

RESOLUTION NO. 2015-14

AUTHORIZING CONTRACT NO. 2015-024 WITH CLEVELAND PUBLIC POWER TO PROVIDE ELECTRIC SERVICE FOR THE ACCOUNTS CURRENTLY SERVED BY CLEVELAND PUBLIC POWER FOR A FIVE (5) YEAR PERIOD IN AN AMOUNT NOT TO EXCEED \$4,022,000.00 (GENERAL FUND, OFFICE OF MANAGEMENT AND BUDGET DEPARTMENT BUDGET)

WHEREAS, the Authority currently utilizes Cleveland Public Power ("CPP") to provide electric service to thirty-three (33) facilities; and

WHEREAS, this contract will consist of a service provided by a public utility; and

WHEREAS, the offer of Cleveland Public Power located at 1300 Lakeside Avenue, Cleveland, Ohio 44114, to provide electric service was received on January 27, 2015; and

WHEREAS, the Ohio Revised Code, Section 306.43(H)(8) provides that competitive bidding is not required when the expenditure consists of a product or service provided by a public utility; and

WHEREAS, after negotiations, an amount not to exceed \$4,022,000.00 for a five (5) year period beginning February 20, 2015 was agreed upon; and

WHEREAS, the General Manager/Secretary-Treasurer deems the negotiated offer of Cleveland Public Power to provide electric service to the Authority's accounts currently served by CPP 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 Cleveland Public Power, as negotiated, to provide electric service to the Authority's accounts currently served by CPP for a five (5) year period beginning February 20, 2015, 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 with Cleveland Public Power to provide electric service for a five (5) year period beginning February 20, 2015.

Section 3. That said contract shall be payable from the General Fund, Office of Management and Budget Department budget, in an amount not to exceed \$4,022,000.00 for a five (5) year period beginning February 20, 2015.

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, 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 Cleveland Public Power 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: February 17, 2015



President

Attest: 

CEO, General Manager/Secretary-Treasurer



<p>TITLE/DESCRIPTION: CONTRACT: CLEVELAND PUBLIC POWER ELECTRIC SERVICE VENDOR: CLEVELAND PUBLIC POWER AMOUNT: NOT TO EXCEED \$4,022,000.00 FOR A FIVE (5) YEAR PERIOD</p>	<p>Resolution No.: 2015-14</p> <hr/> <p>Date: February 12, 2015</p> <hr/> <p>Initiator: Office of Management and Budget</p>
<p>ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____</p>	

- 1.0 **PURPOSE/SCOPE:** This action will allow the Authority to enter into a sole source agreement for electric service for the Authority's current accounts served by Cleveland Public Power ("CPP").

- 2.0 **DESCRIPTION/JUSTIFICATION:** The Authority requires electricity to power a number of facilities within CPP territory.

- 3.0 **PROCUREMENT BACKGROUND:** This sole source contract is exempt from competitive bidding as authorized under Section 306.43(H)(8) of the Ohio Revised Code. This action will allow the Authority to enter into a five (5) year agreement at negotiated rates to serve thirty-three (33) facilities, including Triskett Garage, Paratransit Garage, Stephanie Tubbs Jones Transit Center, and a number of other accounts served by CPP.

A cost analysis was performed and the Procurement Department has determined the negotiated price to be 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 DBE firms.

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

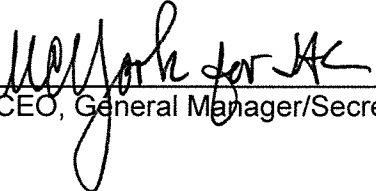
- 6.0 **ECONOMIC IMPACT:** This contract will be funded through the General Fund, Office of Management and Budget Department budget in an amount of \$4,022,000.00 for a five (5) year period beginning February 20, 2015. This is within the budgeted amount for this service.

- 7.0 **ALTERNATIVES:** Reject this offer. Rejection of this offer would prevent the Authority from receiving the negotiated rate, resulting in higher electric utility costs with CPP.

- 8.0 **RECOMMENDATION:** It is recommended that the offer of Cleveland Public Power, as negotiated, 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