

RESOLUTION NO. 2012-88

AUTHORIZING CONTRACT NO. 2012-117 WITH APEX CONSTRUCTION & MANAGEMENT CO., INC. FOR PROJECT 14.04 – STOKES/WINDERMERE ENTRANCE CANOPY AND VESTIBULE, AS SPECIFIED AND AS REQUIRED, IN AN AMOUNT NOT TO EXCEED \$221,850.00 (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Authority deems it necessary to acquire construction services, as provided under Project 14.04-Stokes/Windermere Entrance Canopy and Vestibule; and

WHEREAS, the bid of Apex Construction & Management Co., Inc, located at 24381 Aurora Road, Suite A-6, Bedford Heights, Ohio 44146, was received on September 05, 2012 in an amount not to exceed two hundred twenty-one thousand eight hundred fifty dollars & 00/100 (\$221,850.00) to perform said services; and

WHEREAS, the General Manager/Secretary-Treasurer deems the bid of Apex Construction & Management Co., Inc to be a responsive bid from a responsible bidder 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 bid of Apex Construction & Management Co., Inc for Project 14.04-Stokes/Windermere Entrance Canopy and Vestibule 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 Apex Construction & Management Co., Inc for Project 14.04-Stokes/Windermere Entrance Canopy and Vestibule.

Section 3. That said contract shall be payable from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to ODOT Grant X520-064, in an amount not to exceed \$221,850.00 (\$177,480.00 in ODOT funds which represents 80% of the total cost).

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, thereto, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2012-036; bonding and insurance requirements and all applicable laws relating to the contractual obligations of the Authority.

Section 5. That the Authority's Board of Trustees expects that Apex Construction & Management Co., Inc will exceed the 15% DBE goal assigned to this procurement.

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

Adopted: October 23 2012

  
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President

Attest:   
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CEO, General Manager/Secretary-Treasurer



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

<b>TITLE/DESCRIPTION:</b>  <b>CONTRACT: PROJECT 14.04 – STOKES/WINDERMERE ENTRANCE CANOPY AND VESTIBULE</b>  <b>VENDOR: APEX CONSTRUCTION &amp; MANAGEMENT CO., INC.</b>  <b>AMOUNT: NOT TO EXCEED \$221,850.00</b>	<b>Resolution No.:</b> 2012-88
	<b>Date:</b> October 18, 2012
	<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/SCOPE:** This action will allow the Authority to enter into a contract to provide construction services for Project No. 14.04-Stokes/Windermere Entrance Canopy and Vestibule.
- 2.0 **DESCRIPTION/JUSTIFICATION:** This station was opened in 1997. The project will improve energy efficiency by creating a double-door vestibule area and will also divert winter snow accumulation away from the new entry doors. This project entails construction of a steel framed canopy with standing seam metal roof; construction of an interior vestibule with window wall system to match the existing façade; and revised downspout system to tie-into the new canopy roof drainage system. The work to be performed under this contract includes the labor, equipment, materials and supervision necessary to complete the repairs per the contract documents.
- 3.0 **PROCUREMENT BACKGROUND:** The Invitation for Bid (IFB) was posted on the GCRTA Procurement website and advertised in the local newspaper. Fifteen prospective bidders downloaded the solicitation package. Three (3) responsive bids were received and opened on September 5, 2012 as follows:

Company Name	Base Bid
Apex Construction & Management Co., Inc.	\$221,850.00
Standard Contracting & Engineering, Inc.	\$232,734.00
KBJ Construction	\$233,526.00

The Basis of Award is the lowest responsive and responsible bid for the Total Base Bid/Lump Sum Price. The base bid price of \$221,850.00 from Apex Construction & Management Co., Inc is 2.53% above the Engineer's Estimate of \$216,371.89. Apex Construction & Management Co., Inc. was determined to be a responsible bidder.

A price analysis was performed and the Procurement Department has determined that the bid from Apex Construction & Management Co., Inc is fair and reasonable to the Authority.

- 4.0 **AFFIRMATIVE ACTION/DBE REQUIREMENTS:** All Affirmative Action requirements have been met. A 15% DBE participation goal was established for this procurement. Apex Construction & Management Co., Inc has committed to meet the DBE goal through the utilization of Work Best Electric, Inc. (female-owned) in the amount of \$18,500.00 and Imperial Mechanical, Inc. (female-owned) in the amount of \$14,850.00 for a total amount of \$33,350.00 or 15%.

- 5.0 POLICY IMPACT: Does not apply.
- 6.0 ECONOMIC IMPACT: This procurement shall be payable through the RTA Development Fund, Engineering and Project Development Department budget, including but not limited to ODOT Grant X520-064, Line Item 12.93.05, in an amount not to exceed \$221,850.00 (\$177,480.00 of ODOT funds which represents 80% of the total cost).
- 7.0 ALTERNATIVES: Reject all bids. Rejection of this offer will create a safety hazard for employees and customers who enter Stokes/Windermere Rapid Transit Station's street level, main entrance.
- 8.0 RECOMMENDATION: It is recommended that the bid of Apex Construction & Management Co., Inc is 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.

  
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CEO General Manager/Secretary-Treasurer