

RESOLUTION NO. 2009-35

AUTHORIZING CONTRACT NO. 2009-28 WITH TRANSYSTEMS CORPORATION FOR PROJECT 23V – ENGINEERING SERVICES FOR THE REHABILITATION OF THE “S” CURVE IN THE AMOUNT OF \$400,184.00 (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Authority deems it necessary to procure Engineering Services for the Rehabilitation of the “S” Curve, as described under Project 23V; and

WHEREAS, the proposal of TranSystems Corporation with offices located at 55 Public Square, Suite 1900, Cleveland, Ohio 44113 to perform said services was received on April 9, 2009 in response to a request for proposals; and

WHEREAS, after negotiations, an amount of four hundred thousand one hundred eighty-four & 00/100 dollars (\$400,184.00) was agreed upon and TranSystems Corporation was determined to be the most technically qualified firm offering to perform said services; and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer of Tran Systems Corporation, as negotiated, 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 TranSystems Corporation, as negotiated, to perform said services under Project 23V – Engineering Services for the Rehabilitation of the “S” Curve, be and the same is hereby accepted.

Section 2. That the General Manager/Secretary-Treasurer be, and he is hereby authorized, to enter into a contract with TranSystems Corporation for the performance of said services.


Section 3. That said contract is payable from the RTA Development Fund, Engineering and Project Development budget, including but not limited to ARRA Capital Grant OH-05-0002 (\$250,000) and Capital Grant OH-03-0209 (\$150,184) for a total amount of \$400,184.00 (\$370,147 in Federal funds which represents approximately 92% of the total cost). The award of this contract is based on initially using available 100% Local funds, which will be replaced by FTA funds under the American Recovery and Reinvestment Act (ARRA) of 2009.

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon compliance by the contractor to the Specifications and Addenda, thereto, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2009-023; 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 TranSystems Corporation will attempt to exceed the minimum 15% DBE goal assigned to this procurement.

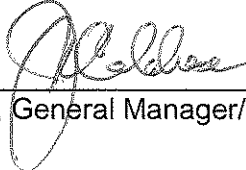
Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: May 19, 2009



President

Attest:



CEO, General Manager/Secretary-Treasurer



TITLE/DESCRIPTION: NAME: ENGINEERING SERVICES FOR "S" CURVE VENDOR: TRANSYSTEMS CORPORATION AMOUNT: \$400,184.00	Resolution No.: 2009-35
	Date: May 14, 2009
	Initiator: Engineering & Project Development
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 **PURPOSE:** This action will allow the Authority to enter into a contract for Project 23V – Engineering Services for the Rehabilitation of the “S” Curve.

- 2.0 **DESCRIPTION/JUSTIFICATION:** This project is for Engineering Services for the Rehabilitation of the “S” Curve. This project involves the design of a new track structure on the west side of the Red Line between the W. 98th and W. 117th Street Stations covering one mile of track. TranSystems Corporation will provide professional engineering services resulting in detailed inspections and preparation of alternative studies for a comprehensive rehabilitation plan, construction documents, and construction support services with high priority on public safety and minimum impact on GCRTA customer service.

- 3.0 **PROCUREMENT BACKGROUND:** A Request for Proposal was posted on the GCRTA procurement website and advertised in the local newspapers. Solicitations were downloaded from the web site by approximately sixty prospective proposers. Three (3) technical proposals were received on April 9, 2009.

These services were solicited through a competitive negotiated procurement, utilizing the Brooks Act procedures. Under this process, the Authority’s evaluation panel selects the most technically qualified firms to interview, based on the written proposals received. Interviews are conducted and the single most technically qualified firm is selected and asked to submit a cost proposal. The Authority then negotiates with that firm. Should the Authority determine that a mutual agreement could not be reached with the most qualified firm, it may reject that proposal and repeat the process with the next most qualified firm. In this instance, negotiations were held with the first ranked firm and an acceptable price was reached.

A cost 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 15% DBE goal was established for this procurement. TranSystem Corporation has committed to achieving a 20.3% DBE participation utilizing G&T Associates, Inc. (Asian) in an amount of \$31,960, Denise's Flagging Services (African American Female) in an amount of \$25,000, and Prime Engineering & Architect, Inc. (Indian Pacific) in an amount of \$24,251 for a total DBE participation of \$81,211.

- 5.0 POLICY IMPACT: Does not apply.
- 6.0 ECONOMIC IMPACT: This procurement will be funded from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to ARRA Capital Grant OH-56-0002, Line Item 12.21.03 (\$250,000) and Capital Grant OH-03-0209, Line item 12.21.03 (\$150,184) for a total amount of \$400,184.00 (\$370,147 in Federal funds which represents approximately 92% of the total cost. The award of this contract is based on initially using available 100% Local funds, which will be replaced by FTA funds under the American Recovery and Reinvestment Act (ARRA) of 2009.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer will impact the Authority's goal to rehabilitate this vital rail transportation of our rail system and avoid future negative impacts on the transit system.
- 8.0 RECOMMENDATION: This contract was reviewed by the Planning and Development Committee at their May 12, 2009 meeting and recommended for approval by the Board of Trustees. It is recommended that the offer of TranSystems 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