

RESOLUTION NO. 2007-62

AUTHORIZING CONTRACT NO. 2007-039 WITH FIRST ENERGY FOR PROJECT 11.70 – TRANSFER AUTOMATIC SWITCHGEAR FOR THE MAIN OFFICE BUILDING IN THE AMOUNT OF \$61,006.00 (RTA CAPITAL FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Authority deems it necessary to upgrade the emergency power system at the Main Office Building, as described under Project 11.70; and

WHEREAS, First Energy, a public utility, installed the original equipment and is the only vendor able to supply and install said upgrade; and

WHEREAS, the Ohio Revised Code Section 306.43 H(8) allows for award of a sole source contract when the purchase consists of a product or services of a public utility; and

WHEREAS, the offer of First Energy located at 6896 Miller Road, Suite 101, Brecksville, Ohio 44141 for said upgrade was received on February 7, 2007; and

WHEREAS, after negotiations, a total price of \$61,006.00 was agreed upon; and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer of First Energy, as negotiated, 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 offer of First Energy, as negotiated, for Project 11.70, Transfer Automatic Switchgear for the Main Office Building 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 sole source contract with First Energy for a Transfer Automatic Switchgear for the Main Office Building, Project 11.70.

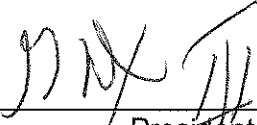
Section 3. That said contract shall be payable from the RTA Capital Fund, Engineering & Project Development Department budget in the amount of sixty-one thousand six & 00/100 dollars (\$61,006.00).

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon compliance by the contractor to the Specifications and Addenda, thereto, 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 obligations of the Authority.

Section 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that First Energy will exceed the 0% DBE goal assigned to this procurement.


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

Adopted: April 17, 2007



President

Attest:



CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: AUTHORIZING CONTRACT NO. 2007-039 WITH FIRST ENERGY FOR PROJECT 11.70 – TRANSFER AUTOMATIC SWITCHGEAR FOR THE MAIN OFFICE IN THE AMOUNT OF \$61,006.00 (RTA CAPITAL FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)	Resolution No.: 2007-62
	Date: April 12, 2007
	Initiator: Engineering & Project Development
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 PURPOSE: This action will allow the Authority to enter into a sole source contract for Project 11.70, Transfer Automatic Switchgear for the Main Office Building.
- 2.0 DESCRIPTION/JUSTIFICATION: This procurement will provide a state of the art Transfer Automatic Switchgear to replace the current manual transfer that requires three hours of First Energy workers time to restore power during a power outage. This wait impacts power to the Authority's communication and security critical mission equipment. After this upgrade, the automatic transfer will automatically turn on and avoid the loss of power to critical systems and eliminate the added expense to bring in utility workers to service the manual system.
- 3.0 PROCUREMENT BACKGROUND: This sole source purchase is exempt from competitive bidding as authorized by Section 306.43H(8) of the Ohio Revised Code which makes an allowance for a sole source contract with a public utility. First Energy is the original installer of the original equipment and is the only vendor authorized to supply, install and service this equipment. A cost analysis was conducted by the Procurement Department and the negotiated price is considered 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 procurement shall be payable from the RTA Capital Fund, Engineering & Project Development Department in the amount of sixty-one thousand six & 00/100 dollars (\$61,006.00). The negotiated price is 50.1% below the Independent Engineer's Estimate of \$122,368.00.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer will impact the delivery of services during a power outage and could affect the safety of customers and employees.
- 8.0 RECOMMENDATION: It is recommended that the offer of First Energy, 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