thousand seven hundred seventy-six & 00/100 dollars (\$56,776.00). This is the budgeted amount for this increase.
- 7.0 **ALTERNATIVES:** Reject this bid. Rejection of this change order will not permit the Authority to proceed with the construction of the Westlake Park-n-Ride lot expansion project since ODOT approval is required.
- 8.0 **RECOMMENDATION:** It is recommended that the change order be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer to modify the 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