

RESOLUTION NO. 2019-12

AUTHORIZING CONTRACT NO. 2018-070 WITH E.L. ROBINSON ENGINEERING FOR PROJECT 52N – ENGINEERING SERVICES FOR THE TOWER CITY EAST PORTAL REHABILITATION IN AN AMOUNT NOT TO EXCEED \$1,011,402.03 (RTA CAPITAL AND/OR RTA DEVELOPMENT FUNDS, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, The Authority has the need to contract with a firm to provide engineering services for design and construction support for the Tower City East Portal Rehabilitation, as described under Project 52N; and

WHEREAS, the proposal of E.L. Robinson Engineering, with an office located at 1468 West 9<sup>th</sup> Street, Suite 500, Cleveland, Ohio 44113, to perform said services was received on July 6, 2018, in response to a competitive solicitation; and

WHEREAS, E.L. Robinson Engineering has agreed to perform the required services in an amount not to exceed \$1,011,402.03; and

WHEREAS, the Interim CEO, General Manager/Secretary-Treasurer deems the offer of E.L. Robinson Engineering to be the most advantageous to 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 negotiated offer of E.L. Robinson Engineering to provide engineering services under Project 52N – Engineering Services for the Tower City East Portal Rehabilitation be and the same is hereby accepted.

Section 2. That the Interim CEO, General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to enter into a contract with E.L. Robinson Engineering for the performance of said services.

Section 3. That said contract shall be payable from the RTA Capital and/or RTA Development Funds, Engineering & Project Development Department budget, including but not limited to 100% Local funds, in an amount not to exceed \$1,011,402.03.


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 2015-76; bonding and insurance requirements; and all applicable laws relating to the contractual obligations of the Authority.

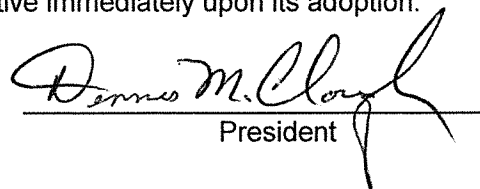
Section 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that E.L. Robinson Engineering will attempt to exceed the 7% minimum DBE goal assigned to this procurement.

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

Adopted: February 19, 2019

Attest:

  
Interim CEO, General Manager/Secretary-Treasurer

  
President



<b>TITLE/DESCRIPTION:</b> <b>CONTRACT:</b> PROJECT 52N – ENGINEERING SERVICES FOR THE TOWER CITY EAST PORTAL REHABILITATION <b>VENDOR:</b> E.L. ROBINSON ENGINEERS <b>AMOUNT:</b> NOT TO EXCEED \$1,011,402.03	<b>Resolution No.:</b> 2019-12
	<b>Date:</b> February 14, 2019
	<b>Initiator:</b> Engineering & Project Development
<b>ACTION REQUEST:</b> <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 Project 52N - Engineering Services for the Tower City East Portal Rehabilitation.
- 2.0 **DESCRIPTION/JUSTIFICATION:** The Authority requires professional engineering services for design and construction support for the Tower City East Portal Rehabilitation. This project is comprised of two phases with two possible design alternates. The first phase is exploratory and will provide crucial information which will be used to determine the design alternate to be developed. The second phase is to fully develop the selected design alternate, to include but not be limited to, the scope of work, specifications, drawings, etc. for construction.
- 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.

During this process, however, an agreement could not be reached with the first ranked firm since the proposed price substantially exceeded the budget. Negotiations commenced with the second ranked firm, E.L. Robinson Engineering. The basis of award for this procurement is based on the higher priced Alternate No. 2. After agreement was reached on a price not to exceed \$1,011,402.03 for this alternate, the team negotiated a price not to exceed \$769,482.47 for Alternate No. 1. If this alternate is selected, upon completion of the first phase of the project, a deductive change order in the amount of \$241,919.56 will be processed. A cost analysis was performed, and the Procurement Department determined the proposal from E.L. Robinson Engineering to be fair and reasonable to the Authority.

E.L. Robinson Engineering has successfully completed projects for the Ohio Department of Transportation, Lorain County Engineer and Lorain County Prosecutor, Cleveland Metroparks, and the City of Akron, among others.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 7% DBE goal was established for this procurement. E.L. Robinson Engineers has committed to achieving the DBE participation goal using the following DBE firms:

DBE Name/Address	DBE Category	Scope of Work	Amount	Percent
2LMN, Inc	Male/Asian	Survey and Design	\$33,312.00	3.3%
Pro Geotech, Inc.	Male/Asian	Geotech Field Exploration and Testing	\$47,565.00	4.7%
Denise Flagging	AA Female	Flagging	\$2,304.00	.2%
		Total DBE Participation	\$83,181.00	8.2%

- 5.0 POLICY IMPACT: Does not apply.
- 6.0 ECONOMIC IMPACT: This contract shall be payable from the RTA Capital and/or RTA Development Funds, Engineering & Project Development Department budget, including but not limited to 100% Local funds, in an amount not to exceed \$1,011,402.03. The budget for this project was \$847,948.77.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer will allow for continued degradation of this asset around the tracks.
- 8.0 RECOMMENDATION: This procurement was discussed by the Board of Trustees at the February 5, 2019 Operational Planning & Infrastructure Committee meeting. It is recommended that the offer of E.L. Robinson Engineering be accepted and the resolution passed authorizing the Interim CEO, 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.

  
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Interim CEO, General Manager/Secretary-Treasurer