

RESOLUTION NO. 2013-70

AUTHORIZING CONTRACT NO. 2013-108 WITH AXALTA COATING SYSTEMS FOR THE FURNISHING OF HRV SPRAY ON FLOORING AND SUPPORT AT A TOTAL PRICE NOT TO EXCEED \$296,172.40 (RTA DEVELOPMENT FUND, FLEET MANAGEMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority requires replacement flooring as part of the overhaul of the heavy rail fleet; and

WHEREAS, the offer of Axalta Coating Systems, located at 500 Eagleview Blvd., Exton, PA 19341, as negotiated, to provide HRV spray on flooring materials and support is deemed most beneficial to the Authority based on cost and other considerations; and

WHEREAS, these materials and services are only available from Axalta Coating Systems, the sole manufacturer of this product; and

WHEREAS, the Ohio Revised Code Section 306.43 (H) 2 provides that competitive bidding is not required when the purchase consists of goods or services, or any combination thereof, and after reasonable inquiry the board or any officer or employee the board designates finds that only one source of supply is reasonably available; and

WHEREAS, Axalta Coating Systems has offered to provide said materials and support services at a negotiated price of two hundred ninety-six thousand one hundred seventy-two & 40/100 dollars (\$296,172.40); and

WHEREAS, the General Manager/Secretary-Treasurer has deemed the offer of Axalta Coating Systems, as negotiated, to provide HRV spray on flooring materials and support 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 Axalta Coating Systems, as negotiated, 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 Axalta Coating Systems for said materials and support.

Section 3. That said contract shall be payable out of the RTA Development Fund, Fleet Management Department budget, including but not limited to 2013 Local Fund (100% Local Funds), in an amount not to exceed \$296,172.40.

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 No. 2013-031; 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 Axalta Coating 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: July 16, 2013



President

Attest: 

CEO, General Manager/Secretary-Treasurer



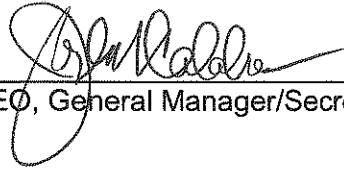
TITLE/DESCRIPTION: CONTRACT: HRV SPRAY ON FLOORING VENDOR: AXALTA COATING SYSTEMS AMOUNT: NOT TO EXCEED \$296,172.40	Resolution No.: 2013-70
	Date: July 11, 2013
	Initiator: Fleet Management
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 **PURPOSE/SCOPE:** This action will allow the Authority to enter into a contract for material and training to install spray on flooring in support of the Heavy Rail Fleet Overhaul Project.
- 2.0 **DESCRIPTION/JUSTIFICATION:** The interior work on the HRV Overhaul Project is continuing. The spray on flooring requested is for the forty (40) cars being overhauled.
- 3.0 **PROCUREMENT BACKGROUND:** This contract for spray on flooring is exempted from competitive bidding as authorized by Section 306.43(H)(2) of the Ohio Revised Code. After negotiations, Axalta Coating Systems offered to provide the product to complete all of the cars being overhauled, installation of the flooring into the first two cars, as well training and support so that RTA staff could complete the remainder of the installations and maintain the product warranty. The total cost for products and services, as negotiated is \$296,172.40. The Rail Equipment Department reviewed the offer for adherence to technical scope.

 A price analysis has been performed and the Procurement Department has determined that the price is fair and reasonable to the Authority.
- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** Affirmative Action compliance will be determined upon submission and review of required forms. Execution of the contract will be contingent upon the Office of Business Development confirming compliance with all requirements. 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:** ECONOMIC IMPACT: This procurement will be funded through the RTA Development Fund, Fleet Management Department budget, including but not limited to 2013 Local Fund (100% Local Funds), Line Item (Equip), in an amount not to exceed \$296,172.40. The bid price is 37% below the budget estimate.
- 7.0 **ALTERNATIVES:** Reject this offer. Rejection of this offer would not allow for the completion of the HRV Overhaul Project.

- 8.0 RECOMMENDATION: It is recommended that the offer of Axalta Coating Systems 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