

RESOLUTION NO. 2011-19

AUTHORIZING AN INCREASE TO CONTRACT NO. 2009-102A WITH TOWN CENTER CONSTRUCTION, LLC FOR PROJECT 11E TO PROVIDE ADDITIONAL CONSTRUCTION SERVICES FOR THE PARATRANSIT GARAGE REHABILITATION PROJECT IN THE AMOUNT OF \$7,938.00 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,236,973.15 (RTA DEVELOPMENT FUND, ENGINEERING AND PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Authority deemed it necessary to acquire additional construction services for General Trades as provided under Project 11E, Paratransit District Garage Rehabilitation; and

WHEREAS, by Resolution No. 2009-74, the Board of Trustees authorized Contract No. 2009-102A in the amount of one million eighteen thousand & 00/100 dollars (\$1,018,000.00) with Town Center Construction, LLC located at 8840 Commons Blvd., Twinsburg, Ohio 44087 for the furnishing of said construction services; and

WHEREAS, the General Manager/Secretary-Treasurer has issued twelve (12) change orders in the net amount of two hundred eleven thousand thirty-five & 15/100 dollars (\$211,035.15) based upon his change order authority pursuant to the Authority's Procurement Policies for a total contract value of one million two hundred twenty-nine thousand thirty-five & 15/100 dollars (\$1,229,035.15); and

WHEREAS, an increase in the amount of \$7,938.00 for a total contract amount not to exceed \$1,236,973.15 is required; and

WHEREAS, said increase will exceed the General Manager/Secretary-Treasurer's \$100,000 signing authority; and

WHEREAS, the General Manager/Secretary-Treasurer deems acceptance of the offer of Town Center Construction, LLC 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 Town Center Construction, LLC to provide additional construction services is 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 an increase to Contract No. 2009-102A with Town Center Construction, LLC to provide additional construction services for the Paratransit Garage Rehabilitation project, as required.

Section 3. That said increase shall be payable from the RTA Development Fund, Engineering and Project Development Department budget, including but not limited to Capital Grant OH-03-0259 in an amount not to exceed \$7,938.00 (\$6,350.40 in Federal funds which represents 80% of the total cost), for a total contract amount not to exceed one million two hundred thirty-six thousand nine hundred seventy-three & 15/100 dollars (\$1,236,973.15).

Section 4. That the General Manager/Secretary-Treasurer 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: March 22, 2011



President

Attest:



CEO, General Manager/Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: INCREASE TO PROJECT 11E TO PROVIDE ADDITIONAL CONSTRUCTION SERVICES FOR THE PARATRANSIT GARAGE REHABILITATION. VENDOR: TOWN CENTER CONSTRUCTION, LLC AMOUNT: \$7,938.00	Resolution No.: 2011-19
	Date: March 17, 2011
	Initiator: Engineering & Project Development Department
ACTION REQUEST: <input 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 increase Contract No. 2009-102A, Paratransit Garage Rehabilitation, General Trades with Town Center Construction, LLC to provide additional construction services for Project 11E.
- 2.0 **DESCRIPTION/JUSTIFICATION:** GCRTA has requested, per FM Global's recommendation, that concrete curbs be constructed in the Generator Room at both the interior and exterior entrance doors. Four (4) squares of sidewalk block must be removed and replaced along Chester Avenue, ceiling tiles are to be removed and replaced and wall penetrations must be sealed per the City of Cleveland's inspection.
- 3.0 **PROCUREMENT BACKGROUND:** In September 2009 the Board of Trustees by Resolution No. 2009-74, authorized a contract with Town Center Construction, LLC to perform General Trades construction services for the Paratransit Garage Rehabilitation project.

The new contract amount of \$1,236,973.15 is comprised of the following:


Original Contract Amount	\$1,018,000.00
Change Order to Date	<u>\$ 211,035.15</u>
Subtotal	\$1,229,035.15
FM Global recommended changes	<u>\$ 7,938.00</u>
Revised Total	\$1,236,973.15

A cost 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 25% DBE participation goal was established for this procurement in 2009 (2009-102A), which the company met. Town Center Construction has agreed to maintain the established DBE participation goal on the project through the use of its existing DBE firms.
- 5.0 **POLICY IMPACT:** Does not apply.

- 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 Capital Grant OH-03-0259, Line Item 11.34.02, in an amount not to exceed \$7,938.00 (\$6,350.40 in Federal funds which represents 80% of the total cost), for a total contract amount not to exceed \$1,236,973.15.
- 7.0 ALTERNATIVES: Reject this change order: Rejection of this change order will impact the completion of the rehabilitation of the Paratransit garage.
- 8.0 RECOMMENDATION: 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.

Handwritten signature in black ink, appearing to read "JAC" with a stylized flourish below it.

General Manager/Secretary-Treasurer

APPROVED CHANGE ORDERS
Paratransit Garage Rehabilitation, General Trades
PROJECT NO. 11E

Contract # 2009-102A
Original Contract Amount \$1,018,000.00
Total Change Order Amount To Date \$ 211,035.15

Contractor: Town Center Construction, LLC
Total G.M. Authority remaining \$ 0
% to Date: 21.6 %

<i>ITEM NO.</i>	<i>NOTE No.</i>	<i>APPROVAL DATE</i>	<i>TASK ORDER AMOUNT</i>	<i>APPROVAL AUTHORITY</i>	<i>NEW CONTRACT AMOUNT</i>
1	1	11/24/09	\$6,748.52	CEO/General Manager Secretary-Treasurer	\$1,024,748.52
2	2	1/14/10	\$19,903.55	CEO/General Manager Secretary-Treasurer	\$1,044,652.07
3	3	1/28/10	\$27,905.91	CEO/General Manager Secretary-Treasurer	\$1,072,557.98
4	4	2/09/10	\$2,228.05	CEO/General Manager Secretary-Treasurer	\$1,074,786.03
5	5	2/24/10	\$26,009.00	CEO/General Manager Secretary-Treasurer	\$1,100,795.57
6	6	4/12/10	\$13,304.52	CEO/General Manager Secretary-Treasurer	\$1,114,100.09
7	7	5/19/10	\$19,527.06	CEO/General Manager Secretary-Treasurer	\$1,133,627.15
8	8	7/20/10	\$18,299.00	CEO/General Manager Secretary-Treasurer	\$1,151,926.15
9	9	7/30/10	\$20,906.00	CEO/General Manager Secretary-Treasurer	\$1,172,832.15
10	10	7/30/10	\$17,267.00	CEO/General Manager Secretary-Treasurer	\$1,190,099.18
11	11	12/8/10	\$28,544.00	CEO/General Manager Secretary-Treasurer	\$1,218,643.15
12	12	01/21/11	\$10,392.00	CEO/General Manager Secretary-Treasurer	\$1,229,035.15

NOTES/CHANGE ORDER DESCRIPTION:

1. Change Room A103 from battery storage room to storage room
2. Extend foot excavation to 2-feet below the bottom of the footer and 1-foot wider on either side of the footer width. Dispose of additional spoils and add required backfill.
3. Additional site sanitary and sewer piping; additional masonry in new Maintenance building
4. Revisions to new vestibule and call center
5. Extend temporary drive to Maintenance building addition; provide winter protection; demolish masonry Wall, replace with metal gypsum board; add waterproofing membrane in shower areas and cover existing tile walls with FRP panels from floor to ceiling.
6. Remove and replace concrete pavement in the new north parking lot. Raise new sidewalk, westside and add curbing at Revenue Building.
7. Wall type revisions-vestibule, call center, Facility Maint. Change painted masonry to drywall.
8. North Parking Lot Addition, roofing revisions, building additions and door, hardware and window rev.
9. Chester entrance, COC violations, trench drains, stripping, retaining wall and grading.
10. Call Center parking lot, add'l concrete pavement replacement