

RESOLUTION NO. 2013-88

AUTHORIZING CONTRACT NO. 2013-129 WITH GEO-SCI, INC., UNDER PROJECT 15.33 UNDERGROUND PIPING & SOIL REMEDIATION BROOKLYN GARAGE, AS SPECIFIED AND AS REQUIRED, IN AN AMOUNT NOT TO EXCEED \$124,050.00 (RTA CAPITAL FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Authority deems it necessary to acquire construction services, as provided under Project 15.33, Underground Piping & Soil Remediation Brooklyn Garage; and

WHEREAS, the Ohio Revised Code, Section 306.43(H)(1) provides that competitive bidding is not required when a real and present emergency exists, affecting safety, welfare or the ability to deliver transportation services; and

WHEREAS, the offer of Geo-Sci, Inc., located at 4389 Pearl Road, Cleveland, Ohio 44131, was received on August 19, 2013 in an amount not to exceed \$124,050.00 to perform said services; and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer of Geo-Sci, 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 offer of Geo-Sci, Inc. for Project 15.33, Underground Piping & Soil Remediation Brooklyn Garage 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 sole source contract pursuant to Ohio Revised Code, Section 306.43(H)(1), with Geo-Sci, Inc. for Project 15.33, Underground Piping & Soil Remediation Brooklyn Garage.

Section 3. That said contract shall be payable from the RTA Capital Fund, Engineering & Project Development Department budget, including but not limited to 100% Local funds in an amount not to exceed \$124,050.00.

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 Geo-Sci, Inc. will attempt to exceed the 0% DBE goal assigned to this procurement.

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

Adopted: September 17, 2013



President

Attest: 

CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: CONTRACT: PROJECT NO. 15.33 BROOKLYN GARAGE- UNDERGROUND PIPING & SOIL REMEDIATION VENDOR: GEO-SCI, INC. AMOUNT: NOT TO EXCEED \$124,050.00	Resolution No.: 2013-88
	Date: September 12, 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 sole source contract to provide construction services for Project 15.33, Brooklyn Garage-Underground Piping & Soil Remediation.
- 2.0 **DESCRIPTION/JUSTIFICATION:** The project is located at the Brooklyn Garage, 4371 Pearl Road, Cleveland, Ohio 44109. This project covers the additional cost associated with unforeseen conditions that occurred during Project 13.72 removal stage of an existing 10,000 gallon underground storage tank (UST) at the Brooklyn Garage parking lot. Once the underground tank was exposed, the following unforeseen conditions were identified:
1. The UST is 20,000 gal. and not 10,000 gal. as shown on as-built drawings.
 2. The underground tank piping was never removed and it runs under the existing concrete sidewalks and asphalt parking lot for an unknown distance.
 3. Additional contaminated soil was found around the tank piping and additional soil testing will be required.
 4. Because the existing tank is larger, the excavation of the site will be deeper and wider and this will require additional soil replacement.
 5. The existing UST has a concrete foundation that will have to be removed in order to test the soil below.
 6. Because the tank excavation depth will be approximately 18 feet deep, sheet piling will be required for personnel safety and to prevent undermining adjacent asphalt pavement, concrete sidewalks and existing concrete wall.
 7. Because the excavation area is larger, an existing parking lot light pole and foundation will have to be removed and relocated to another location.
 8. A new electrical power feed will be required for the relocated light pole.

This project is necessary to adhere to BUSTR regulations.

- 3.0 **PROCUREMENT BACKGROUND:** This contract for construction services is exempted from competitive bidding as authorized under Section 306.43(H)(1) of the Ohio Revised Code because the ground is open and contaminated soil is exposed. With every rainfall, the amount of contaminated soil is increased because of the leaching caused by rainfall. After negotiations, Geo-Sci, Inc. offered to provide soil remediation services for a total cost of \$124,050.00.

A price analysis was performed and the Procurement Department has determined that the bid from Geo-Sci., Inc. is 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 firms.
- 5.0 POLICY IMPACT: Does not apply.
- 6.0 ECONOMIC IMPACT: This contract shall be payable from the RTA Capital Fund, Engineering and Project Development Department budget, including but not limited to 100% Local funds in an amount not to exceed \$124,050.00.
- 7.0 ALTERNATIVES: Reject all bids. Rejection of this offer will impact the ability to adhere to BUSTR regulations.
- 8.0 RECOMMENDATION: It is recommended that the offer of Geo-Sci 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