

RESOLUTION NO. 2009-94

AUTHORIZING CONTRACT NO. 2009-120 WITH RICHARD L. BOWEN AND ASSOCIATES, INC. FOR PROJECT 51 A/E SERVICES FOR THE CLIFTON BOULEVARD TRANSIT ENHANCEMENT PROGRAM IN THE AMOUNT OF \$765,945.86 (RTA DEVELOPMENT FUND, ENGINEERING AND PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Authority deems it necessary to procure A/E Services for the Clifton Boulevard Transit Enhancement Program, as described under Project 51; and

WHEREAS, the proposal of URS Corporation Ohio with offices located at 13000 Shaker Boulevard, Cleveland, Ohio 44120 to perform said services was received on September 30, 2009 in response to a request for proposals; and

WHEREAS, after negotiations, an amount of seven hundred sixty five thousand nine hundred forty five & 86/100 dollars (\$765,945.86) was agreed upon and Richard L. Bowen and Associates, Inc. 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 Richard L. Bowen and Associates, Inc., 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 Richard L. Bowen and Associates, Inc., as negotiated, to perform said services under Project 51- A/E Services for the Clifton Boulevard Transit Enhancement Program, 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 Richard L. Bowen and Associates, Inc. for the performance of said services.

Section 3. That said contract shall be payable from the RTA Development Fund, Engineering and Project Development budget, including but not limited to ARRA Capital Grant OH-96-X027 in the amount of \$765,945.86 (100% Federal funds). \$65,945.86 of this contract award 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 Richard L. Bowen and Associates, Inc. to exceed the 30% minimum DBE goal assigned to this procurement.

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

Adopted: November 17, 2009



President

Attest: 

CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: CONTRACT: A/E SERVICES FOR THE CLIFTON BOULEVARD TRANSIT ENHANCEMENT PROGRAM. VENDOR: RICHARD L. BOWEN AND ASSOCIATES, INC. AMOUNT: \$765,945.86	Resolution No.: 2009-94
	Date: November 12, 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 51- A/E Services for the Clifton Boulevard Transit Enhancement Program.
- 2.0 **DESCRIPTION/JUSTIFICATION:** This project will develop a community sensitive design for the construction of transit and roadway elements for Clifton Boulevard that enhance existing community and transit elements. The design shall not require right of way acquisition. Planned improvements include:
- A family of contextually-sensitive curbside stations that utilize standard elements such as benches, signage, waste receptacles and glazing panels.
 - A landscaped median approach to each city.
 - A transit-priority based traffic signal system.
 - Concrete bus pads at station locations.
 - Parking, pedestrian and bicyclist elements.
 - Protection of existing large trees and new landscaping.
- 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 86 prospective proposers. Four (4) technical proposals were received on September 30, 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 based on this process; 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 with Richard L. Bowen and Associates, Inc. to be fair and reasonable to the Authority.
- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 30% DBE goal was established for this procurement. Richard L. Bowen and Associates, Inc. has committed to achieving the goal through utilization of the following DBE firms: Somat Engineering (Asian-owned) in the amount of \$152,149, L.V. Surveying (female-owned) in the amount of \$65,990, and Wanix Architects (female-owned) in the amount of \$48,000, for total DBE participation of \$266,139 or 34.8%.

- 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-96-X027, Line Item 11.21.01 in the amount of \$765,945.86 (100% Federal funds). \$65,945.86 of this contract award 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. This amount is approximately 2% below the Engineer's Estimate of \$777,000.00 for this project.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer will impact the Authority's goal to design a community sensitive transit enhancement program.
- 8.0 RECOMMENDATION: This procurement was reviewed by the Planning and Development Committee at their November 9, 2009 meeting and recommended for approval by the Board of Trustees. It is recommended that the offer of Bowen and Associates, 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.



CEO, General Manager/Secretary-Treasurer