

RESOLUTION NO. 2008-53

AUTHORIZING CONTRACT NO. 2008-072 WITH BURKE-PARSONS-BOWLBY CORP. FOR 3,000 RAILROAD CROSSTIES, AS SPECIFIED, AT A TOTAL PRICE OF \$100,470.00 (RTA DEVELOPMENT FUND, RAIL DISTRICT DEPARTMENT BUDGET)

WHEREAS, the Authority has recurring requirements for the replacement of the main line crossties; and

WHEREAS, the bid of Burke-Parsons-Bowlby Corporation located at Route 21 South, Ripley, WV 25271 for the furnishing of 3,000 crossties, as specified, was received on March 13, 2008; and

WHEREAS, said bid was the only responsive bid received from a responsible bidder in response to this solicitation; and

WHEREAS, Section 306.43B of the Ohio Revised Code provides that when less than two responsive bids are received from responsible bidders, a regional transit authority may negotiate a price with the sole responsible bidder; and

WHEREAS, after negotiation, a total price of \$100,470.00 was accepted based on the unit price bid for the purchase of 3,000 crossties, as specified, as a fair and reasonable price; and

WHEREAS, the General Manager/Secretary-Treasurer deems the bid of Burke-Parsons-Bowlby Corporation to be a responsive bid from a responsible bidder 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 Burke-Parsons-Bowlby Corporation for the furnishing of 3,000 treated crossties, as specified, 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 contract with Burke-Parsons-Bowlby Corporation for the furnishing of 3,000 crossties, as specified.

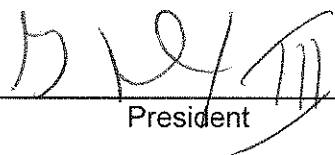
Section 3. That said contract be payable from the RTA Development Fund, Rail District Department budget, including but not limited to Capital Grant OH-03-0245 at a total price of \$100,470.00 (\$80,376.00 in Federal funds which represents 80% of the total cost).

Section 4. That said contract shall be binding upon and 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 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects the Burke-Parsons-Bowlby Corporation will attempt to exceed the 0% DBE goal assigned to this procurement.

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

Adopted: April 15, 2008



President

Attest: 

CEO/ General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: AUTHORIZING CONTRACT NO. 2008-072 WITH BURKE-PARSONS-BOWLBY CORP. FOR 3,000 RAILROAD CROSSTIES, AS SPECIFIED, AT A TOTAL PRICE OF \$100,470.00 (RTA DEVELOPMENT FUND, RAIL DISTRICT DEPARTMENT BUDGET)	Resolution No.: 2008-53
	Date: April 10, 2008
	Initiator: Power
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 action will allow the Authority to enter into a contract for the procurement of railroad crossties, as specified.
- 2.0 **DESCRIPTION/JUSTIFICATION:** The 3,000 crossties are required to replace worn or damaged ties and to use during the rehabilitation of the Authority's beds and right of way on the rail lines.
- 3.0 **PROCUREMENT BACKGROUND:** The Invitation for Bid (IFB) was posted on the procurement web site and advertised in the local newspapers. Two (2) interested parties downloaded the solicitation. One bidder responded to the solicitation on March 13, 2008 as follows:

<u>Company</u>	<u>Per Unit Cost</u>	<u>Total</u>
Burke-Parsons-Bowlby Corp. Route 21 South Ripley, WV 25271	\$33.49	\$100,470.00

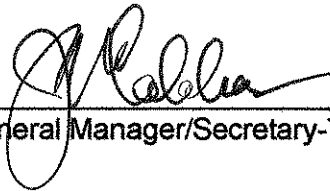
The lack of response to this IFB is due to the location and necessary freight associated with this procurement. Other companies stated that they could not be competitive due to the cost of transportation and preservative used on the ties. Burke Parsons Bowlby has supplied these ties in the past without any concerns. The Authority's specifications were re-written to include a more stringent inspection requirements for the ties.

A cost and price analysis was performed and the Procurement Department has determined the bid of Burke-Parsons-Bowlby Corporation to be 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 lack of Certified DBE Firms
- 5.0 **POLICY IMPACT:** Does not apply.
- 6.0 **ECONOMIC IMPACT:** This procurement will be funded through 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 of \$100,470.00 (\$80,376.00 in Federal Funds which represents 80% of the total cost).

- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would delay procurement and risk not having ties available to meet the needs of the Authority in a timely manner.
- 8.0 RECOMMENDATION: It is recommended that the bid of Burke-Parsons-Bowlby Corporation 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