

RESOLUTION NO. 2010-78

AUTHORIZING AN INCREASE TO CONTRACT NO. 2009-064 WITH THE ALBERT M. HIGLEY COMPANY FOR PROJECT 240 TO PROVIDE ADDITIONAL CONSTRUCTION SERVICES FOR THE E. 55<sup>TH</sup> STREET RAPID TRANSIT STATION RECONSTRUCTION PROJECT IN THE AMOUNT OF \$10,640.00 FOR A TOTAL CONTRACT AMOUNT OF \$9,044,555.00 (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, by Resolution No. 2009-48, the Board of Trustees authorized Contract No. 2009-064 in the amount of eight million five hundred forty-three thousand & 00/100 dollars (\$8,543,000.00) with The Albert M. Higley Company located at 2926 Chester Avenue, Cleveland, Ohio 44114 for the furnishing of said construction services; and

WHEREAS, the General Manager/Secretary-Treasurer has issued twenty-nine (29) change orders in the net amount of four hundred ninety thousand nine hundred fifteen & 00/100 dollars (\$490,915.00) based upon his change order authority pursuant to the Authority's Procurement Policies for a total contract value of nine million thirty-three thousand nine hundred fifteen & 00/100 dollars (\$9,033,915.00); and

WHEREAS, the Authority deems it necessary to acquire additional construction services for General Trades, as provided under Project 240, E. 55<sup>th</sup> Street Rapid Transit Station Reconstruction in the amount of ten thousand six hundred forty dollars (\$10,640.00); and

WHEREAS, said increase will exceed the General Manager/Secretary-Treasurer's \$500,000 signing authority; and

WHEREAS, the General Manager/Secretary-Treasurer deems acceptance of the offer of The Albert M. Higley Company to be in the best interest of the Authority and recommends acceptance thereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the negotiated offer of The Albert M. Higley Company to provide additional construction services are hereby accepted as being in the best interest of the Authority.

Section 2. That the General Manager/Secretary-Treasurer of the authority be and he is hereby authorized to issue Change Order #30 to Contract No. 2009-064 with The Albert M. Higley Company to provide additional construction services for E. 55<sup>th</sup> Street Rapid Transit Station, as required.

Section 3. That said increase shall be payable from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to ARRA Capital Grant OH-96-X027 in an amount not to exceed \$10,640.00 (100% Federal funds), for a total contract amount not to exceed nine million forty-four thousand five hundred fifty-five & 00/100 dollars (\$9,044,915.00).

Section 4. That the General Manager/Secretary-Treasurer's change order authority be reinstated to its entirety.

Section 5. That all other terms and conditions of said contract shall remain unchanged.

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

Adopted: October 19, 2010

  
\_\_\_\_\_  
President

Attest:   
\_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer



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

<b>TITLE/DESCRIPTION:</b> <b>CONTRACT:</b> ADDITIONAL CONSTRUCTION SERVICES FOR PROJECT 240 – E. 55 <sup>th</sup> STREET RAPID TRANSIT STATION  <b>VENDOR:</b> THE ALBERT M. HIGLEY COMPANY  <b>AMOUNT:</b> \$10,640.00	<b>Resolution No.:</b> 2010-78
	<b>Date:</b> October 14, 2010
	<b>Initiator:</b> Engineering & Project Development
<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:** This action will allow the Authority to increase Contract No. 2009-064, E. 55<sup>th</sup> Street Rapid Transit Station, General Trades with The Albert M. Higley Company to provide additional construction services for Project 240.

2.0 **DESCRIPTION/JUSTIFICATION:** GCRTA has requested an updated communication and security system be installed. The original contract documents specify communication and security systems that are obsolete and no longer used by the GCRTA.

The changes to correct these issues have been requested by the Authority to facilitate and maintain the completion of construction.

3.0 **PROCUREMENT BACKGROUND:** In May 2009 the Board of Trustees by Resolution No.2009-48 authorized a contract with The Albert M. Higley Company to perform General Trades construction services for the E. 55<sup>th</sup> Street Rapid Transit Station project.

The new total contract amount of \$9,044,555.00 is comprised of the following:

Original Contract Amount	\$8,543,000.00
Change Orders to Date	\$ <u>490,915.00</u>
Subtotal	\$9,033,915.00
Communication & Security	\$ <u>10,640.00</u>
Revised Total	\$9,044,555.00

A price analysis has been performed and the Procurement Department has determined the rates to be fair and reasonable to the Authority.

4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 20 % DBE participation goal was established for this procurement when it was awarded in 2009 (2009-064). Albert M. Higley, Inc. has agreed to maintain the established DBE goal through the utilization of the existing certified DBE firms approved under the contract.

5.0 **POLICY IMPACT:** None

- 6.0 **ECONOMIC IMPACT:** This contract change order shall be payable from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to ARRA Capital Grant OH-96-X027, Line Item 12.34.02, in an amount not to exceed \$10,640.00 (100% Federal funds), for a total contract amount not to exceed nine million forty-four thousand five hundred fifty-five & 00/100 dollars (\$9,044,555.00).
- 7.0 **ALTERNATIVES:** Reject this bid. Rejection of this award would impact the Authority's ability to provide an operable communication and security system to the E. 55<sup>th</sup> Street Rapid Transit Station.
- 8.0 **RECOMMENDATION:** This change order was reviewed by the Planning and Development Committee at their October 12, 2010 meeting and recommended for approval by the Board of Trustees. It is recommended that this change order be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer to modify the contract.
- 9.0 **ATTACHMENTS:** Change order log.

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

EAST 55TH ST. RAPID TRANSIT STATION RECONSTRUCTION  
PROJECT 240  
CONTRACT NO. 2009-064

ALBERT M. HIGLEY CHANGE ORDERS

CHANGE ORDER NO.	PCO #s	DESCRIPTION	AMOUNT	TOTAL CHANGE ORDERS TO DATE	GM AUTHORITY REMAINING
					\$500,000.00
1	001	Contractor to evaluate conformed set of documents to confirm that they are inclusive and correct with all addendums issued during bidding.	\$0.00	\$0.00	\$500,000.00
2	002	Need for additional embankment material.	\$13,089.00	\$13,089.00	\$486,911.00
3	004	Need for additional signal conduits.	\$2,594.00	\$15,683.00	\$484,317.00
4	005	Deduct for late set up of field office	(\$4,810.00)	\$10,873.00	\$489,127.00
5	009	Additional overhead removal and added underground 1/C#1500KcMII	\$49,870.00	\$60,743.00	\$439,257.00
6	010 011	Need for a 30" diameter rebar cage due to clearance issue between tracks. Re-fabricate 2 proposed catenary poles as they have insufficient arm lengths to perform pull offs.	\$25,747.00	\$86,490.00	\$413,510.00
7	013 014	Lost time due to outage requests not being honored by power and way dept. Pole E138B could not be drilled and readied for concrete as outage requests were denied for WB main and yard track 1. A separate pour will be needed and require the use of a pump truck for this one foundation.	\$17,942.00	\$104,432.00	\$395,568.00
8		Gas Line Relocation *** CANCELLED***	\$0.00	\$104,432.00	\$395,568.00
9	015	Test holes / Additional Soil Borings	\$8,489.00	\$112,921.00	\$387,079.00
10	006	Gas service line replacement contingency	\$7,716.00	\$120,637.00	\$379,363.00
11	028	Barrier Wall Deduct	(\$40,000.00)	\$80,637.00	\$419,363.00
12	026	Catenary pole re-fabrication time delay	\$87,313.00	\$167,950.00	\$332,050.00
13	027	Helical Pier Testing (time delay)	\$17,531.00	\$185,481.00	\$314,519.00
14	008	Contractor initiated alternative foundation system - Helical piers	\$28,000.00	\$213,481.00	\$286,519.00
15	036	Installation of corrosion design for protecting helical pier foundations at elevator building	\$127,275.00	\$340,756.00	\$159,244.00
16	029	Footer needed due to caisson that was not able to be constructed at NW corner of proposed bus kiosk.	\$3,404.00	\$344,160.00	\$55,840.00
17	034	Column anchor bolt pattern revision (RFI #063)	\$3,790.00	\$347,950.00	\$152,050.00
18	035	GCRTA requesting platform rebar to be epoxy coated	\$31,727.00	\$379,677.00	\$120,323.00
19	033	Temporary wood pole needed for pole E138B	\$9,549.00	\$389,226.00	\$110,774.00
20	040	Concrete utility feeder encasement	\$4,146.00	\$393,372.00	\$106,628.00
21	032	Grounding mettalic items on platforms	\$23,174.00	\$416,546.00	\$ 83,454.00
22	039	Curtainwall shop drawing changes	\$1,454.00	\$418,000.00	\$ 82,000.00
23	030	Pole E138A is in conflict with the proposed pedestrian bridge. Number being pulled now.	\$9,629.00	\$427,629.00	\$ 72,371.00
24	037	OCS and pole E138B non performance (credit)	(\$5,638.00)	\$421,991.00	\$ 78,009.00
25	045	Permanent Structure/Boarding Platform.	\$25,441.00	\$447,432.00	\$ 52,568.00
26	043	Lost time due to outage request approved but not performed	\$7,977.00	\$455,409.00	\$ 44,591.00
27	044	Temporary HRV platform /Additional scope	\$35,536.00	\$490,945.00	\$ 9,055.00
28	046	Deduct for allowances non performed	(\$40,000.00)	\$450,945.00	\$ 49,055.00
29	021	Corrosion design.	\$40,000.00	\$490,945.00	\$ 9,055.00