

RESOLUTION NO. 2012-73

AUTHORIZING CONTRACT NO. 2012-082 WITH NOVACARE REHABILITATION OF OHIO, INC., A DIVISION OF SELECT MEDICAL CORPORATION TO PROVIDE FUNCTIONAL TESTING SERVICES, AS REQUIRED, FOR A PERIOD OF THREE YEARS WITH TWO, ONE-YEAR OPTIONS IN AN AMOUNT NOT TO EXCEED \$328,125.00 FOR THE BASE THREE YEARS AND IN AN AMOUNT NOT TO EXCEED \$109,375.00 FOR EACH OPTION YEAR FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$546,875.00 (GENERAL FUND, MARKETING & COMMUNICATIONS DEPARTMENT BUDGET)

WHEREAS, the Authority has the need to use an eligibility determination process for customers who want to utilize paratransit services; and

WHEREAS, the proposal of NovaCare Rehabilitation of Ohio, Inc., a division of Select Medical Corporation, located at 24000 Highpoint Road, Suite 1, Beachwood, Ohio 44122 to provide functional testing services for a three year period with two, one-year options was received on July 11, 2012; and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer of NovaCare Rehabilitation of Ohio, Inc., a division of Select Medical Corporation, as negotiated, 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 proposal submitted by NovaCare Rehabilitation of Ohio, Inc., a division of Select Medical Corporation, as modified by negotiations, to provide functional testing services for a period of three years with two, one-year options, 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 contract with NovaCare Rehabilitation of Ohio, Inc., a division of Select Medical Corporation to provide functional testing services for a period of three years with two, one-year options subject to approval of the exercise of each option by the General Manager/Secretary-Treasurer.

Section 3. That said contact shall be payable from the General Fund, Marketing & Communications Department budget in an amount not to exceed three hundred twenty-eight thousand, one hundred twenty-five & 00/100 dollars (\$328,125.00) for the base three years with the Authority retaining two, one-year options in an amount not to exceed one hundred nine thousand, three hundred seventy-five & 00/100 dollars (\$109,375.00) for each option year for a total contract amount not to exceed five hundred forty-six thousand, eight hundred seventy-five & 00/100 dollars (\$546,875.00).

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon approval of future funding, compliance by the contractor to the Specifications and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution No. 2012-036; 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 NovaCare Rehabilitation of Ohio, Inc., a division of Select Medical Corporation, 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 21, 2012



President

Attest: 

CEO, General Manager/Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: FUNCTIONAL TESTING VENDOR: NOVACARE REHABILITATION OF OHIO, INC. AMOUNT: NTE \$328,125.00 FOR BASE THREE YEARS AND NTE \$109,375.00 FOR EACH OPTION YEAR FOR A TOTAL CONTRACT AMOUNT NTE \$546,875.00	Resolution No.: 2012-73
	Date: August 16, 2012
	Initiator: Marketing & Communications
ACTION REQUEST: <input checked="" type="checkbox"/> Approval Review/Comment Information Only Other _____	

- 1.0 **PURPOSE/SCOPE:** This action will allow the Authority to enter into a contact for paratransit eligibility/functional testing services, as required, for a period of three years with two, one-year options.

- 2.0 **DESCRIPTION/JUSTIFICATION:** With the passage of the Americans with Disabilities Act in 1990, over 43 million Americans with disabilities were extended civil rights protection. Included in this legislation was a mandate to ensure persons with disabilities were provided equal access to the Nation's public transportation systems. Specifically, in the event an individual could not access a system's "fixed route" service due to a disability, structural barrier or environmental condition, it was mandated that complementary Paratransit service be provided. The legislation also included suggested guidelines for determining an individual's eligibility for this service. Initially, RTA was very liberal in its eligibility determinations. However due to rising demand and the increasing cost of service, RTA adopted a more thorough eligibility determination process. Modeled on best practices from transit systems across the country, RTA developed an eligibility determination process that includes a comprehensive application, professional verification, and when necessary, a physical and/or cognitive functional test.

- 3.0 **PROCUREMENT BACKGROUND:** The Request for Proposal (RFP) was posted on the GCRTA Procurement web site and advertised in the local newspapers. Four (4) prospective proposers downloaded the solicitation and two (2) proposals were received. After evaluation by a panel of Authority employees in accordance with established Procurement Department policies and procedures, and after negotiations, the proposal of NovaCare Rehabilitation of Ohio, Inc. a division of Select Medical Corporation to provide functional testing/paratransit eligibility services for a period of three years with two (2) one-year options was selected as the most advantageous to the Authority. The not to exceed price of \$328,125.00 for the base three-year period is based on the anticipated usage of these services at the pre-determined, negotiated rates. NovaCare Rehabilitation of Ohio, Inc. has successfully conducted these services for GCRTA since 2007.

A cost analysis was performed and the Procurement Department has determined the negotiated rates of NovaCare Rehabilitation of Ohio, Inc., a division of Select Medical Corporation, 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 the lack of certified DBE firms.
- 5.0 **POLICY IMPACT:** Does not apply.
- 6.0 **ECONOMIC IMPACT:** The contract will be funded through the General Fund, Marketing & Communications Department budget in an amount not to exceed three hundred twenty-eight thousand, one hundred twenty-five & 00/100 dollars (\$328,125.00) for the base three years and in an amount not-to-exceed one hundred nine thousand, three hundred seventy-five & 00/100 dollars (\$109,375.00) for each of the two option years, for a total contract amount not-to-exceed five hundred forty-six thousand, eight hundred seventy-five & 00/100 dollars (\$546,875.00). This is within the budgeted amount for these services.
- 7.0 **ALTERNATIVES:** Reject this offer. Rejection of this offer will have a negative impact on the Authority's provision of paratransit service to customers with disabilities that truly need paratransit transport. Functional Testing is recommended by FTA, as well as, experts in the field to improve paratransit service. It will allow the GCRTA to identify customers who need paratransit and those who can use regular bus and train services.
- 8.0 **RECOMMENDATION:** This procurement was discussed at the August 7, 2012 Operations Committee and recommended for approval to the Board of Trustees. It is recommended that the offer of NovaCare Rehabilitation of Ohio, Inc., a division of Select Medical Corporation, 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