

RESOLUTION NO. 2008-14

AUTHORIZING AN INCREASE TO CONTRACT NO. 2006-010 WITH PERK CONSTRUCTION COMPANY FOR PROJECT 38-C02 FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT – EAST ROADWAY TO INNERBELT, PUBLIC SQUARE AND EAST 17TH STREET EXTENSION IN AN AMOUNT NOT TO EXCEED \$ 835,897.00 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$ 27,144,232.14 (RTA DEVELOPMENT FUND, EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET)

WHEREAS, by Resolution No. 2006-053, the Board of Trustees authorized Contract No. 2006-010 in the amount of twenty-two million eight hundred ninety-two thousand four hundred ninety & 29/100 dollars (\$22,892,490.29) with Perk Construction Company for Project 38-C02, located at 8100 Grand Avenue, Cleveland, Ohio 44104 for the furnishing of said Construction Services; and

WHEREAS, the General Manager/Secretary-Treasurer has issued ninety-three (93) change orders in the net amount of three million four hundred fifteen thousand eight hundred forty-four & 85/100 dollars (\$3,415,844.85) based upon his change order authority pursuant to the Authority's Procurement Policies for a total contract value of twenty-six million three hundred eight thousand three hundred thirty-five & 14/100 dollars (\$26,308,335.14); and

WHEREAS, the quantities utilized in the original bid documents were not accurate; and

WHEREAS, Perk Construction Company offered to provide these quantities at an amount not to exceed eight hundred thirty-five thousand eight hundred ninety-seven & 00/100 dollars (\$835,897.00); 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 Perk Construction Company, 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 Perk Construction Company to provide additional quantities 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. 2006-010 with the Perk Company to include the quantities.

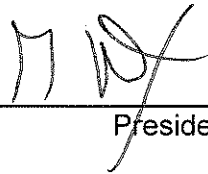
Section 3. That said amendment shall be payable from the RTA Development Fund, Euclid Corridor Transportation Project Department budget, including but not limited to Capital Grant OH-03-0247, for an amount not to exceed \$835,897.00 (\$668,717.60 in Federal funds which represents 80 % of the total cost) for a total contract amount not to exceed twenty-seven million one hundred forty- four thousand two hundred thirty-two & 14/100 dollars (\$27,144,232.14)

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: January 22, 2008



President

Attest: 

CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

<p>TITLE/DESCRIPTION:</p> <p>AUTHORIZING AN INCREASE TO CONTRACT NO. 2006-010 WITH PERK CONSTRUCTION COMPANY FOR PROJECT 38-C02 FOR THE EUCLID CORRIDOR TRANSPORTATION PROJECT-EAST ROADWAY TO INNERBELT, PUBLIC SQUARE AND EAST 17TH STREET EXTENSION IN AN AMOUNT NOT TO EXCEED \$835,897.00 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$27,144,232.14 (RTA DEVELOPMENT FUND, EUCLID CORRIDOR TRANSPORTATION PROJECT DEPARTMENT BUDGET)</p>	<p>Resolution No.: 2008-14</p> <p>Date: January 17, 2008</p> <p>Initiator: Euclid Corridor Transportation Project</p>
<p>ACTION REQUEST:</p> <p><input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____</p>	

- 1.0 **PURPOSE/SCOPE:** This action will allow the Authority to increase Contract No. 2006-010 with Perk Construction Company to adjust the work effort to accommodate unanticipated changes.

- 2.0 **DESCRIPTION/JUSTIFICATION:** The Euclid Corridor Transportation Project (ECTP), Project 38-C02 encountered changes that need to be authorized. Increased quantities will be required. The Authority and Perk Company negotiated an amount not to exceed \$835,897.00.

Potential Change Order (PCO) Number 350 is a change that will allow for payment for quantities not included in the original bid but necessary for completion of Project 38-C02.

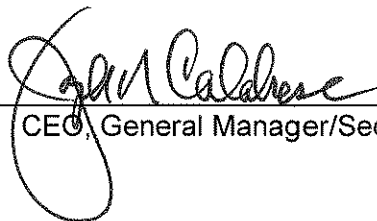
- 3.0 **PROCUREMENT BACKGROUND:** In March 2006, the Board of Trustees by Resolution No. 2006-053 authorized a contract with Perk Construction Company to perform construction services for the Euclid Corridor Transportation Project, East Roadway to Innerbelt, Public Square and East 17th Street Extension. Unanticipated changes have required additional work to be performed and units supplied by the Perk Construction Company. This negotiated increase requires Board authorization, as it will exceed the General Manager/Secretary-Treasurer's change order authority.

The Procurement Department has determined the negotiated change order as 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 March 2006 when the contract was awarded to Perk Construction Company. GCRTA expects Perk will maintain the established 20% DBE goal.

- 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, Line Item 13.23.01 in an amount not to exceed \$835,897.00 (\$668,717.60 in Federal funds which represents 80% of the total cost) for a total contract amount not to exceed twenty-seven million one hundred forty-four thousand two hundred thirty-two & 14/100 dollars (\$27,144,232.14).
- 7.0 ALTERNATIVES: Reject this offer: Rejection of this offer will impact construction of Contract No. 2006-010 and could cause delay claims to be forthcoming.
- 8.0 RECOMMENDATION: Pending change orders were discussed at the January 8, 2008 Planning and Development Committee. It is recommended that this 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 – Projected Quantities Adjustment.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.



CEO, General Manager/Secretary-Treasurer

ATTACHMENT A – CHANGE ORDER LOG

CONTRACT #2006-010					
CONTRACTOR: PERK COMPANY					
ORIGINAL CONTRACT AMOUNT:		<u>\$22,892,490.29</u>		TOTAL G.M. CHANGE ORDER AUTHORITY REMAINING:	
				\$96,342.28	
TOTAL CHANGE ORDER AMOUNT TO DATE:				<u>\$3,415,844.85</u>	

ITEM NUMBER	NOTE	APPROVAL DATE	CHANGE ORDER	APPROVAL AUTHORITY	NEW CONTRACT AMOUNT
1-75	1	05/06 thru 10/07	\$3,120,724.03	\$391,463.10	\$26,013,214.32
76	76	15-Oct-2007	\$16,950.00	\$374,513.10	\$26,030,164.32
77	77	10-Oct-2007	\$87,298.81	\$287,214.29	\$26,117,463.13
78	78	24-Oct-2007	\$23,583.66	\$263,630.63	\$26,141,046.79
79	79	30-Oct-2007	\$6,230.42	\$257,400.21	\$26,147,277.21
80	80	1-Nov-2007	\$61,911.79	\$195,488.42	\$26,209,189.00
81	81	8-Nov-2007	\$10,266.95	\$185,221.47	\$26,219,455.95
82	82	14-Nov-2007	\$13,315.50	\$171,905.97	\$26,232,771.45
83	83	15-Nov-2007	\$8,718.80	\$163,187.17	\$26,241,490.25
84	84	15-Nov-2007	\$5,019.70	\$158,167.47	\$26,246,509.95
85	85	28-Nov-2007	\$1,525.60	\$156,641.87	\$26,248,035.55
86	86	29-Nov-2007	\$18,312.60	\$138,329.27	\$26,266,348.15
87	87	3-Dec-2007	\$20,651.58	\$117,677.69	\$26,286,999.73
88	88	3-Dec-2007	\$25,422.66	\$92,255.03	\$26,312,422.39
89	89	5-Dec-2007	(\$298,926.92)	\$391,181.95	\$26,013,495.47
90	90	5-Dec-2007	\$89,667.74	\$301,514.21	\$26,103,163.21
91	91	13-Dec-2007	\$29,860.47	\$271,653.74	\$26,133,023.68
92	92	3-Jan-2008	\$19,109.29	\$252,544.45	\$26,152,132.97
93	93	16-Jan-2008	\$156,202.17	\$96,342.28	\$26,308,335.14

NOTES/CHANGE ORDER DESCRIPTION FOR CHANGE ORDERS

#76 - PCO#292 to increase line item 310 of the original unit price bids. Public Square sidewalk 6" /3,000 sq ft.@ \$5.65 per sq. ft. total price \$16,950.00. (spec no. TS608). This concrete will be used in the Northwest quadrant of Public Square.

#77 - PCO#294 for August 2007 Bid Quantity Adjustments.

#78 - PCO#183 regarding the non-performance of precast pyramids per RFI No. 092 and the addition of precast concrete bollards per RFI No. 113. PCO#223 for additional survey at east 14th street intersection to enable alternate design to be performed by RTA to avoid the existing vaults at that intersection.

PCO#257 for Perk Company being compensated for additional work required per Revision No. 020.

PCO#259 regarding three 42" Schedule 40 bollards and chain to be installed "ground mounted" at ADA Ramp at E 18th street intersection, N.E. corner crossing E 18th street, to prevent tripping hazard created by drop-off from nearby manhole. PCO#271 **A CREDIT** for changes requested by the property owner at Cleveland State to change the stone mulch to sod. PCO#283 regarding East 21st intersection, shop fabrication of frame for CPP manhole. PCO#287 regarding installation of three (3) temporary ramps to allow vehicles to have access to the newly placed pavement in front of the Corner Alley.

#79 - PCO#250 regarding revision No. 024 - concrete paver driveways.

#80 - PCO#31, 1 inch conduit

#81- PCO#256, for additional work to include a wall that will bold bollards at east 19th street in addition there will be two (2) pull boxes. PCO#312, regarding additional cost for installation to match exposed aggregate sidewalk at Tower City Entrance, Public Square, SW Quadrant.
#82 - PCO#288, regarding hand removal of concrete walk at Wyndam Hotel and Halle Building, located between Huron Ave and east 12th street, South side. PCO#289, regarding additional "Do Not Cross" and "Use Crosswalk" signage to deter jaywalking at station platforms.
#83 - PCO#119, for "packing" of irrigation lines in CO2 so that exposed ends do not allow for infiltration of soil into the lines.
#84 - PCO#296, Revision of Phase 3 and Phase 4 sequencing. PCO#304, regarding hand removal of sidewalk by the Renaissance Hotel to avoid damage to underground vaults.
#85 - PCO#240, regarding profile grades West of the intersection of West Roadway and Superior Ave. PCO#322, regarding additional work to replace an existing 2'x 4' granite panel at the Cleveland Athletic Club.
#86 - PCO#290, regarding the hand removal of concrete encasement at West and South Roadway. PCO#298, regarding the additional work remove to remove and replace the existing terrazo entranceway with like material at 1832 and 1828 Euclid Avenue Buildings. PCO#300, to allow for MOT that is being done out of sequence to allow for the opening of Ontario.
#87- PCO#200, regarding irrigation flow Meters. Per Specification 02810-Flow Sensor, 4 each. PCO#207, regarding drainage modifications to accommodate CPP in SW Quadrant of Public Square. Sketches 115 thru 118. PCO#272, regarding East 4th Street intersection snow melt system to be reinstalled beyond the original limits (building face) into the areas of brick pavers on each corner. PCO#323, regarding additional crosswalk barrier to be installed at mid-block crosswalk just east of East 18th Street.
#88 - PCO#303, regarding removal of existing basement vault beams at House of Blues & City Blue Buildings (east 3rd street to east 4th street, South side) in order to install a tree pit and sidewalk as per plan. PCO#308, regarding additional granite pavers at Star Plaza (East 14th Street). PCO#310, for a \$0.00 change regarding the decrease in hours of LEO with Patrol Car for an increase to hours for just LEO.
#89 - PCO#285, This deductive (credit) change is in the amount of \$298,926.92. It is for 12 different line items. Seven of these line items were from the original bid items. Five of these items are portions of previously negotiated changes.
#90 - PCO#318, It is for 14 different line items. Twelve of these line items were from the original bid items. Two of these items are portions of previously negotiated changes.
#91- PCO#319, regarding the rehabilitation of a concrete wall at the Jewish Community Center at 18th and Euclid. PCO#337, regarding the winter protection for covering subgrade, subbase or concrete – 2,000 SY @ \$7.10/SY = \$14,200.00. PCO#338, regarding winter protection for Heated Water and Heated Aggregate – 1,760 CY @ \$8.50/CY = \$14,906.00.
#92 - PCO#302, regarding the hand removal of sidewalk at the W.T. Grant Building. PCO#309, a CREDIT for closure of Nonconformance report No. 016, out of spec concrete. PCO#336, regarding repairs to the existing vault roof at Colonial Arcade due to 18" difference of installed inner vault wall.
#93 - PCO#341, regarding October Quantity Adjustments. PCO#348, regarding November Quantity Adjustments.

ATTACHMENT B - PROJECTED QUANTITIES ADJUSTMENT

Item No.	Item Spec No.	Description	Estimated Quantity	Unit	Unit Price	Total Price	Forecasted Additional Quantity	Subtotal
002	TS202	Remove Pull Box	18	EACH	\$ 120.00	\$ 2,160.00	8.00	\$ 960.00
007	TS625	Duct Bank, 2-3" Conduits	2540	FOOT	\$ 49.24	\$ 125,069.60	400.00	\$ 19,696.00
* 011	TS625	Conduit 2", Concrete Encased	42930	FOOT	\$ 11.00	\$ 472,230.00	2,000.00	\$ 22,000.00
* 022	TS625	Ground Rod	236	EACH	\$ 185.00	\$ 43,660.00	60.00	\$ 11,100.00
023	TS202	Remove Catch basins	34	EACH	\$ 275.00	\$ 9,350.00	5.00	\$ 1,375.00
047	TS604	Catch Basin No. 1	56	EACH	\$ 1,975.00	\$ 110,600.00	2.00	\$ 3,950.00
048	TS604	Catch Basin No. 1, As Per Plan	5	EACH	\$ 1,975.00	\$ 9,875.00	1.00	\$ 1,975.00
050	TS604	ODOT Catch Basin No. 6	34	EACH	\$ 2,850.00	\$ 96,900.00	3.00	\$ 8,550.00
060	TS604	Miscellaneous Metal - Drainage	6000	POUND	\$ 0.95	\$ 5,700.00	5,000.00	\$ 4,750.00
061	TS605	6" Shallow Pipe Underdrain, with Fabric Wrap	10800	FOOT	\$ 12.20	\$ 131,760.00	1,000.00	\$ 12,200.00
071	TS410	Traffic Compacted Surface Type A	500	CU YD	\$ 35.15	\$ 17,575.00	300.00	\$ 10,545.00
078	TS614	Law Enforcement Officer	3080	HOUR	\$ 51.00	\$ 157,080.00	1,500.00	\$ 76,500.00
111	TS304	Aggregate Base	12550	CU YD	\$ 36.00	\$ 451,800.00	1,050.00	\$ 37,800.00
126	TS452	10" Non-Reinforced Concrete Pavement	62715	SQ YD	\$ 57.56	\$ 3,609,875.40	6,000.00	\$ 345,360.00
127	TS452	8" Non-Reinforced Concrete Pavement (Driveway)	836	SQ YD	\$ 49.40	\$ 41,298.40	160.00	\$ 7,904.00
128	TS609	Concrete Curb, Type 6	9768	FOOT	\$ 16.75	\$ 163,614.00	2,300.00	\$ 38,525.00
139	TS202	Remove Pavement	70750	SQ YD	\$ 11.30	\$ 799,475.00	4,450.00	\$ 50,285.00
141	TS202	Track Removed	9000	FOOT	\$ 17.00	\$ 153,000.00	3,000.00	\$ 51,000.00
* 142	TS203	Excavation	1019	CU YD	\$ 17.00	\$ 17,323.00	250.00	\$ 4,250.00
148	TS613	Low Strength Mortar Backfill	200	CU YD	\$ 102.00	\$ 20,400.00	200.00	\$ 20,400.00
182	TS642	Remove Pavement Marking	719	FOOT	\$ 3.00	\$ 2,157.00	500.00	\$ 1,500.00
183	TS642	Edge Line, Type 1, Yellow	0.14	MILE	\$ 1,900.00	\$ 266.00	0.15	\$ 285.00
184	TS642	Edge Line, Type 1, White	2.91	MILE	\$ 1,900.00	\$ 5,529.00	1.50	\$ 2,850.00
185	TS642	Lane Line, Type 1	0.43	MILE	\$ 1,500.00	\$ 645.00	0.25	\$ 375.00
186	TS642	Center Line, Type 1	0.73	MILE	\$ 3,500.00	\$ 2,555.00	0.40	\$ 1,400.00
188	TS642	Channelizing Line, Type 1	1569	FOOT	\$ 0.95	\$ 1,490.55	500.00	\$ 475.00
199	TS604	Miscellaneous Metal - Utilities	21500	POUND	\$ 1.10	\$ 23,650.00	30,000.00	\$ 33,000.00
* 212	TS638	Adjust Gas Valve Box	80	EACH	\$ 200.00	\$ 16,000.00	25.00	\$ 5,000.00
213	TS638	Adjust Water Valve	329	EACH	\$ 150.00	\$ 49,350.00	25.00	\$ 3,750.00
219	16100	CPP Ductbank, 6-4" Conduits (0' to 6')	20	FOOT	\$ 93.74	\$ 1,874.80	60.00	\$ 5,624.40
223	16100	CPP Ductbank, 12-4" Conduits (0' to 6')	20	FOOT	\$ 294.32	\$ 5,886.40	60.00	\$ 17,659.20
228	16100	CPP Ductbank, 9-4" Conduits (0' to 6')	80	FOOT	\$ 149.23	\$ 11,938.40	80.00	\$ 11,938.40
264	TS202	Remove and Reset Granite Curb	100	FOOT	\$ 45.00	\$ 4,500.00	250.00	\$ 11,250.00
268	TS202	Salvage Brick Pavers	1135	SQ FT	\$ 7.73	\$ 8,773.55	500.00	\$ 3,865.00
311A	TS608	Colored Concrete	60	SQ YD	\$ 260.00	\$ 15,600.00	30.00	\$ 7,800.00
							TOTAL \$	835,897.00