

RESOLUTION NO. 2015-94

AUTHORIZING CONTRACT NO. 2015-139 WITH WHITING CORPORATION TO PROVIDE CENTRAL RAIL MAINTENANCE FACILITY LIFT REHABILITATION IN AN AMOUNT NOT TO EXCEED \$490,897.25 (RTA DEVELOPMENT FUND, RAIL FACILITIES MAINTENANCE DEPARTMENT BUDGET)

WHEREAS, the Authority deems it necessary to rehabilitate 14 car hoist and 8 body stand lifts located at the Central Rail Maintenance Facility; and

WHEREAS, the replacement parts required for the rehabilitations are proprietary to Whiting Corporation, the original equipment manufacturer of the lifts; and

WHEREAS, Whiting Corporation, located at 26000 South Whiting Way, Monee, Illinois 60449, has offered to provide the parts for this rehabilitation; and

WHEREAS, the Ohio Revised Code, Section 306.43(H)(2) provides that competitive bidding is not required when, after reasonably inquiry, the board or any officer or employee the board designates finds that only one source is reasonably available; and

WHEREAS, the Director of Procurement has determined that only one source of parts that are proprietary to Whiting Corporation is reasonably available; and

WHEREAS, after negotiations, an amount of \$490,897.25 was agreed upon; and

WHEREAS, the General Manager/Secretary-Treasurer deems the bid of Whiting Corporation to provide Central Rail Maintenance Facility Lift Rehabilitations 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 bid of Whiting Corporation to provide Central Rail Maintenance Facility Lift Rehabilitation 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 Whiting Corporation to provide Central Rail Maintenance Facility Lift Rehabilitation.

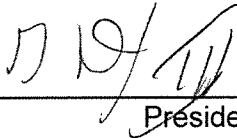
Section 3. That said contract shall be payable from the RTA Development Fund, Rail Facilities Maintenance budget, including but not limited to, Capital Grant OH-90-X728, in an amount not to exceed \$490,897.25 (\$392,717.80 in Federal funds which represents 80% of the total cost).

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon compliance by the contractor to the Specifications and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution No. 2015-76; 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 Whiting Corporation 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: October 20, 2015



President

Attest: 

CEO, General Manager/Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: CENTRAL RAIL MAINTENANCE FACILITY LIFT REHABILITATION VENDOR: WHITING CORPORATION AMOUNT: AN AMOUNT NOT TO EXCEED \$490,897.25	Resolution No.: 2015-94
	Date: October 15, 2015
	Initiator: Rail District
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 agreement for the Rehabilitation of Central Rail Maintenance Facility Lifts.

- 2.0 **DESCRIPTION/JUSTIFICATION:** A complete rehabilitation of the 14 car hoist lifts and 8 body stand lifts located at the Central Rail Maintenance Facility is required due to diminishing conditions and aging structure. These lifts provide access to inaccessible areas of each train for routine and preventative maintenance. The lifts must safely hold the weight of a train without the risk of damage to GCRTA property. It is significantly more cost effective to replace the existing worn parts, as part of the Central Rail Facility Maintenance Program, than to purchase new lifts. The lifts are over 25 years old and now require rehabilitation to keep them in safe and operable condition.

- 3.0 **PROCUREMENT BACKGROUND:** This sole source contract is exempt from competitive bidding as authorized under Section 306.43(H)(2) of the Ohio Revised Code. Whiting Corporation is the original equipment manufacturer of the lifts installed at the Central Rail Maintenance Facility. Therefore, it is the sole source provider of the required replacement parts.

 A detailed listing of the replacement parts required for the rehabilitation program were identified and reviewed by Whiting Corporation and the Rail Facilities Maintenance department. After negotiations, an amount not to exceed \$490,897.25 was agreed upon. A price analysis was performed and the Procurement Department has determined the 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 participation goal was established for this procurement due to the lack of certified DBE firms.

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

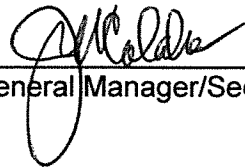
- 6.0 **ECONOMIC IMPACT:** This contract will be funded through RTA Development Fund, Rail Facilities Maintenance Department budget, including but not limited to, Capital Grant OH-90-X728, Line Item 12.24.03, in an amount not to exceed \$490,897.25 (\$392,717.80 in Federal funds which represents 80% of the total cost). The price is 6% below the budgeted amount of \$525,000.00.

- 7.0 **ALTERNATIVES:** Reject this offer. Rejection of this offer will allow for continued degradation of the lifts at the Central Rail Maintenance Facility, resulting in the inability to repair trains, which could impact service.

8.0 RECOMMENDATION: It is recommended that the offer of Whiting Corporation 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