

RESOLUTION NO. 2008-96

AUTHORIZING AN INCREASE TO CONTRACT NO. 2004-088 WITH HATCH MOTT MACDONALD TO PROVIDE ADDITIONAL DESIGN SERVICES REQUIRED FOR THE A/E DESIGN SERVICES FOR EAST 55TH STREET RAPID TRANSIT STATION PROJECT IN AN AMOUNT NOT TO EXCEED \$346,081.00 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,294,491.00 (RTA DEVELOPMENT FUND, PROGRAMMING AND PLANNING DEPARTMENT BUDGET)

WHEREAS, the Authority deems it necessary to procure A/E Services for the East 55th Street Rapid Transit Station Project 240; and

WHEREAS, by Resolution No. 2003-110, the Board of Trustees authorized Contract No. 2004-088 in the amount of \$899,940.00 with Hatch Mott MacDonald located at 18013 Cleveland Parkway Drive, Suite 200, Cleveland, Ohio 44135, for the additional design services; and

WHEREAS, previous change orders total \$48,470.00 for a total contract price of \$948,410.00; and

WHEREAS, the General Manager/Secretary-Treasurer's approval of change order #3 for a total \$346,081.00 has increased said contract price to \$1,294,491.00; and

WHEREAS, project delays and site conditions have caused the station design services to increase; and

WHEREAS, Hatch Mott MacDonald has offered to provide these additional design services at a total negotiated amount not to exceed \$346,081.00; 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 Hatch Mott MacDonald, as negotiated, 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 Hatch Mott MacDonald to provide additional station design services is hereby accepted as being in the best interest of the Authority.

Section 2. That the General Manager/Secretary-Treasurer be and he hereby is authorized to amend Contract No. 2004-088 with Hatch Mott MacDonald to include the additional station design services.

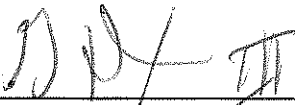
Section 3. That said amendment shall be payable out of the RTA Development Fund, Programming and Planning Department budget, including but not limited to Capital Grant OH-03-0226 in the amount of \$100,000, Capital Grant OH-03-0265 in the amount of \$231,855, and Capital Grant OH-05-0090 in the amount of \$14,226 for a total amount not to exceed \$346,081.00 (\$276,864.80 in Federal funds which represents 80% of the total cost) for a total contract amount not to exceed \$1,294,491.00. This change order funding is contingent upon FTA approval of budget revisions for grants identified herein.

Section 4. That all other terms and conditions of said contract shall remain unchanged.

Section 5. That the General Manager/Secretary-Treasurer be and is hereby re-authorized to exercise his full change order authority under the GCRTA Procurement Policy, Section 1-4.2.7.2, as applied to Contract No. 2007-064.

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

Adopted: July 15, 2008



President

Attest: 

CEO, General Manager/Secretary-Treasurer



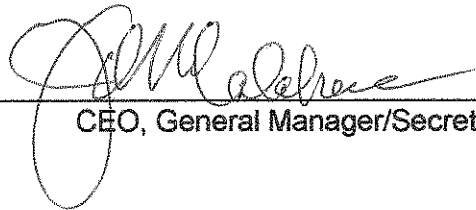
Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: AUTHORIZING AN INCREASE TO CONTRACT NO. 2004-088 WITH HATCH MOTT MACDONALD TO PROVIDE ADDITIONAL DESIGN SERVICES REQUIRED FOR THE A/E DESIGN SERVICES FOR EAST 55 TH STREET RAPID TRANSIT STATION PROJECT IN AN AMOUNT NOT TO EXCEED \$346,081.00 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,294,491.00 (RTA DEVELOPMENT FUND, PROGRAMMING AND PLANNING DEPARTMENT BUDGET)	Resolution No.: 2008-96
	Date: July 10, 2008
	Initiator: Programming and Planning 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 action will allow the Authority to increase Contract No. 2004-088 with Hatch Mott MacDonald to provide additional design services.
- 2.0 **DESCRIPTION/JUSTIFICATION.** The additional design work is required based on several existing situations.
- The area site plan approved by RTA at the 30% design level proceeded to the 60% level and was changed by the City of Cleveland Traffic Engineer.
 - The western entrance of the station on the other side of E. 55 needs to be eliminated from the project. It is the entrance to the existing station.
 - Change Order #2 added three years to the contract, 2 years of which are in the construction services area of the contract. This escalates the fee for the two additional years as outlined in the contract.
 - Design additions required to remedy unforeseen soil conditions.
- 3.0 **PROCUREMENT BACKGROUND:** In December 2004, the Board of Trustees by Resolution No. 2004-151 authorized a contract with Hatch Mott MacDonald to perform A/E Services to design the East 55th Street Rapid Transit Station Reconstruction. Additional project scope and delays required that the Authority increase Hatch Mott MacDonald's scope of services. This negotiated increase requires Board authorization, as it will exceed the General Manager/Secretary-Treasurer's change order authority. This change order was reviewed and recommended by the Authority's Change Order Committee. A change order log is included in Attachment A for reference.
- A cost analysis has been performed and the Procurement Department has determined the negotiated change order is fair and reasonable to the Authority.
- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 22% DBE participation goal was established for this procurement in 2004 (2003-079). Hatch Mott MacDonald has committed to maintaining the established DBE goal through its original DBE firms, (Central Engineering - \$13,398, McGuinness Unlimited - \$21,155, Resource International - \$40,675) in an amount of \$75,228.00 or 22%.
- 5.0 **POLICY IMPACT:** Does not apply.

- 6.0 ECONOMIC IMPACT: This amendment shall be payable out of the RTA Development Fund, Programming and Planning Department budget, including but not limited to Capital Grant OH-03-0226 in the amount of \$100,000, Capital Grant OH-3-0265 in the amount of \$231,855, and Capital Grant OH-05-0090 in the amount of \$14,226, Line item 12.31.02 for a total amount not to exceed \$346,081.00 (\$276,864.80 in Federal funds which represents 80% of the total cost) for a total contract amount not to exceed \$1,294,491.00. This change order funding is contingent upon FTA approval of budget revisions for grants identified herein.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this amendment will negatively impact the ability of the Authority to complete the design of the E. 55th Street station and bridge and meet the construction schedule.
- 8.0 RECOMMENDATION: This change order was discussed at the July 1, 2008 Planning and Development committee meeting and recommended for approval to the Board of Trustees. It is recommended that the offer of Hatch Mott MacDonald, Inc. be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer to modify this contract.
- 9.0 ATTACHMENTS: Approved Change Order Log.

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



CEO, General Manager/Secretary-Treasurer

APPROVED CHANGE ORDERS

PROJECT NO. 240 HATCH MOTT MACDONALD

Contract: # 2004-88

Consultant: Hatch Mott MacDonald

Original Contract Amount \$889,940.00

Total G.M. C.O. Authority remaining \$ 51,530

Total Change Order Amount To Date \$48,470

% Change to Date: 5.5%

<i>ITEM NO.</i>	<i>Note</i>	<i>Approval Date</i>	<i>CHANGE ORDER</i>	<i>APPROVAL AUTHORITY</i>	<i>NEW CONTRACT</i>
1	1	March 19, 2008	0	CEO/General Manager Secretary-Treasurer	\$899,940.00
2	2	June 16, 2008	\$48,470.00	CEO/General Manager Secretary-Treasurer	\$948,410.00

NOTES/CHANGE ORDER DESCRIPTION:

1. Three Years time extension
2. Modification to the Bower Avenue Intersection