

RESOLUTION NO. 2007-152

AUTHORIZING CONTRACT NO. 2007-116 FOR THE FURNISHING OF ULTRA LOW SULFUR DIESEL FUEL, AS SPECIFIED AND AS REQUIRED, TO A SUPPLIER TO BE DETERMINED FOR A PERIOD OF ONE (1) YEAR AT AN ESTIMATED TOTAL CONTRACT AMOUNT OF \$17,922,000.00 (GENERAL FUND, FLEET MANAGEMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority requires ultra low sulfur diesel fuel (ULSDF) for the operation of its revenue and non-revenue vehicles; and

WHEREAS, the Authority's ULSDF requirements are included in a consortium solicitation released by Metro Regional Transit Authority (Akron Metro), which included Stark Area Regional Transit Authority (SARTA), Western Reserve Transit Authority (WRTA), Portage Regional Transit Authority (PRTA), and Laketran for ultra low sulfur diesel fuel; and

WHEREAS, due to the volatile fuel market, as a condition of the bid, the Authority must notify the successful bidder within one (1) hour of bid opening to secure firm-fixed pricing, and

WHEREAS, the request to authorize the General Manager/Secretary Treasurer to enter into a requirements contract with the successful bidder, for the furnishing of ultra low sulfur diesel fuel, as specified and as required, for a period of one (1) year is considered most advantageous to the Authority and acceptance thereof by the Board of Trustees is recommended.

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

Section 1. That the General Manager/Secretary-Treasurer be authorized to enter into a contract for Ultra Low Sulfur Diesel Fuel, as specified and as required, for a period of one (1) year at an estimated price of seventeen million nine hundred twenty-two thousand & 00/100 dollars (\$17,922,000.00).

Section 2. That said contract shall be payable from the General Fund, Fleet Management Department budget, for an estimated amount of seventeen million nine hundred twenty-two thousand & 00/100 dollars (\$17,922,000.00).

Section 3. That said contract shall be binding upon and an obligation of the Authority, contingent upon availability of future funds; 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 contractual obligations of the Authority.

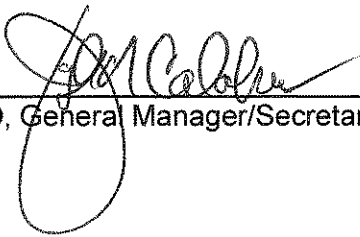
Section 4. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that the successful bidder will attempt to exceed the 0% minimum DBE goal assigned to this procurement.

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

Adopted: October 16, 2007



President

Attest: 

CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: AUTHORIZING CONTRACT NO. 2007-116 FOR THE FURNISHING OF ULTRA LOW SULFUR DIESEL FUEL, AS SPECIFIED AND AS REQUIRED, TO A SUPPLIER TO BE DETERMINED FOR A PERIOD OF ONE (1) YEAR AT AN ESTIMATED TOTAL CONTRACT AMOUNT OF \$17,922,000.00 (GENERAL FUND, FLEET MANAGEMENT DEPARTMENT BUDGET)	Resolution No.: 2007-152
	Date: October 11, 2007
	Initiator: Fleet Management
ACTION REQUEST: <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 authorize the General Manager/Secretary-Treasurer to enter into a requirements contract with the successful bidder, for the furnishing of ultra low sulfur diesel fuel, as specified and as required, for a period of one (1) year.
- 2.0 **DESCRIPTION/JUSTIFICATION:** Ultra low sulfur diesel fuel is required for the operation of the Authority revenue and non-revenue vehicles.
- 3.0 **PROCUREMENT BACKGROUND:** The Authority's fuel requirement is part of a consortium bid released by Akron, Ohio. Other participants are SARTA, WRTA, PRTA, and Laketran.

This is the second year the Authority has participated in the consortium bid. The solicitation will be posted on the GCRTA Procurement website and advertised in the local Cleveland newspapers.

Bidders will respond to the solicitation in two (2) parts. Bidders will:

- 1) submit their qualifications to furnish the diesel fuel, and
- 2) submit their bid price by 1:00 p.m. Tuesday and Thursday, beginning November 27, 2007 and continuing until December 20, 2007, or until an award has been made.

Consortium members will have one (1) hour after bids are submitted to notify the successful bidder so the successful bidder can lock into a firm fixed-price. The award will be made to the lowest responsive and responsible bidder.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements will be secured once a vendor is selected. Procurement and OBD will work with the selected vendor to determine the opportunity for DBE participation using the usual criteria of the existence of clear and identifiable subcontracting opportunities, as well as the availability of certified DBE firms
- 5.0 **POLICY IMPACT:** Does not apply.

- 6.0 ECONOMIC IMPACT: This procurement will be funded through the General Fund, Fleet Management Department budget, for a project amount not to exceed seventeen million nine hundred twenty-two thousand & 00/100 dollars (\$17,922,000.00). The per gallon cost of the diesel fuel is estimated not to exceed \$3.09 per gallon.
- 7.0 ALTERNATIVES: Reject all bids. Rejection of this bid would significantly impact the Authority's ability to furnish diesel fueling at pricing advantageous to the Authority.
- 8.0 RECOMMENDATION: It is recommended that the Board of Trustees authorize the General Manager/Secretary-Treasurer the authority to enter into a contract with a supplier to be determined for furnishing of ultra low sulfur diesel fuel, as specified and as required, for a period of one (1) year at a projected total contract amount of \$17,922,000.00.
- 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