

RESOLUTION NO. 2015-60

AMENDING RESOLUTION NO. 2015-48 AND AUTHORIZING A CHANGE ORDER TO CONTRACT NO. 2014-170 WITH GILLIG, LLC FOR THE MANUFACTURE AND DELIVERY OF UP TO FOUR (4), ADDITIONAL THIRTY-FIVE FOOT REPLICA TROLLEY COACHES AND ASSOCIATED SPARE PARTS, IN AN AMOUNT NOT TO EXCEED \$2,034,962.00 (RTA DEVELOPMENT & LOCAL FUNDS, FLEET MANAGEMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority has identified the need to replace fifteen (15), thirty-foot replica Trolley coaches that will exceed their useful life in 2016 with similar, environmentally-friendly fuel efficient thirty-five foot replica Trolley coaches; and

WHEREAS, the Ohio Department of Transportation (ODOT) has authorized a Congestion Mitigation and Air Quality (CMAQ) grant to finance ten (10) of these Trolley coaches with a 100% federally funded Diesel Emission Reduction Grant, and

WHEREAS, Resolution No. 2015-48, adopted April 21, 2015, authorized Contract No. 2014-170 with Gillig, LLC for the manufacture and delivery of up to eight (8), thirty-five foot replica Trolley coaches, training, tooling and spare parts, in an amount not to exceed \$4,154,641.00, to be delivered 52 weeks from Notice to Proceed, with options to procure an additional fourteen (14) Trolley coaches, training, tooling and spare parts to be delivered over the five (5) year term of the contract; and

WHEREAS, Gillig, LLC, with offices located at 25800 Clawiter Road, Haywood, CA 94545, has offered to manufacture and deliver an additional four (4) replica thirty-five foot Trolley coaches, as specified, at the same unit price of \$489,778.00 per coach and provide \$75,850.00 of associated spare parts, for a total amount not to exceed \$2,034,962.00; and

WHEREAS, the funding source for the first eight (8) replica Trolley coaches was not delineated in Resolution No. 2015-48 and has now changed; and

WHEREAS, the General Manager/Secretary-Treasurer deems the offer of Gillig, LLC, as negotiated, to be most advantageous to the Authority, cost and other factors considered, 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 Gillig, LLC, to provide up to an additional four (4) thirty-five foot replica Trolley coaches and associated spare parts, be and the same is hereby accepted.

Section 2. That the General Manager/Secretary-Treasurer to the Authority be and he is authorized to issue a change order to Contract No. 2014-170 with Gillig, LLC to provide up to an additional four (4) thirty-five foot replica Trolley coaches and associated spare parts.

Section 3. That Section 3, previously omitted from Resolution No. 2015-48 shall be added as follows: "Section 3. That said contract shall be payable from the RTA Development Fund, Fleet Management Department budget, including but not limited to, a pending supplemental FTA Grant OH-95-X122 in an amount of \$3,175,085.00 for six (6) replica Trolley coaches, training, tooling and spare parts and from a pending NOACA grant in an amount of \$979,556.00 for two (2) replica Trolley coaches for a total amount not to exceed \$4,154,641.00. This funding is contingent based upon approval of pending grants".

Section 4. This change order shall be payable from the RTA Development Fund, Fleet Management Department budget, including but not limited to, a pending supplemental FTA Grant OH-95-X122 in an amount of \$1,959,112.00 (\$1,959,112.00 in Federal funds which represents 100% of the cost) and 100% Local funds in an amount not to exceed \$75,850.00 for a total amount not to exceed \$2,034,962.00 resulting in a total contract amount not to exceed \$6,189,603.00 for twelve (12) replica Trolley coaches and related expenses.

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon funding for future years and 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 all terms and conditions of the original contract remain unchanged.

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

Attachment: Resolution No. 2015-48

Adopted: June 16, 2015



President

Attest: 

CEO, General Manager/Secretary-Treasurer

ATTACHMENT

RESOLUTION NO. 2015-48

AUTHORIZING CONTRACT NO. 2014-170 WITH GILLIG, LLC FOR THE MANUFACTURE AND DELIVERY OF UP TO EIGHT (8), THIRTY-FIVE FOOT TROLLEY REPLICA COACHES, TRAINING, TOOLING AND SPARE PARTS, IN AN AMOUNT NTE \$4,154,641.00, TO BE DELIVERED 52 WEEKS FROM THE NOTICE TO PROCEED, WITH OPTIONS TO PROCURE AN ADDITIONAL FOURTEEN (14) COACHES, TRAINING, TOOLING AND SPARE PARTS TO BE DELIVERED OVER THE FIVE (5) YEAR TERM OF THE CONTRACT (RTA DEVELOPMENT & LOCAL FUNDS, FLEET MANAGEMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority has identified the need to replace six (6), thirty-foot replica Trolley coaches that will exceed their useful life in 2016 with similar, environmentally-friendly fuel efficient thirty-five foot replica Trolley coaches; and

WHEREAS, the proposal of Gillig, LLC, located at 25800 Clawiter Road, Haywood, CA to manufacture and deliver up to eight (8), thirty-five foot replica Trolley coaches, training, tooling and spare parts, to be delivered 52 weeks from Notice to Proceed, with options to procure an additional fourteen (14) Trolley coaches, training, tooling and spare parts to be delivered over the five (5) year term of the contract was received on March 18, 2015; and

WHEREAS, Gillig, LLC has offered to manufacture and deliver up to eight (8), thirty-five foot replica Trolley coaches, in negotiated amounts not to exceed \$489,778.00 per coach, \$48,029.00 for training, \$36,688.00 for tooling, and \$151,700.00 for spare parts, for a total negotiated contract amount not to exceed \$4,154,641.00, with the options totaling fourteen (14) Trolley coaches to be ordered over the remaining five (5) year term of the contract; and

WHEREAS, the General Manager/Secretary-Treasurer deems the proposal of Gillig, LLC, to be the most advantageous proposal 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 proposal of Gillig, LLC., to manufacture and deliver up to eight (8), thirty-five foot replica Trolley coaches, training, tooling and spare parts, to be delivered 52 weeks from the Notice to Proceed, with options to procure an additional fourteen (14) coaches, training, tooling and spare parts to be delivered over the five (5) year term of the contract, be and the same is hereby accepted.

Section 2. That the General Manager/Secretary-Treasurer be and he is authorized to enter into a contract to purchase up to eight (8), thirty-five foot replica Trolley coaches, to purchase training, tooling and spare parts for those coaches, and to include in said contract an option to purchase fourteen (14) additional Trolley coaches over the remaining five (5) years of the contract term.

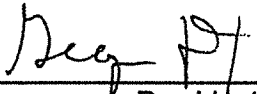
Section 4. That the purchase of the balance of fourteen (14), thirty-five foot replica Trolley coaches, training, tooling and spare parts during the remainder of the five (5) year contract shall be payable from a funding source to be determined based on the funding available at that time.

Section 5. That this said contract shall be binding upon and an obligation of the Authority contingent upon funding for future years and 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.

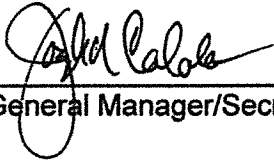
Section 6. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that Gillig, LLC, will attempt to exceed the 0% minimum DBE goal assigned to this procurement.

Section 7. That this resolution shall become effective immediately upon its adoption.

Adopted: April 21, 2015



President

Attest: 

CEO, General Manager/Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: MANUFACTURE AND DELIVERY OF UP TO EIGHT (8) THIRTY-FIVE FOOT TROLLEY REPLICA COACHES, TRAINING, TOOLING AND SPARE PARTS, TO BE DELIVERED 52 WEEKS FROM THE NTP, WITH OPTIONS TO PROCURE AN ADDITIONAL FOURTEEN (14) COACHES, TRAINING, TOOLING AND SPARE PARTS TO BE DELIVERED OVER THE FIVE (5) YEAR TERM OF THE CONTRACT VENDOR: GILLIG, LLC. AMOUNT: NTE \$4,154,641.00 FOR THE FIRST EIGHT (8) COACHES	Resolution No.: 2015-48
	Date: April 16, 2015
	Initiator: Fleet Management Department
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 the manufacture and delivery of up to eight (8), thirty-five foot replica Trolley coaches, training, tooling and spare parts, to be delivered 52 weeks from Notice to Proceed, with options to procure an additional fourteen (14) coaches, training, tooling and spare parts, to be delivered over the five (5) year term of the contract.

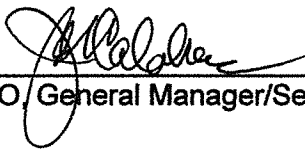
- 2.0 **DESCRIPTION/JUSTIFICATION:** RTA currently operates seventeen (17) thirty foot replica Trolley coaches. To provide safe, reliable and cost effective service, Trolley coaches must be replaced on a regular cycle. FTA allows replacement at twelve years or 500,000 miles of service. In 2016, six (6) Trolley coaches will reach their twelve year service life. In 2018, eleven (11) additional Trolley coaches will reach their twelve year service life. Currently, financing has been identified for eight (8), thirty-five foot Trolley coaches.

- 3.0 **PROCUREMENT BACKGROUND:** The Request for Proposal (RFP) was posted on the GCRTA Procurement web site and advertised in the local newspapers. Eighteen (18) interested parties downloaded the solicitation package. One proposal was received. After evaluation by a panel of Authority employees in accordance with established Procurement policies and procedures, and after negotiations, Gillig, LLC. was selected to manufacture and deliver up to eight (8), thirty-five foot replica Trolley coaches in amounts not to exceed \$489,778.00 per coach, \$48,029.00 for training, \$36,688.00 for tooling and \$151,700.00 for spare parts for a total amount not to exceed \$4,154,641.00, to be delivered 52 weeks from the Notice to Proceed.

A cost analysis has been performed and the Procurement Department has determined the price to be fair and reasonable to the Authority.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** Per Federal Regulations, the Office of Business Development does not conduct Affirmative Action reviews or establish goals on procurements involving the purchase of Transit Motor Vehicles (TMV'S).
- 5.0 **POLICY IMPACT:** Does not apply.
- 6.0 **ECONOMIC IMPACT:** This contract shall be payable from the RTA Development & Local Funds, Fleet Management Department budget, including but not limited to, various pending capital grant awards; Capital Grant OH-90-X809 (2 Trolleys), Ohio Transit Preservation Partnership Program (4 Trolleys), Northeast Ohio Areawide Coordinating Agency (2 Trolleys), totaling \$3,918,224.00 and from the Local Grant match for training, tooling and spare parts, contingent upon approval of pending grant awards and grant revisions, for a total negotiated contract amount not to exceed \$4,154,641.00 for the first eight (8) Trolley coaches.
- 7.0 **ALTERNATIVES:** Reject all proposals. Rejection of this offer would cause delays in the procurement of the thirty-five foot replica Trolley coaches and impact service quality.
- 8.0 **RECOMMENDATION:** This procurement was discussed at the April 7, 2015 Operations Committee meeting and recommended for approval to the Board of Trustees. It is recommended that the offer of Gillig, LLC 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



TITLE/DESCRIPTION: CONTRACT: AMENDING RESOLUTION NO. 2015-48 AND AUTHORIZING THE PURCHASE OF AN ADDITIONAL FOUR (4) THIRTY-FIVE FOOT REPLICA TROLLEY COACHES AND ASSOCIATED SPARE PARTS VENDOR: GILLIG, LLC. AMOUNT: NTE \$2,034,962.00	Resolution No.: 2015-60
	Date: June 11, 2015
	Initiator: Fleet Management Department
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 amend Resolution No. 2015-48 and authorize the funding for the procurement of up to four (4) of the remaining fourteen (14), thirty-five foot replica Trolley coaches and associated spare parts.

- 2.0 **DESCRIPTION/JUSTIFICATION:** RTA currently operates seventeen (17) thirty foot replica Trolley coaches. To provide safe, reliable and cost effective service, Trolley coaches must be replaced on a regular cycle. FTA allows replacement at twelve years or 500,000 miles of service. In 2016, fifteen (15) Trolley coaches will reach their twelve year service life. ODOT has arranged for GCRTA to receive \$5 million of 100% federally funded Diesel Emissions Reduction Grant CMAQ funds to purchase (ten) 10 Trolley coaches for the Republican National Convention. Some of the previous funding identified for the original purchase of eight (8) Trolley coaches will be changed to allow purchase of additional 40' CNG buses.

- 3.0 **PROCUREMENT BACKGROUND:** Resolution No. 2015-48, adopted April 21, 2015, authorized Contract No. 2014-170 with Gillig, LLC for the manufacture and delivery of up to eight (8), thirty-five foot replica Trolley coaches, training, tooling and spare parts, in an amount not to exceed \$4,154,641.00, to be delivered 52 weeks from the Notice to Proceed, with options to procure an additional fourteen (14) coaches, training, tooling and spare parts to be delivered over the five (5) year term of the contract.

This amendment will authorize the funding for the eight (8) replica Trolley coaches authorized by Resolution 2015-48 in an amount not to exceed \$4,154,641.00 and the change order will authorize the manufacture and delivery of four (4) additional replica Trolley coaches at a unit cost of \$489,778.00 per coach and provide \$75,850.00 of associated spare parts, for a total amount not to exceed \$2,034,962.00, resulting in a total contract amount not to exceed \$6,189,603.00 for twelve (12) replica Trolley coaches and related expenses.

A cost analysis has been performed and the Procurement Department has determined the price to be fair and reasonable to the Authority.

- 4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: Per Federal Regulations, the Office of Business Development does not conduct Affirmative Action reviews or establish goals on procurements involving the purchase of Transit Motor Vehicles (TMV'S).
- 5.0 POLICY IMPACT: Does not apply.
- 6.0 ECONOMIC IMPACT: This change order shall be payable from the RTA Development Fund, Fleet Management Department budget, including but not limited to, a pending supplemental FTA Grant OH-95-X122 in an amount of \$1,959,112.00 (\$1,959,112.00 in Federal funds which represents 100% of the cost) and 100% Local funds in an amount not to exceed \$75,850.00, for a total amount not to exceed \$2,034,962.00. In addition, Resolution 2015-048 is amended to include OH-95-X122 as a funding source that will cover the cost of six (6) of the previous replica Trolley coaches included in the base contract ordered under Contract No. 2014-170 and the remaining two (2) replica Trolley coaches will be funded from a pending NOACA grant and from Local Match for training, tooling and spare parts resulting in a total contract amount not to exceed \$6,189,603.00 for the twelve (12) Trolley coaches and related expenses. This funding is contingent based upon approval of pending grants.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would cause delays in the procurement of the additional thirty-five foot replica Trolley coaches and fail to take advantage of an additional funding opportunity.
- 8.0 RECOMMENDATION: It is recommended that the negotiated offer from Gillig, LLC be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer to modify the 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