

RESOLUTION NO. 2010-63

AUTHORIZING CONTRACT NO. 2010-078 WITH OHIO CAT, FOR THE FURNISHING OF (5) CAT C-9 ON HIGHWAY ENGINES FOR TRANSIT APPLICATION AT A TOTAL PRICE NOT TO EXCEED \$122,500.00 (RTA DEVELOPMENT FUND, FLEET MANAGEMENT DEPARTMENT BUDGET)

WHEREAS, the Authority has a need to replace Caterpillar C-9 engines on the NABI 2600 low floor revenue vehicle; and

WHEREAS, the offer of Ohio CAT, located at 900 Ken Mar Industrial Parkway, Broadview Heights, OH 44147, for the furnishing of (5) CAT C-9 on highway engines for transit application, was received on August 12, 2010; and

WHEREAS, after negotiations, Ohio CAT, agreed to provide five (5) CAT C-9 on highway engines for transit application at a total price not to exceed one hundred twenty-two thousand five hundred & 00/100 dollars (\$122,500.00); and

WHEREAS, Ohio CAT, is the only known source available for these (5) CAT C-9 on highway engines for transit application; and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer of Ohio CAT, as negotiated, to be fair and reasonable to 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 Ohio CAT, as negotiated, for the furnishing of (5) CAT C-9 on highway engines for transit application be accepted.

Section 2. That the General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to enter into a contract with Ohio CAT, for the furnishing of (5) CAT C-9 on highway engines for transit application.

Section 3. That said contract shall be payable from the RTA Development Fund, Fleet Management Department budget, including but not limited to Capital Grant OH-95-X008, Line Item 11.12.40, at a total price not to exceed \$122,500.00 (\$98,000.00 in Federal Funds which represents 80% of the total cost).

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, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2010-028; bonding and insurance requirements and all applicable laws relating to contractual obligations of the Authority.

Section 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that Ohio CAT will attempt to exceed the 0% minimum DBE goal assigned to this procurement.

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

Adopted: September 21, 2010



President

Attest: 

CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: CONTRACT: FIVE (5) CAT C-9 ON HIGHWAY ENGINES FOR TRANSIT APPLICATION VENDOR: OHIO CAT AMOUNT: NOT TO EXCEED \$122,500.00	Resolution No.: 2010-63
	Date: September 16, 2010
	Initiator: Fleet Management 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 enter into a contract for the furnishing of (5) CAT C-9 on highway engines for transit application.

2.0 **DESCRIPTION/JUSTIFICATION:** The five (5) C-9 engines will be used to replace failed units on the NABI 2600 fleet of low floor buses.

3.0 **PROCUREMENT BACKGROUND:** Caterpillar discontinued manufacturing the C-9 engine for transit application in 2008. The closing of a Caterpillar distributorship has made several CAT C-9 On Highway Engines for Transit Application available for purchase. Ohio Cat, the primary supplier of Caterpillar parts in northeast Ohio has offered these engines to the Authority. Several suppliers that distribute Caterpillar parts were contacted in an attempt to obtain competitive bids. No other suppliers were able to quote CAT C-9 on highway engines for transit application.

Section 306.43(H)(2) of the Ohio Revised Code provides that competitive bidding is not required when a regional transit authority, after reasonable inquiry, determines that only one source of supply is reasonably available.

Negotiations were conducted with Ohio CAT for (5) CAT C-9 on highway engines for transit application. A price analysis was performed and the Procurement Department has determined the negotiated offer 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 lack of certified DBE Firms

5.0 **POLICY IMPACT:** Does not apply.

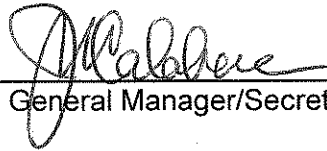
6.0 **ECONOMIC IMPACT:** This procurement will be payable from the RTA Development Fund, Fleet Management Department budget, including but not limited to Capital Grant OH-95-X008, Line Item 11.12.40, at a total price not to exceed one hundred twenty-two thousand five hundred & 00/100 dollars (\$98,000.00 in Federal Funds which represents 80% of the total cost). The negotiated price is equal to the estimated budget cost for this procurement.

7.0 **ALTERNATIVES:** Reject this offer. Rejection of this offer would affect the quality of service and safety of the vehicle.

8.0 **RECOMMENDATION:** It is recommended that the offer of Ohio CAT, as negotiated, 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