

RESOLUTION NO. 2014-89

AUTHORIZING RE-INSTATEMENT OF THE GENERAL
MANAGER/SECRETARY-TREASURER'S ORIGINAL CHANGE ORDER
SIGNING AUTHORITY UNDER CONTRACT NO. 2013-123 FOR PROJECT 51-
CLIFTON BOULEVARD TRANSPORTATION ENHANCEMENT PROGRAM

WHEREAS, the General Manager/Secretary-Treasurer approved a contract for construction services with Perk Company, Incorporated for the Base Bid (\$8,648,387.58) and later added Alternate 1 in the amount of \$343,026.30 for a total contract price of \$8,991,413.88, as authorized under Resolution No. 2013-079; and

WHEREAS, the General Manager/Secretary-Treasurer has depleted \$410,639.61 of the \$500,000.00 signing limit allotted for change order work, thereby leaving a balance of \$89,360.39 in his present signing limit; and

WHEREAS, the General Manager/Secretary-Treasurer deems the present contract value of \$9,402,053.49 will likely need to be increased, due to pending, necessary change orders that will exceed the remaining balance in his signing authority; and

WHEREAS, the General Manager/Secretary-Treasurer deems re-instatement of his original signing limit will help avert performance schedule delays in the work that may be caused by delays in change order processing.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the General Manager/Secretary-Treasurer be re-instated to his original signing authority for this contract.


Section 2. That said change order authorization shall be payable from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to, FTA Grant Award OH-90-X782 and 100% Local Funds.

Section 3. 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 4. That all other terms and conditions of the original contract remain unchanged.

Section 5. That this resolution shall become effective immediately upon its adoption.

Adopted: September 16, 2014



President

Attest: 

CEO, General Manager/Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: RE-INSTATEMENT OF THE GENERAL MANAGER/SECRETARY-TREASURER'S ORIGINAL SIGNING AUTHORITY UNDER CONTRACT NO. 2013-123 -PROJECT 51-CLIFTON BOULEVARD TRANSPORTATION ENHANCEMENT PROGRAM VENDOR: PERK COMPANY, INCORPORATED	Resolution No.: 2014-89
	Date: September 11, 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 re-instate the General Manager/Secretary-Treasurer's original change order signing limit for this contract.
- 2.0 **DESCRIPTION/JUSTIFICATION:** This action will return the General Manager to his original signing authority for this contract. Re-instatement of the General Manager's signing authority will void the probability of performance schedule delays, due to time needed to process future change orders.
- 3.0 **PROCUREMENT BACKGROUND:** This contract was competitively bid and awarded to Perk Company, Inc. on August 20, 2013, by Resolution No. 2013-079 in the amount of \$8,648,387.58 for the Base Bid and \$343,026.30 for Alternate 1 (contingent upon the funding from the City of Cleveland) for a total contract price of \$8,991,413.88. At contract time, Alternate 1 funding was not finalized. Pursuant to Resolution No. 2014-043, the Authority entered into a Memorandum of Understanding with the City of Cleveland ("City") providing for the City to reimburse the Authority for the cost of Alternate 1. Alternate 1 was later added to the contract though change order, but was not deducted from the General Manager's signing authority for this contract. Subsequently, there have been 17 change orders and one Construction Change Directive that total \$410,639.61 which have been deducted from the General Manager's authority. A summary of these change orders is attached as reference. The current balance for this change order authority is \$89,360.39. Pending change orders include the following:

Work	Estimated Cost
Relocating the West 117 th Street westbound shelter that conflicts with planned community development with RTA, City of Cleveland and the developer each paying one-third of the cost.	\$90,000.00
Making repairs to the concrete pavement in West 117 th Street which failed during the past winter with 24% being paid by RTA.	\$85,240.00
Increasing plan quantities for items in the Unit Price Contract	\$70,000.00
Total	\$245,240.00

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 25% DBE participation goal was established for this procurement in 2013. Perk Company, Inc. has agreed to maintain the established DBE participation goal on the project through the use of its existing DBE firms.
- 5.0 **POLICY IMPACT:** Does not apply.

- 6.0 ECONOMIC IMPACT: That said change order authorization shall be payable from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to, FTA Grant Award OH-90-X782 and 100% Local Funds.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this action to re-instate the General Manager/Secretary-Treasurer's change order authority for this contract will jeopardize the performance schedule for the work in the event of delays in processing change orders.
- 8.0 RECOMMENDATION: This change order was discussed at the September 2, 2014 Planning and Development Committee meeting. It is recommended that the General Manager/Secretary-Treasurer be re-instated to his original change order signing authority for this contract.
- 9.0 ATTACHMENTS: Change Order Log.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.



CEO, General Manager/Secretary-Treasurer

APPROVED CHANGE ORDERS

PROJECT NO. 51 Clifton Enhancement Transportation Program

Contract #: 2013-123

Contractor: Perk Company

Original Contract Amount: \$8,648,387.58

Total Change Order Increase Amount To Date: \$410,639.61

(Not Including Alternate 1/CO#13-Resolution 2013-079)

% Change Increase to Date from Original Contract Amount: 4.7 %

CHANGE ORDER NO.	NOTE NO.	APPROVAL DATE	CHANGE ORDER AMOUNT	APPROVAL AUTHORITY	NEW CONTRACT AMOUNT
1.	1	10/17/13	\$32,390.80	General Manager	\$8,680,778.38
2.	2	11/18/13	\$19,997.63	General Manager	\$8,700,776.01
3.	3	12/17/13	\$4,471.22	General Manager	\$8,705,247.23
4.	4	12/17/13	\$2,870.40	General Manager	\$8,708,117.63
5.	5	01/07/14	\$1,514.98	General Manager	\$8,709,632.61
6.	6	02/28/14	\$-0-	General Manager	\$8,709,632.61
7.	7	01/27/14	\$-0-	General Manager	\$8,709,632.61
8.	8	4/08/14	\$42,694.25	General Manager	\$8,752,326.86
9.	9	4/21/14	\$25,352.00	General Manager	\$8,777,678.86
10.	10	5/5/14	\$40,025.39	General Manager	\$8,817,704.25
11.	11	6/6/14	\$41,697.20	General Manager	\$8,859,401.45
12.	12	6/24/14	\$38,863.10	General Manager	\$8,898,246.55
13.	13	7/2/14	\$343,026.30	Resolution No. 2013-79	\$9,267,290.85
14.	14	7/16/14	\$19,823.04	General Manger	\$9,287,113.89
15.	15	8/1/14	\$18,538.75	General Manager	\$9,305,652.64
16.	16	8/1/14	\$48,770.55	General Manger	\$9,354,423.19
17.	17	8/1/14	\$38,925.50	General Manager	\$9,393,348.69
18.	18	8/14/14	\$8,704.80	General Manager	\$9,402,053.49
CCD#1	19	4/18/14	\$26,000.00	General Manager	(INCLUDED IN CO#13)

CONTRACT NO. 2013-123
CLIFTON BOULEVARD TRANSPORTATION PROGRAM

NOTES/CHANGE ORDER DESCRIPTION:

1. PCO#1-Missing Clearing & Grubbing Item in Unit Price Proposal
2. PCO#2-Missing 24" Shrubs & Grasses Item
3. PCO#5-Increased Quantity for Item#61
4. PCO#6-Added Tree Removal
5. PCO#9-Remove Abandoned Gas Line
6. PCO#7-Bus Station Item Changes
7. PCO#8-Com. District Amenity Changes
8. PCO#10-Hydrant Replacement
9. PCO#11-Guardrail Removal and PCO#12-Increased Pavement Planning Quantity
10. PCO#13-Walk @ Stops and PCO#15-Construction Zone Pavement Markings
11. PCO#18-Extra Tree Removal, PCO#19-Increase Quantity (#61), PCO#22-Increase Quantity (#21) and PCO#23-Increased Quantity (35)
12. PCO#16-Resident Steps & Railing, PCO#20-Re-Cast Front Column Bases and PCO#21 Remove Concrete Pole
13. PCO#26-CLE-Alternate No. 1 Work (Alternate 1 approved by the Board with the Base Bid, but not awarded until later due to funding and CCD #1 for PCO#17-Concrete Road Base Joint Repair
14. PCO#24-CLE-Re-trace Concrete Joints
15. PCO#31-Curb Change
16. PCO#36-Field Survey and PCO#37-Remove Foundations-Southside
17. PCO#32-RTA Concrete Repairs
18. PCO#32Lower Brick Veneer