

RESOLUTION NO. 2007-71

AUTHORIZING AN INCREASE TO CONTRACT NO. 2005-145 WITH TERRACE CONSTRUCTION COMPANY FOR PROJECT 38-C03 FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT – REHABILITATION OF EUCLID AVENUE FROM THE INNERBELT BRIDGE TO EAST 79<sup>TH</sup> STREET IN AN AMOUNT NOT TO EXCEED \$82,830.17 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$23,734,116.32 (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-C03; and

WHEREAS, by Resolution No. 2006-014, the Board of Trustees authorized Contract No. 2005-145 in the amount of twenty-two million six hundred fifty-seven thousand five hundred fifty-nine & 19/100 dollars (\$22,657,559.19) with Terrace Construction Company located at 3965 Pearl Road, Cleveland, Ohio 44125 for the furnishing of said Construction Services; and

WHEREAS, the General Manager/Secretary-Treasurer has issued twenty-five (25) change orders in the net amount of nine hundred ninety-three thousand seven hundred twenty-six & 96/100 dollars (\$993,726.96) based upon his change order authority pursuant to the Authority's Procurement Policies for a total contract value of twenty-three million six hundred fifty-one thousand two hundred eighty-six & 15/100 dollars (\$23,651,286.15); and

WHEREAS, unforeseen condition have caused additional changes to the contract to be necessary; and

WHEREAS, Terrace Construction Company offered to provide these changes at a negotiated amount not to exceed eighty-two thousand three hundred thirty & 17/100 dollars (\$82,830.17); 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 Terrace Construction 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 Terrace Construction Company to provide additional changes 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. 2005-145 with Terrace Construction Company to include the additional changes.


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-03-0247-02, for an amount not to exceed \$82,830.17 (\$66,264.14 in Federal funds which represents 80% of the total cost) for a total contract amount not to exceed twenty-three million seven hundred thirty-four thousand one hundred sixteen & 32/100 dollars (\$23,734,116.32).

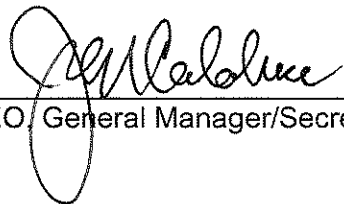
Section 4. That the General Manager/Secretary-Treasurer change order authority be reinstated to its entirety.

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: May 15, 2007

  
\_\_\_\_\_  
President

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



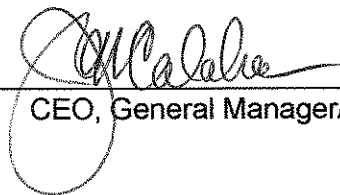
Greater Cleveland Regional Transit Authority  
**STAFF SUMMARY AND COMMENTS**

<b>TITLE/DESCRIPTION:</b> AUTHORIZING AN INCREASE TO CONTRACT NO. 2005-145 WITH TERRACE CONSTRUCTION COMPANY FOR PROJECT 38-C03 FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT – REHABILITATION OF EUCLID AVENUE FROM THE INNERBELT BRIDGE TO EAST 79 <sup>TH</sup> STREET IN AN AMOUNT NOT TO EXCEED \$82,830.17 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$23,734,116.32 (RTA DEVELOPMENT FUND, EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET.	<b>Resolution No.:</b> 2007-71
	<b>Date:</b> May 10, 2007
	<b>Initiator:</b> Euclid Corridor Transportation Project
<b>ACTION REQUEST:</b> <input 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. 2005-145 with Terrace Construction Company to adjust the work effort to accommodate unanticipated changes.
  
- 2.0 **DESCRIPTION/JUSTIFICATION:** The Euclid Corridor Transportation Project (ECTP), Project 38-C03 encountered changes that need to be authorized, that additional work effort is required to complete the project in a timely manner. Increased work effort will be required. The Authority and Terrace Construction negotiated 14 potential changes to a negotiated amount of \$82,830.17.
  
- 3.0 **PROCUREMENT BACKGROUND:** In January 2006, the Board of Trustees by Resolution No. 2006-014 authorized a contract with Terrace Construction Company to perform construction services for the Euclid Corridor Transportation Project, Innerbelt Bridge to East 79<sup>th</sup> Street. Unanticipated changes have required additional work to be performed by Terrace Construction Company. This negotiated increase required Board authorization, as it will exceed the General Manager/Secretary-Treasurer's change order authority.  
  
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 January 2006 when the contract was awarded to Terrace Construction Company. The company has agreed to meet the additional DBE goal through utilization of its current DBE subcontractors.
  
- 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-03-0247-02, Line Item 13.23.01, in an amount not to exceed \$82,830.17 (\$66,264.14 in Federal funds which represents 80% of the total cost) for a total contract amount not to exceed twenty-three million seven hundred thirty-four thousand one hundred sixteen & 32/100 dollars (\$23,734,116.32).
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer will impact construction of Contract No. 2005-145 and could cause delay claims to be forthcoming.
- 8.0 RECOMMENDATION: This action was discussed with the Planning and Development Committee at the May 1, 2007 meeting. It is recommended that his change order be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer to modify the contract.
- 9.0 ATTACHMENTS: Attachment A – Change Order Log and Attachment B – List of Negotiated changes.

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

## Attachment A PROJECT NO. 38-C03

(ECTP-Euclid Avenue-Innerbelt to E.79<sup>th</sup> Street)

Contract # 2005-145

Contractor: Terrace Construction Company

Original Contract Amount \$22,657,559.19

Total G.M. C.O. Authority remaining \$6,273.04

Total Change Order Amount To Date \$993,726.96

<i>ITEM NO.</i>	<i>NOTE No.</i>	<i>APPROVAL DATE</i>	<i>CHANGE ORDER AMOUNT</i>	<i>APPROVAL AUTHORITY</i>	<i>NEW CONTRACT AMOUNT</i>
1	1	5/31/06	\$850.31	\$499,149.69	\$22,658,409.50
2	2	6/2/06	\$14,649.50	\$484,500.19	\$22,673,059.00
3	3	6/15/06	-\$3,973.75	\$488,473.94	\$22,669,085.25
4	4	06-23-06	\$19,313.00	\$469,160.94	\$22,688,398.25
5	5	07-05-06	\$5,355.50	\$463,805.44	\$22,693,753.75
15*	15	12-07-06	\$37,362.50	\$500,000.00	\$22,731,116.25
6	6	08-22-06	\$0	\$500,000.00	\$22,731,116.25
7	7	08-23-06	\$0	\$500,000.00	\$22,731,116.25
8	8	09-12-06	\$22,060.00	\$477,940.00	\$22,753,176.25
9	9	09-19-06	\$98,223.09	\$379,716.91	\$22,851,399.34
10	10	10-05-06	\$47,276.00	\$332,440.91	\$22,898,675.34
11	11	10-11-06	\$9,551.84	\$322,889.07	\$22,908,227.18
12	12	10-16-06	\$102,000.00	\$220,889.07	\$23,010,227.18
13	13	10-28-06	\$11,917.35	\$208,971.72	\$23,022,144.53
14	14	11-28-06	\$88,227.00	\$120,744.72	\$23,110,371.53
16	16	12-02-06	\$10,145.45	\$110,599.27	\$23,120,516.98
17	17	12-02-06	\$1,722.86	\$108,876.41	\$23,122,239.84
18	18	01-19-07	\$90,000.00	\$445,319.35	\$23,212,239.84
19	19	01-23-07	\$41,748.00	\$403,571.35	\$23,253,987.84
20	20	01-23-07	\$32,022.86	\$371,548.49	\$23,286,010.70
21	21	02-08-07	\$14,771.98	\$356,776.51	\$23,300,782.68
22	22	03-08-07	\$186,888.00	\$169,888.51	\$23,487,670.68
23	23	03-08-07	\$93,182.50	\$76,706.01	\$23,580,853.18
24	24	03-23-07	\$49,628.04	\$27,077.97	\$23,630,481.22
25	25	04-18-07	\$20,804.93	\$6,273.04	\$23,651,286.15

**NOTES/CHANGE ORDER DESCRIPTION:**

#001PCO#4 (Flag Pole removal)

#002) PCO #8 (Additional 2" conduit), and PCO#9 (Credit-Main Line Tap)

#003) PCO #6 (manholes D18 &D19) , 10 (Credit-Anchor Bolts), 12 (Bicycle Grates), and 14 (Traffic Compaction Surface)

#004- PCO#15 (CPP Duct Bank)

#005 PCO#16 (additional conduit) and PCO#18 (instillation of catch basin)

006) PCO #31 and #32 No Cost- Funding Change

007) PCO# 33 No Cost – minor modifications at Masonic Temple Driveway

008) PCO#5 Insurance, PCO#34 Smooth Wall Sleeves

009) PCO#39 Adjustment in quantities

010) Innerbelt Bridge work

011) PCO#2- adjustment of shelter floors, PCO#20- catch basin modification, PCO#30-bolt templates, PCO#35-additional conduit,

012) PCO #17- Rail Removal

013) PCO#43 Water Meter Vault South Side 3614-3618 Euclid Ave.

014)PCO#22PVC to Ductile Iron

015) \*PCO#7 County Fiber Optic Conduit ( To Be paid by County, not an RTA required CO. Adjustment to reflect additional authority given to CEO by #15, resolution 2006-148, on 08/15/06. CO 15 executed on 12/08/06

016) PCO# 28- removal of Adesta concrete

017) PCO#29 Re-installation of construction baskets, caused by CPP

018) PCO#25 Acceleration Costs, The remaining General Manager change authority was also increased in an amount not to exceed total contract value of \$23,657,559.19 by resolution 2006-226

019) PCO #57-Visquene and Concrete Blankets for Winter Concrete Protection

020) PCO #58-Hot Water and PCO #61-MS Concrete for Winter Concrete Protection

021) PCO#4 Driveway at 4601 Euclid, PCO#24 Junction boxes, PCO#36 Myers retaining wall, PCO#67 credit for conduit.

022) PCO#75 Unit increases.

023) PCO#42 Water Meter Vaults

024) PCO#69 Winterization (tent)

025) PCO#80 Grounding Rods

**Attachment B**  
**List of Negotiated Changes**

- PCO #13 - Install 1- 3" Irrigation tap and vault and credit 1-2" irrigation tap and vault - \$4,100.00
- PCO #37 - Abate Transite Conduit on Innerbelt Bridge - \$2,376.00
- PCO # 38 - Remove Tree @ East 81st due to CPP work - \$1,944.00
- PCO #41 - Cap Irrigation Sleeves - \$5,000.00
- PCO #47 - Modify and weld expansion joint on Innerbelt Bridge - \$1,272.47
- PCO #48 - Innerbelt Bridge MOT modification - \$950.00
- PCO #50 - Install Pressure Relief Joint not in bid - \$20,000.00
- PCO #54 - Replace Concrete pavement at CPP MH 111-47 where CPP did work - \$1,079.54
- PCO # 56 - Replace traffic bearing water meter vaults E 40th to E 55th south side - \$29,080.75
- PCO #60 - Remove and Replace fence at East 46th Street - \$4,094.88
- PCO #64 - Jackhammer Concrete off Agora vault - \$1,000.00
- PCO #65 - Additional 16 - 17.5" pyramid caps - \$1,640.00
- PCO #79 - Additional Stainless Steel Junction Boxes at Bus Stations - \$7,102.03
- PCO #81 - Additional MOT signage for Phase 2A work - \$3,190.50

Total + \$82,830.17