

RESOLUTION NO. 2012-89

AUTHORIZING CONTRACT NO. 2012-122 WITH DELTA RAILROAD CONSTRUCTION, INC. UNDER PROJECT 23V, REHABILITATION OF THE RTA RED LINE S-CURVE, AS SPECIFIED AND AS REQUIRED, IN AN AMOUNT NOT TO EXCEED \$5,933,591.00 (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Authority deems it necessary to acquire construction services, as provided under Project 23V, Rehabilitation of the RTA Red Line S-Curve; and

WHEREAS, the bid of Delta Railroad Construction, Inc. located at 2648 West Prospect Road, Ashtabula, OH 44004 was received on September 19, 2012 in an amount not to exceed five million nine hundred thirty-three thousand dollars five hundred ninety-one & 00/100 (\$5,933,591.00) to perform said services; and

WHEREAS, the General Manager/Secretary-Treasurer deems the bid of Delta Railroad Construction, 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 Delta Railroad Construction, Inc., for Project 23V, Rehabilitation of the RTA Red Line S-Curve 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 Delta Railroad Construction, Inc. for Project 23V, Rehabilitation of the RTA Red Line S-Curve.

Section 3. That said contract shall be payable from the RTA Development Fund, Engineering & Project Development Department budget including but not limited to Capital Grant OH-05-0105 in the amount of \$855,080.00 and Capital Grant OH-90-X705 in the amount of \$5,138,511.00 for a total amount not to exceed \$5,933,591.00 (\$4,794,872.80 in Federal funds which represents 80% of the total cost). The award of this contract is based on initially using available 100% Local funds in the amount of \$5,138,511.00, which will be replaced by FTA Funds when Grant OH-90-X705 TIP/STIP Amendment and Grant Revision are approved and executed.

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 Delta Railroad Construction, Inc. will attempt to exceed the 20% DBE goal assigned to this procurement.

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

Adopted: October 23, 2012

  
\_\_\_\_\_  
President

Attest:   
\_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer



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

<b>TITLE/DESCRIPTION:</b>  <b>CONTRACT: PROJECT 23V, REHABILITATION OF THE RTA RED LINE S-CURVE</b>  <b>VENDOR: DELTA RAILROAD CONSTRUCTION, INC.</b>  <b>AMOUNT: NOT TO EXCEED \$5,933,591.00</b>	<b>Resolution No.:</b> 2012-89
	<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 23V, Rehabilitation of the RTA Red Line S-Curve.
- 2.0 **DESCRIPTION/JUSTIFICATION:** This project entails work that consists of the reconstruction of the track and track bed along the RTA's Red Line S-Curve corridor. The work also includes the rehabilitation of the drainage systems, retaining walls and bridge abutments along the S-Curve.
- 3.0 **PROCUREMENT BACKGROUND:** The Invitation for Bid (IFB) was posted on the GCRTA Procurement website and advertised in the local newspaper. Twenty-one (21) prospective bidders downloaded the solicitation package. Four (4) responsive bids were received and opened on September 19, 2012, as follows:

Company Name	Base Bid
Delta Railroad Construction, Inc.	\$5,933,591.00
Atlas Railroad Construction, LLC	\$6,461,000.00
Railroad Constructors, Inc.	\$6,472,540.00
Railworks Track Services, Inc.	\$7,540,266.00


The Basis of Award is the lowest responsive and responsible bid for the Total Base Bid/Lump Sum Price. The base bid price of \$5,933,591.00 from Delta Railroad Construction, Inc. is less than 1% above the Engineer's Estimate of \$5,931,488.00. Delta Railroad Construction Inc. was determined to be a responsible bidder.

A price analysis was performed and the Procurement Department has determined that the bid from Delta Railroad Construction, Inc. is fair and reasonable to the Authority.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 20% DBE goal was established for this procurement. Delta Railroad Construction, Inc. has committed to achieving the goal through the utilization of Denise's Flagging and Construction Services, Inc. (African American owned) in the amount of \$44,800.00 and JP and Concepts Company (female owned) in the amount of \$1,141,920.00 for a total DBE participation of \$1,186,720.00 or 20%.

- 5.0 POLICY IMPACT: Does not apply.
- 6.0 ECONOMIC IMPACT: This procurement shall be payable through the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to Capital Grant OH-05-0105, Line Item 12.24.03, in the amount of \$855,080.00 and Capital Grant OH-90-X705, Line Item 12.24.03, in the amount of \$5,138,511.00 for a total amount not to exceed \$5,993,591.00 (\$4,794,872.80 in Federal funds which represents 80% of the total cost). The award of this contract is based on initially using available 100% Local funds in the amount of \$5,138,511.00, which will be replaced by FTA Funds when Grant OH-90-X705 TIP/STIP Amendment and Grant Revision are approved and executed.
- 7.0 ALTERNATIVES: Reject all bids. Rejection of this offer will impact the safety of the traveling public.
- 8.0 RECOMMENDATION: This project was discussed at the October 9, 2012 Operations Committee meeting and recommended for approval to the Board of Trustees. It is recommended that the bid of Delta Railroad Construction, 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.

  
\_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer