

RESOLUTION NO. 2009-64

AUTHORIZING CONTRACT NO. 2009-087 WITH INFINITY CONSTRUCTION CO. INC. FOR ENTIRE WORKS UNDER PROJECT 46A, STEPHANIE TUBBS JONES TRANSIT CENTER IN THE AMOUNT OF \$6,400,000.00 (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Authority deems it necessary to acquire construction services for the Entire Works, as provided under Project 46A, Stephanie Tubbs Jones Transit Center; and

WHEREAS, the bid of Infinity Construction Co. inc., located at 18440 Cranwood Parkway, Warrensville Heights Ohio 44128 was received July 13, 2009 in the amount of six million four hundred thousand and 00/100 dollars (\$6,400,000.00) to perform said services; and

WHEREAS, the General Manager/Secretary-Treasurer deems the bid of Infinity Construction Co. Inc to be the lowest responsive bid from a responsible bidder for said services 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 bid of Infinity Construction Co. Inc. for Project 46A – Entire Works for the Stephanie Tubbs Jones Transit Center 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 Infinity Construction Co. Inc. for Project 46A, the Entire Work for the Stephanie Tubbs Jones Transit Center.

Section 3. That said contract is payable from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to ARRA Capital Grant OH-96-X027 in the amount of \$2,319,537.00 (100% Federal funds), Capital Grant OH-03-0266 in the amount of \$607,360.00, Capital Grant OH-04-0002 in the amount of \$2,389,153.00 and Capital Grant OH-04-0056 in the amount of \$1,083,950.00 for a total contract amount of \$6,400,000.00 (\$5,583,907.00 in Federal funds which represents 87.2% 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, and the Section 5309 Bus Discretionary Program.

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 No. 2009-023; bonding and insurance requirements and all applicable laws relating to the contractual obligations of the Authority.

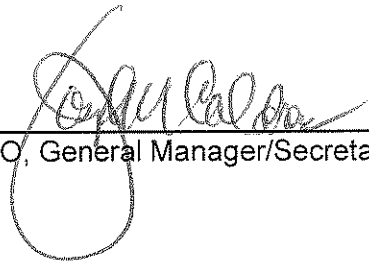
Section 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that Infinity Construction Co. Inc. will exceed the 25% DBE goal assigned to this procurement.

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

Adopted: July 28, 2009



President

Attest: 

CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: CONTRACT: STEPHANIE TUBBS JONES TRANSIT CENTER VENDOR: INFINITY CONSTRUCTION CO. INC. AMOUNT: \$6,400,000	Resolution No.: 2009-64
	Date: July 23, 2009
	Initiator: Engineering and Project Development
ACTION REQUEST: Approval Review/Comment Information Only Other _____	

- 1.0 **PURPOSE/SCOPE:** This action will allow the Authority to enter into a contract to provide construction services for the Entire Work of Project 46A, Stephanie Tubbs Jones Transit Center.
- 2.0 **DESCRIPTION/JUSTIFICATION:** This transit center is located on Prospect Avenue between E. 21 and E. 22 serving the CSU and eastern edge of downtown Cleveland. It consists of a state-of-the-art facility, LEED's Certified, bus waiting building, a landscaped plaza for pedestrians, bus waiting/loading platforms for 16 buses, and public art. It is RTA's first downtown transit center and services high volume for RTA bus routes. This transit center will allow GCRTA to provide more efficient bus services to customers by allowing a more convenient transfer between routes in a comfortable, safe waiting area. It will eliminate traffic, improve air quality and address issues associated with the numerous on-street layover areas that presently exist within the CSU area. In addition to providing better quality bus services, the Center is also dedicated to the life and work of Stephanie Tubbs Jones who was instrumental in obtaining a federal earmark for the construction of this project.
- 3.0 **PROCUREMENT BACKGROUND:** The Invitation for Bid (IFB) was posted on the RTA web site and advertised in the local newspapers. Solicitation packages were downloaded by fifty-four (54) prospective bidders. On July 13, 2009, ten (10) bidders submitted a total of fourteen (14) bids.

The Basis of Award was to be made to the lowest responsive and responsible bid for the Entire Work provided it was lower than the sum of the lowest responsive and responsible bid of the multiple trades. Award of multiple trades is made when responsive and responsible bids are received from each of the classes of work and the total of all contracts for the project is not in excess of 10% above the entire estimate thereof, as provided in Ohio Revised Code 153.51. A summary of the bids received for Project 46A are summarized on Attachment A.

Multiple prime bids could not be awarded because there were no Plumbing bids submitted. The lowest Entire Work bid was received from Infinity Construction Co. Inc. in the amount of \$6,400,000.00. The Engineer's Estimate is \$7,600,000. The lowest entire bid was 16% lower than the Engineers Estimate. The above circumstances support award of entire work for Project 46A. A price analysis was performed and the Procurement Department has determined the Total Lump Sum Price bid received from for the Entire Work to be fair and reasonable.

4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: All Affirmative Action requirements have been met. A 25% DBE has been established for this procurement. Infinity Construction Co., Inc. has committed to achieving \$1,659,782 or 25.9% in DBE participation through the utilization of the following certified DBE firms:

Comm Steel (African American)	fabricate and erect structural steel	\$1,200,000	19.0%
Cook Paving (African American)	site work for electrical	190,000	2.7%
Gator Cons. Inc. (Female)	pavers	110,000	1.7%
Extreme Cabling (Hispanic)	voice/data cabling, paging, cctv access.	81,782	1.3%
Rockport Ready-Mix (Female)	supply concrete	78,000	1.2%
		\$1,659,782	25.9%

5.0 POLICY IMPACT: None.

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-96-X027, Line Item 11.33.03 in the amount of \$2,319,537.00 (100% Federal funds), Capital Grant OH-03-0266, Line Item 11.33.03 in the amount of \$607,360.00, Capital Grant OH-04-0002, Line item 11.33.03 in the amount of \$2,389,153.00 and Capital Grant OH-04-0056, Line item 11.33.03 in the amount of \$1,083,950.00 for a total contract amount of \$6,400,000.00 (\$5,583,907.00 in Federal funds which represents 87.2% 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, and the Section 5309 Bus Discretionary Program.

- 7.0 ALTERNATIVES: Reject this bid. Prompt award of this contract will allow for the transit center to be under roof by snow fall which will allow the work to proceed during the winter months.
- 8.0 RECOMMENDATION: It is recommended that the bid of Infinity Construction Co. Inc. be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer to enter into a contract.
- 9.0 ATTACHMENTS: Attachment A.

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



CEO, General Manager/Secretary-Treasurer

Attachment A Bid Summary

Company Name	Entire Work	General Trades	HVAC	Plumbing	Electrical
Mid America Construction		\$5,838,000			
Schirmer	\$7,594,000	\$6,600,000			
Gateway Electrical					\$876,522
Thomarios	\$7,284,000				
Town Center Construction	\$6,984,000	\$5,792,000			
East-West Construction	\$6,659,000	\$5,709,000			
Marlin Mechanical			\$161,600		
Infinity Construction	\$6,400,000	\$5,365,000			
Ullman Electric					\$1,047,600
Lake Erie Electric					\$871,000