

RESOLUTION NO. 2008-82

AUTHORIZING CONTRACT NO. 2008-097A WITH DELLNER COUPLERS, INC. FOR FORTY (40) ELECTRIC COUPLER HEADS FOR THE TOKYU HRV FLEET AT A PRICE OF \$238,968.00 (RTA DEVELOPMENT FUND, RAIL DISTRICT DEPARTMENT BUDGET)

WHEREAS, the Authority requires the replacement of forty (40) electric coupler heads for the Tokyu Heavy Rail Vehicle (HRV) fleet; and

WHEREAS, the offer of Dellner Couplers, Inc., located at 8334 H Arrowridge, Charlotte, NC 28273, to furnish forty (40) Electrical Coupling Heads for the Authority's HRV fleet was received by the Authority on May 29, 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, an amount of \$238,968.00 was accepted based on the contract requirements and unit prices bid for the purchase of forty pieces electric coupler heads, as specified; and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer of Dellner Couplers, Inc. to be in the best interest of the Authority 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 Dellner Couplers, Inc, as negotiated, to furnish forty (40) electric coupler heads, as specified and as required 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 Dellner Couplers, Inc, Inc., for the furnishing of forty (40) Electric Coupler Heads for the HRV fleet, as specified.

Section 3. That said contract shall be payable from the RTA Development Fund, Rail District Department budget, including but not limited to Capital Grant OH-05-0090 at a price of \$238,968.00 (\$191,198.69 in Federal funds which represents 80% of the total cost).

Section 4. 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 2008-061; 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 that Dellner Couplers, Inc will attempt to exceed the 10% DBE goal assigned to this procurement.

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

Adopted: June 17, 2008



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President

Attest:

  
\_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer



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

<b>TITLE/DESCRIPTION:</b> AUTHORIZING CONTRACT NO. 2008-097A WITH DELLNER COUPLERS, INC. FOR FORTY (40) ELECTRIC COUPLER HEADS FOR THE TOKYU HRV FLEET AT A PRICE OF \$238,968.00 (RTA DEVELOPMENT FUND, RAIL DISTRICT DEPARTMENT BUDGET)	<b>Resolution No.:</b> 2008-82
	<b>Date:</b> June 12, 2008
	<b>Initiator:</b> Rail District Department
<b>ACTION REQUEST:</b> <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 furnishing of forty (40) Electric Coupler Heads, as specified and as requested.
- 2.0 **DESCRIPTION/JUSTIFICATION:** The electric coupler heads will be used in the HRV mid-life overhaul project as replacements for old units. These couplers will include a heater assembly inside the electrical coupler box to eliminate moisture, which has caused electrical problems in the past. These units are required for the continuance of the mid-life overall project.
- 3.0 **PROCUREMENT BACKGROUND:** The Invitation for Bid (IFB) was posted on the procurement web site and advertised in the local newspapers. Six (6) potential bidders of which two are manufacturers of this equipment downloaded the bid package. One bid was received on May 29, 2008 as follows:

<u>Company</u>	<u>Bid Price</u>	<u>Total</u>
Dellner Couplers Inc. 8334 H Arrowridge Charlotte, NC 28273	\$5,974.20	238,968.00


The Ohio Revised Code Section 306.43(B) provides that in the case of a single bid being received, the Authority may negotiate price with the sole responsive bidder. Negotiations resulted in a reduction in cost from the original bid amount submitted by Dellner Couplers, Inc. Dellner Couplers have been used for the procurement of this material over the past several years and has provided an acceptable product to the Authority. A survey of prospective bidders found that they were not interested at this time to submit a bid.

A cost and price analysis was performed and the Procurement Department has determined the negotiated price to be fair and reasonable to the Authority.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 10% DBE participation goal was established for this procurement. Dellner Couplers, Inc., submitted documentation sufficient to demonstrate and meet the standard of good faith effort, as provided in the federal regulations, and the company committed to achieving a 3% DBE participation (\$7,170.00) utilizing Langley Transportation, a certified DBE (Female) firm.
- 5.0 **POLICY IMPACT:** Does not apply
- 6.0 **ECONOMIC IMPACT:** The procurement will be payable from the RTA Development Funds, Rail District Department budget, including but not limited to Capital Grant OH-05-0090, Line 12.15.21 at a price of \$238,968.00 (\$191,198.69 in Federal funds which represents 80% of the total cost). This is 1% below the budgeted amount for this procurement.

- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would delay the purchase of necessary equipment required for the HRV Mid-life overhaul project.
- 8.0 RECOMMENDATION: It is recommended that the offer of Dellner Couplers, 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.



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CEO, General Manager/Secretary-Treasurer