

RESOLUTION NO. 2007-74

RESCINDING RESOLUTION NO. 2007-009 AUTHORIZING CONTRACT NO. 2006-140 WITH VERMEER SALES & SERVICE, INC. AND AUTHORIZING CONTRACT NO. 2006-140 WITH SOUTHEASTERN EQUIPMENT CO., INC. FOR THE FURNISHING OF ONE BRUSH CHIPPER, AS SPECIFIED, THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM AT A TOTAL PRICE OF \$37,975.50 (RTA DEVELOPMENT FUND, RAIL DISTRICT DEPARTMENT BUDGET)

WHEREAS, the Authority has identified the need for one brush chipper to replace an outdated maintenance intensive unit that has exceeded its useful life; and

WHEREAS, Resolution No. 2007-009 authorized Contract No. 2006-140 to Vermeer Sales & Service, Inc. located at 2389 Medina Road, Medina, OH 44256 for the furnishing of one brush chipper, as specified, through the State of Ohio Cooperative Purchasing Program; and

WHEREAS, the equipment that Vermeer Sale & Service, Inc. provided did not meet the required axle weight required for the hy-rail gear as specified; and

WHEREAS, the General Manager/Secretary–Treasurer deems it in the best interest of the Authority to rescind award of Contract No. 2006-140 to Vermeer Sales & Service, Inc.; and

WHEREAS, such replacement one brush chipper, as specified, is available through the State of Ohio Cooperative Purchasing Program; and

WHEREAS, Southeastern Equipment Co., Inc. located at 1500 Industrial Parkway, Brunswick, OH 44212 participates in the State of Ohio Cooperative Purchasing Program and has offered to furnish a unit to the specifications of the Authority at a total price of \$37,975.50; and

WHEREAS, Section 306.43 (H) (4) of the Ohio Revised Code provides that political subdivisions may purchase goods and services from another political subdivision, public agency, public transit system, regional transit authority, the state, or the federal government under a state or federal procurement contract; and

WHEREAS, the General Manager/Secretary-Treasurer has deemed it in the best interest of the Authority to utilize the Southeastern Equipment Co., Inc. through the State of Ohio Cooperative Purchasing Program for the purchase of one brush chipper, as specified.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That Resolution No. 2007-009 authorizing the award of Contract No. 2006-140 to Vermeer Sales & Service, Inc. to furnish one brush chipper is hereby rescinded.

Section 2. That the offer of Southeastern Equipment Co., Inc. to furnish one brush chipper as specified, be and the same is hereby accepted.

Section 3. That the General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to enter into a contract with Southeastern Equipment Co., Inc., for the furnishing of one brush chipper, as specified.

Section 4. That said contract shall be payable from the RTA Development Fund, Rail District Department budget including but not limited to Capital Grant OH-03-0245 at a total price \$37,975.00 (\$30,380.00 in Federal funds which represents 80% of the total cost).

Section 5. That said contract shall be binding upon and an obligation of the Authority contingent upon compliance by the contractor to the Specification and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2007-064; bonding and insurance requirements and all applicable laws relating to the contractual obligations of the Authority.

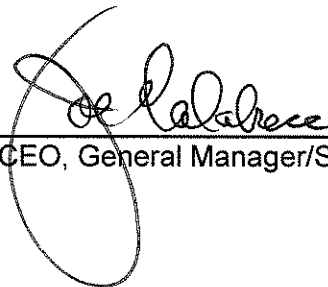
Section 6. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that Transit Plus, Inc., will attempt to exceed the 0% minimum DBE goal assigned to this procurement.

Section 7. That this resolution shall become effective immediately upon its adoption.

Adopted: June 19, 2007



President

Attest: 

CEO, General Manager/Secretary-Treasurer



TITLE/DESCRIPTION: RESCINDING RESOLUTION NO. 2007-009 AUTHORIZING CONTRACT NO. 2006-140 WITH VERMEER SALES & SERVICE, INC. AND AUTHORIZING CONTRACT NO. 2006-140 WITH SOUTHEASTERN EQUIPMENT CO. FOR THE FURNISHING OF ONE BRUSH CHIPPER, AS SPECIFIED, THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM AT A TOTAL PRICE OF \$37,975.50 (RTA DEVELOPMENT FUND, RAIL DISTRICT DEPARTMENT BUDGET)	Resolution No.: 2007-74
	Date: June 14, 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 resolution rescinds Resolution No. 2007-009 regarding purchase of one brush chipper from Vermeer Sales & Service Co., Inc. and will allow the authority to enter into a contract for the purchase of one brush chipper from Southeastern Equipment Co., Inc. through the State of Ohio Cooperative Purchasing Program.

- 2.0 **DESCRIPTION/JUSTIFICATION:** This brush chipper will replace an outdated, high mileage unit currently used by the Power & Way department to maintain the 80 miles of track right of way and to keep trees and scrubs under control for the safety of the passengers and rail personnel of the Authority.

- 3.0 **PROCUREMENT BACKGROUND:** Resolution No. 2007-009 authorized Contract No. 2006-140 to Vermeer Sales & Service Co., Inc. located at 2389 Medina Road, Medina, OH 44256 for the furnishing of one brush chipper, as specified, through the State of Ohio Cooperative Purchasing Program. It was found that the unit supplied by Vermeer Sales & Service Co., Inc. could not accept the hy-rail gear due to the axle not being properly rated. An axle needs to be rated at 10,000 lbs. capability for two sets of hy-rails to be installed on the front and rear of the unit. The unit supplied was only rated at 7,000 lbs. capability. The equipment will now be purchased through the State of Ohio Cooperative Purchasing Program from Southeastern Equipment Co., Inc., as specified, with the correct axle allowance to accept the dual hy-rail equipment.

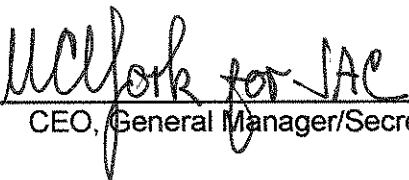
 A price analysis was performed by the Procurement Department and the offer of Southeastern Equipment Co., Inc. has been determined to be fair and reasonable to the Authority. This purchase results in a reduction of pricing from the previous price by \$1,963.19 for the unit.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** The Office of Business Development does not conduct Affirmative Action reviews or establish goals on procurements included in the State Cooperative Purchasing program.

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

- 6.0 ECONOMIC IMPACT: This procurement will be funded from the RTA Development Fund, Rail District Department budget including but not limited to Capital Grant OH-03-0245, Line Item 12.7A.00, at a total price 37,975.50. (\$30,380.00 in Federal funds which represents 80% of the total cost). This is within the budgeted amount of funding for this project after the addition of the necessary hy-rail equipment that is required.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would cause delays in the procurement of replacement vehicles and impact service quality.
- 8.0 RECOMMENDATION: It is recommended that the offer of Southeastern Equipment Co., Inc., 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