

RESOLUTION NO. 2013-79

AUTHORIZING CONTRACT NO. 2013-123 WITH PERK COMPANY, INC. FOR PROJECT 51-CLIFTON BOULEVARD TRANSPORTATION ENHANCEMENT PROGRAM, AS SPECIFIED AND AS REQUIRED, IN AN AMOUNT NOT TO EXCEED \$8,648,387.58 FOR THE BASE BID (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET) PLUS AN AMOUNT NOT TO EXCEED \$343,026.30 FOR ALTERNATE 1 (CONTINGENT UPON FUNDING FROM THE CITY OF CLEVELAND) FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$8,991,413.88

WHEREAS, the Authority deems it necessary to acquire construction services, as provided under Project 51-Clifton Boulevard Transportation Enhancement Program; and

WHEREAS, the bid of Perk Company, Inc., located at 8100 Grand Avenue, Ste. 300, Cleveland, Ohio 44104, was received on August 1, 2013 in an amount not to exceed \$8,991,413.88 to perform said services; and

WHEREAS, the General Manager/Secretary-Treasurer deems the bid of Perk Company, 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 Perk Company, Inc. for Project 51-Clifton Boulevard Transportation Enhancement Program 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 Perk Company, Inc. for Project 51-Clifton Boulevard Transportation Enhancement Program.

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-04-0087 in an amount not to exceed \$3,600,000.00, Capital Grant OH-95-X154 in an amount not to exceed \$4,687,500.00 and Capital Grant OH-90-X705 in an amount not to exceed \$360,887.58 for a total contract amount not to exceed \$8,648,387.58 (\$6,918,710.06 in Federal funds which represents 80% of the total cost) for the base bid. A portion of the 20% Local Match from the base bid will include \$722,500.00 from the City of Cleveland and \$50,000.00 from the City of Lakewood. The award of this contract is based on initially using available 100% Local funds, of which \$4,687,500.00 will be replaced by FTA funds when Capital Grant OH-95-X154 is approved and executed and \$360,887.58 will be replaced by FTA funds when an amendment to Capital Grant OH-90-X705 is approved and executed. Alternate 1 will be paid by the City of Cleveland in an amount not to exceed \$343,026.30 for a total contract amount not to exceed \$8,991,413.88.

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 2013-031; 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 Perk Company, Inc. will attempt to exceed the 25% DBE goal assigned to this procurement.

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

Adopted: August 20, 2013



President

Attest: 

CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: CONTRACT: CLIFTON BOULEVARD TRANSPORTATION ENHANCEMENT PROGRAM VENDOR: PERK COMPANY, INC. AMOUNT: NOT TO EXCEED \$8,991,413.88	Resolution No.: 2013-79
	Date: August 15, 2013
	Initiator: Engineering & Project Development
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 to provide construction services for Project No. 51 - Clifton Boulevard Transportation Enhancement Program.
- 2.0 **DESCRIPTION/JUSTIFICATION:** The work to be performed consists of the enhancement of Clifton Boulevard from Lake Avenue west to West Clifton Boulevard (over 4 miles) and will occur in both Cleveland and Lakewood, Ohio. Clifton Boulevard will remain open and operational during the construction. The work includes, but is not limited to: construction of new transit shelters; concrete bus pads at all stops; and, landscaping at the shelters. Some of the benefits will be that the bus shelters will blend with historic architecture; they will have "Blue Light" phones and cameras for security, and the work will be ADA compliant.
- 3.0 **PROCUREMENT BACKGROUND:** The Invitation for Bid (IFB) was posted on the GCRTA Procurement website and advertised in the local newspaper. Fifteen (15) prospective bidders downloaded the solicitation package. Two (2) responsive bids were received and opened on July 31, 2013 as follows:

Company Name	Base Bid	Alternate 1	Total
Perk Company, Inc	\$8,648,387.58	\$343,026.30	\$8,991,413.88
Platform Cement, Inc	\$10,816,058.27	\$293,340.75	\$11,109,399.02

The Basis of Award is the lowest responsive and responsible bid for either a Total Base Bid plus Alternate 1 or the Total Base Bid without the Alternate 1. Award of either category was to be based on the availability of funds for the Total Base Bid and Alternate 1.

The Base Bid plus Alternate 1 total of \$8,991,413.88 from Perk Company, Inc. is 8% higher than the Engineer's Estimate of Base Bid (\$8,000,000.00) plus Alternate 1 (\$367,550.00) for a total of \$8,367,550.00.

The following references from Perk Company, Inc. were checked and resulted in positive endorsements of timely and efficient work: Cuyahoga County Department of Public Works, Ohio Department of Transportation, City of Cleveland, Mayfield Heights, Strongsville, Beachwood, Brookpark and Independence.

Perk Company, Inc. was determined to be a responsible bidder.

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

4.0 AFFIRMATIVE ACTION/DBE REQUIREMENTS: All Affirmative Action requirements have been met. A 25% DBE participation goal was established for this procurement. Perk Company, Inc. has committed to meet the goal at 25% DBE participation through the utilization of the following firms in the amounts noted for a total amount of \$2,250,569.06:

Company Name	DBE Category	Subcontract Amount	Supply Calculation
Barbicas	Female owned	\$852,585	
Cordova Enterprises	Hispanic	\$353,244.80	(\$402,333 x .60%)
Royal Landscaping	Female owned	\$302,415.66	
Key Cable and Supply	Female owned	\$192,217.50	(\$320,362.50 x .60%)
Cuyahoga Supply and Tool	Female owned	\$495,144.60	(\$825,241 x .60%)
River City Bldg Solutions	Female owned	\$54,961.50	(\$91,602.50 x .60%)
	Total	\$2,250,569.06	

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 Capital Grant OH-04-0087, Line Item 11.23.01, in an amount not to exceed \$3,600,000.00, Capital Grant OH-95-X154, Line Item 11.23.01, in an amount not to exceed \$3,937,500.00, Capital Grant OH-95-X154, Line Item 11.93.02, in an amount not to exceed \$750,000.00, and Capital Grant OH-90-X705, Line Item 11.23.01, in an amount not to exceed \$360,887.58, for a total contract amount not to exceed \$8,648,387.58 (\$6,918,710.06 in Federal funds which represents 80% of the total cost) for the base bid. A portion of the 20% Local Match for the base bid will include \$722,500.00 from the City of Cleveland and \$50,000.00 from the City of Lakewood. The award of this contract is based on initially using available 100% Local funds, of which \$4,687,500.00 will be replaced by FTA funds when Capital Grant OH-95-X154 is approved and executed, and \$360,887.58 will be replaced by FTA funds when an amendment to Capital Grant OH-90-X705 is approved and executed. Alternate 1 will be paid by the City of Cleveland in an amount not to exceed \$343,026.30 for a total contract amount not to exceed \$8,991,413.88.

7.0 ALTERNATIVES: Reject all bids. Rejection of this offer will impact the ability to provide safety and ADA compliance at this location.

8.0 RECOMMENDATION: This project was discussed at the Planning & Development Committee Meeting on August 6, 2013. It is recommended that the bid of Perk Company, 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