

RESOLUTION NO. 2009-50

AUTHORIZING CONTRACT 2009-072 WITH WABTEC PASSENGER TRANSIT FOR FORTY (40) ELECTRIC COUPLER HEADS FOR THE TOKYU HRV FLEET AT A PRICE NOT TO EXCEED \$234,000.00 (RTA DEVELOPMENT FUND, RAIL DISTRICT DEPARTMENT BUDGET)

WHEREAS, the Authority has a requirement for forty (40) electric coupler heads for the Tokyu heavy rail vehicles; and

WHEREAS, the offer of Wabtec Passenger Transit, located at 130 Ridgeview Center, Duncan, SC 29334, to furnish forty (40) Electrical Coupler Heads for the Authority's Heavy Rail Vehicle (HRV) fleet was received by the Authority on June 11, 2009; 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 \$234,000.00 was accepted based on the contract requirements and unit prices bid for the purchase of forty (40) electric coupler heads, as specified; and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer of Wabtec Passenger Transit 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 Wabtec Passenger Transit, 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 Wabtec Passenger Transit, 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 ARRA Capital Grant OH-96-X027 in an amount not to exceed \$234,000.00 (100% Federal /Stimulus funds). 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 Specification and Addenda, 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 Wabtec Passenger Transit 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: June 30, 2009

  
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President

Attest:   
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CEO, General Manager/Secretary-Treasurer



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

<b>TITLE/DESCRIPTION:</b>  <b>CONTRACT:</b> FURNISHING OF FORTY (40) ELECTRIC COUPLER HEADS  <b>VENDOR:</b> WABTEC PASSENGER TRANSIT  <b>AMOUNT:</b> \$234,000.00	<b>Resolution No.:</b> 2009-50
	<b>Date:</b> June 25, 2009
	<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 with Wabtec Passenger Transit for the furnishing of forty (40) Electric Coupler Heads, as specified and as required.

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 that will eliminate moisture in the enclosure. The moisture has caused electrical problems when the Authority has a multiple unit train. These units are required for the continuance of the mid-life overall project.

3.0 **PROCUREMENT BACKGROUND:** The Invitation for Bid was posted on the procurement web site and advertised in the local newspapers. Six potential bidders, of which two are manufacturers of this equipment, downloaded the bid package with one bidder responding. The bid was opened on June 11, 2009 with the following results:

<u>COMPANY</u>	<b>Bid Price</b>	<b>Total</b>
Wabtec Passenger Transit 130 Ridgeview Center Duncan, SC 29334	\$5,850.00	\$234,000.00

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 change in the bid amount originally submitted by Wabtec Passenger Transit. Wabtec Passenger Transit has provided this material in the past years and has provided an acceptable product to the Authority. A survey of a prospective bidder found that they could not submit a bid and provide this product.


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 0% DBE goal was established for this procurement due to the 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 ARRA Capital Grant OH-96-X027, Line Item 12.15.21 at a total price not to exceed \$234,000.00 (100% Federal Stimulus funds). 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. The price is 2% below the previous purchase.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would delay and impede the HRV Mid-life overhaul project and cause delays in obtaining the necessary equipment for the project.
- 8.0 RECOMMENDATION: It is recommended that the offer of Wabtec Passenger Transit 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