

RESOLUTION NO. 2011-67

AUTHORIZING SOLE SOURCE CONTRACT NO. 2011-091 WITH S & A SYSTEMS FOR THE PURCHASE OF FLEETWATCH FLUID MANAGEMENT SYSTEM HARDWARE AND SOFTWARE UPGRADES AND LICENSING FEES AT A TOTAL PRICE NOT TO EXCEED \$616,000.00 (RTA DEVELOPMENT FUND, FLEET MANAGEMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority currently utilizes the Fleetwatch Fluid Management System on its revenue and non-revenue vehicles; and

WHEREAS, the Authority requires an upgrade to its Fluid Management System that will replace obsolete and failing hardware, reduce data collection maintenance cost, improve accuracy and usability of the data collected; and

WHEREAS, said upgrade and licensing are only available through S & A Systems located at 992 Sids Road, Rockwall, TX 75087, the original installer; and

WHEREAS, FTA Circular C 4220.1F, Section 6, Paragraph 3.1 (1)(b) provides that procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and the item is available only from a single source due to patent or data right restrictions; and

WHEREAS, Section 306.43H(3) provides that competitive bidding is not required when the expenditure is for a renewal or re-negotiation of a lease or license for telecommunications or electronic data processing equipment, services or systems, or for the upgrade of such equipment, services, or systems, or for the maintenance thereof as supplied by the original source or its successors or assigns; and

WHEREAS, S & A Systems has offered to provide the designated upgrades, installation, training and a one year software license at a negotiated price not to exceed six hundred sixteen thousand & 00/100 dollars (\$616,000.00); and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer of S & A Systems to be advantageous 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 S & A Systems to provide Fleetwatch Fluid Management System hardware and software upgrades and licensing 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 sole source contract with S & A Systems for the Fluid Management System upgrades, installation, training and one year software license agreement.

Section 3. That said contract shall be payable from the RTA Development Fund, Fleet Management Department budget, including but not limited to FFY 2011 Urban Grant OH-90-X728, at a total price not to exceed \$616,000.00 (\$492,800 in Federal funds which represents 80% of the total cost). The award of this contract is based on initially using 100% Local funds, of which \$616,000.00 will be replaced by FTA funds contingent upon approval of 2011 Formula Grants.

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon compliance by the contractor to the Specification and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2011-034; bonding and insurance requirements and all applicable laws relating to the contractual obligation of the Authority.

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

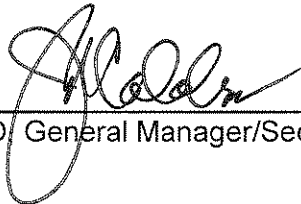
Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: August 2, 2011



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President

Attest:



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CEO/General Manager/Secretary-Treasurer



<b>TITLE/DESCRIPTION:</b> <b>CONTRACT: FLEETWATCH FLUID MANAGEMENT SYSTEM UPGRADES AND LICENSING</b>  <b>VENDOR: S &amp; A SYSTEMS</b>  <b>AMOUNT: NOT TO EXCEED \$616,000.00</b>	<b>Resolution No.:</b> 2011-67
	<b>Date:</b> July 28, 2011
	<b>Initiator:</b> Fleet Management
<b>ACTION REQUEST:</b> <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 enter into a sole source contract for Fleetwatch Fluid Management System hardware and software upgrades and licensing.

2.0 **DESCRIPTION/JUSTIFICATION:** The Authority is currently using the Fleetwatch Fluid Management system, which records the distribution of fluids per vehicle on a mileage basis. The current system is old and archaic and will no longer be supported after the end of the year. The upgrade replaces obsolete and failing hardware, reduces data collection maintenance cost, and improves accuracy and usability of data collected utilizing GPS type technology. The upgrades will interface with the Authority's current Ultramain maintenance management system and infrastructure. In addition to improved accuracy, the new system is capable of collecting operating hours along with on-board diagnostic codes, which provides a new means of metering vehicle usage and identifying mechanical issues.

3.0 **PROCUREMENT BACKGROUND:** S & A Systems is the exclusive and sole source provider of the Fleetwatch hardware and software systems. FTA Circular 4220.1F, Section 6, Paragraph 3.I (1)(b) provides that procurement by noncompetitive proposals may be used when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and the item is available only from a single source due to patent or data rights restriction. The license agreement is only available from S & A Systems. Section 306.43H(3) of the Ohio Revised Code specifically exempts competition for the upgrade of equipment and software and maintenance of licenses for data processing systems.

S & A Systems has offered to install the specified hardware and software upgrades, provide training and a software license agreement for one year at a total price not to exceed \$616,000.00. The price offered includes a credit on some components of the older system. The offer of S & A Systems is contingent upon the financial review and recommendation of Internal Audit.

4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** A 0% DBE goal was established for this procurement due to the lack of certified DBE firms.

- 5.0 POLICY IMPACT: Does Not Apply.
- 6.0 ECONOMIC IMPACT: This procurement will be funded through the RTA Development Fund, Fleet Management Department budget including but not limited to FFY 2011 Urban Grant OH-90-X728 at a total price not to exceed \$616,000.00 (\$492,800.00 in Federal funds which represents 80% of the total cost). The award of this contract is based on initially using 100% Local Funds, of which \$616,000.00 will be replaced by FTA Funds, contingent upon approval of the 2011 Formula Grants. This amount is approximately 6% below the Engineer estimate of \$650,000.
- 7.0 ALTERNATIVES: Reject this contract. Rejection of this contract would cause delay in the replacement of fluids in our revenue vehicles and potentially cause service interruptions.
- 8.0 RECOMMENDATION: It is recommended that the offer of S & A Systems be accepted and a resolution passed authorizing the General Manager 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.



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CEO, General Manager/Secretary-Treasurer