

RESOLUTION NO. 2014-14

AUTHORIZING CONTRACT NO. 2013-192 WITH KS ASSOCIATES, INC. FOR PROJECT 15.41 – COMPLETE RAIL SURVEY IN AN AMOUNT NOT TO EXCEED \$247,878.64 (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Authority has the need to contract with a firm to provide Complete Rail Survey services to assist in completing a ground survey of 37 miles of track; and

WHEREAS, the proposal of KS Associates, Inc., with an office located at 260 Burns Road, Suite 100, Elyria, Ohio 44035, to perform said services was received on December 17, 2013, in response to a competitive solicitation; and

WHEREAS, KS Associates, Inc. has agreed to perform the required services for the negotiated price, in an amount not to exceed \$247,878.64; and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer of KS Associates, Inc. to be the most advantageous to the Authority and finds the negotiated price to be fair and reasonable for said services 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.

Section 1. That the negotiated offer of KS Associates, Inc. to provide complete ground survey services under Project 15.41– Complete Rail Survey, 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 KS Associates, Inc. for the performance of said services.

Section 3. That said contract shall be payable from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to FTA Grant OH-05-0105 in an amount not to exceed \$247,878.64 (\$198,302.91 in Federal 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 future funding, compliance by the contractor to the Specifications and Addenda, thereto, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2013-31; bonding and insurance requirements; and all applicable laws relating to the contractual obligations of the Authority.

Section 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that KS Associates, Inc. will attempt to exceed the 10% minimum DBE goal assigned to this procurement.

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

Adopted: February 18, 2014



President

Attest: 

CEO, General Manager/Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: PROJECT 15.41 – COMPLETE RAIL SURVEY VENDOR: KS ASSOCIATES, INC. AMOUNT: \$247,878.64	Resolution No.: 2014-14
	Date: February 18, 2014
	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 for Complete Rail Survey services.

2.0 **DESCRIPTION/JUSTIFICATION:** The Authority requires rail surveying services for 37 miles of track, including the top of rail, catenary poles locations, platform locations, elevations, transit crossings (including curve radii and spirals), and field note records. The scope of work also includes the use of a 3D laser scanner at Tower City and the airport tunnel.

This work is part of a program to enable the continuation of safe rail operations.

3.0 **PROCUREMENT BACKGROUND:** The Request for Proposal (RFP) was posted on the GCRTA Procurement web site and advertised in the local newspapers. These services were solicited through a competitive negotiated procurement, utilizing the Brooks Act Procedures. Under this process, the Authority's evaluation panel first selects the most technically qualified firm, solicits a pricing proposal from that firm and negotiates only with that firm. Should the Authority determine that an agreement could not be reached with the most qualified firm, it may reject that proposal and repeat the process with the next most qualified firm. In this instance, unsuccessful negotiations were held with the first ranked firm and an acceptable price was not reached.

Negotiations then commenced with KS Associates, Inc., the second ranked firm and an acceptable price was reached. KS Associate, Inc. has successfully completed several projects for the Greater Cleveland RTA; NEORSD; and ODOT; and Cuyahoga County.

4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action Requirements have been met. A 10% DBE goal was established for this procurement. KS Associates, Inc. is a certified DBE (female-owned), and will utilize Denise's Flagging & Construction Services (African American female-owned) in the amount of \$33,500 for additional DBE participation of 13.5%.

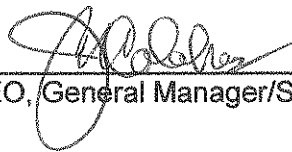
5.0 **POLICY IMPACT:** Does not apply.

6.0 **ECONOMIC IMPACT:** This contract will be funded from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to FTA Grant OH-05-0105, Line Item 12.7A.00 in an amount not to exceed \$247,878.64 (\$198,302.91 in Federal funds which represents 80% of the total cost).

7.0 **ALTERNATIVES:** Reject this offer. Rejection of this offer will delay our ability to obtain this data, which is necessary to improve the condition of our tracks along several miles of the GCRTA system.

- 7.0 RECOMMENDATION: This procurement was discussed at the February 18, 2014 Planning and Development Committee meeting. It is recommended that the offer of KS Associates, Inc. be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer to enter into a contract.
- 8.0 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