

RESOLUTION NO. 2011-90

AUTHORIZING CONTRACT NO. 2011-132 WITH ALSTOM SIGNALING, INC. FOR PROJECT 14.18G – PC BOARD AND MODULE TESTING AND REPAIR PROGRAM FOR DAMAGED MATERIAL USED ON THE BROOKPARK TOWER SIGNAL SYSTEM IN AN ESTIMATED AMOUNT NOT TO EXCEED \$138,850.00 (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority experienced storm and fire damage to its Brookpark Signal System and has determined the need to test and repair microprocessors and track circuit hardware; and

WHEREAS, said services are only available from Alstom Signaling, Inc. located at 150 Sawgrass Drive, Rochester, NY 14602, the original manufacturer of the material; and

WHEREAS, Alstom Signaling, Inc. has offered to provide the required testing and repair services at an estimated amount not to exceed \$138,850.00; and

WHEREAS, the Ohio Revised Code, 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, service or systems, or for the maintenance thereof as supplied by the original source or its successors or assigns; and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer of Alstom Signaling, Inc. 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 Alstom Signaling, Inc. for Project 14.18G – PC Board and Module Testing and Repair Program for damage material used on the Brookpark Tower Signal System, 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 Alstom Signaling, Inc. to provide these services.

Section 3. That said contract shall be payable from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to 100% Local funds, in an estimated amount not to exceed \$138,850.00, which may be determined to be partially or totally eligible for reimbursement as part of an Insurance Claim Settlement.

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 2011-034; 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 Alstom Signaling, Inc. 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: October 18, 2011



President

Attest:



CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

<p>TITLE/DESCRIPTION</p> <p>CONTRACT: PROJECT 14.18G – PC BOARD AND MODULE TESTING AND REPAIR PROGRAM FOR DAMAGED MATERIAL USED ON THE BROOKPARK TOWER SIGNAL SYSTEM</p> <p>VENDOR: ALSTOM SIGNALING, INC.</p> <p>AMOUNT: ESTIMATED AMOUNT NOT TO EXCEED \$138,850.00</p>	<p>Resolution No.: 2011-90</p> <p>Date: October 13, 2011</p> <p>Initiator: Engineering & Project Development Department</p>
<p>ACTION REQUEST:</p> <p><input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____</p>	

- 1.0 **PURPOSE/SCOPE:** This action will allow the Authority to enter into a sole source contract for Project 14.18G – PC Board and Module Testing and Repair Program for damaged material used on the Brookpark Tower Signal System.

- 2.0 **DESCRIPTION/JUSTIFICATION:** The Authority received fire and electrical damage to its Brookpark Signal System due to a recent storm and requires the testing and repair of vital microprocessors and track circuit hardware, which were damaged. The damages have resulted in the loss of our safety systems for train operation from Puritas Station to the Airport. The damaged material is proprietary to Alstom Signaling, Inc., the original installer of the equipment.

- 3.0 **PROCUREMENT BACKGROUND:** This sole source contract for testing and repair of electronic hardware is exempt from competitive bidding as authorized by Section 306.43H(3) of the Ohio Revised Code. Alstom Signaling, Inc. developed this material and is the only source authorized to test and repair it. A list of electronic material requiring testing and repair was provided. An estimated amount not to exceed of \$138,850.00 was agreed upon.

A price analysis was performed and the Procurement Department has determined the offer of Alstom Signaling, Inc. to be fair and reasonable for 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 the lack of subcontracting opportunities.

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

Staff Summary & Comments

Test and Repair of Material used on Brookpark Tower Signal System

Page 2

- 6.0 ECONOMIC IMPACT: The contract will be funded through the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to 100% Local funds in an estimated amount not to exceed \$138,850.00, which may be determined to be partially or totally eligible for reimbursement as part of an Insurance Claim Settlement. This negotiated amount is approximately 2% above the Engineer's Estimate of \$135,608.00 for this project.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would delay the repair of the Brookpark Signal System, which would negatively impact employees and the public.
- 8.0 RECOMMENDATION: It is recommended that the offer of Alstom Signaling, Inc., 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