

RESOLUTION NO. 2019-59

RATIFYING CONTRACT NO. 2019-087 WITH THE GREAT LAKES CONSTRUCTION CO. FOR THE EMERGENCY REPAIR OF THE RED LINE S-CURVE RETAINING WALL, AT A TOTAL AMOUNT NOT TO EXCEED \$650,000.00 (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Authority deemed it necessary to acquire construction services, as provided under Contract No. 2019-087 for the Emergency Repair of the Red Line S-Curve Retaining Wall; and

WHEREAS, The Great Lakes Construction Co. located at 2608 Great Lakes Way, Hinckley, Ohio 44233, was determined to be a knowledgeable and responsible party able to immediately perform said services; and

WHEREAS, in accordance with emergency procedures specified in the GCRTA Procurement Manual, an agreement was reached with The Great Lakes Construction Co. to work with GCRTA personnel and outside consultants to perform repairs to the Red Line S-Curve Retaining Wall; and

WHEREAS, the design of the repair is still not finalized but an internal estimate of the work is \$650,000.00; and

WHEREAS, the President of the Board of Trustees gave approval to the Interim CEO, General Manager/Secretary-Treasurer for an emergency procurement with The Great Lakes Construction Co. in the estimated amount not to exceed \$650,000.00, and ratification of that agreement, Contract No. 2019-087, by the Board of Trustees is necessary.

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

Section 1. That the Board of Trustees hereby ratifies the actions of the Interim CEO, General Manager/Secretary Treasurer to procure construction services on an emergency basis without competitive procedures, pursuant to Ohio Revised Code Section 306.43(H)(1)(a) for the Emergency Repair of the Red Line S-Curve Retaining Wall.

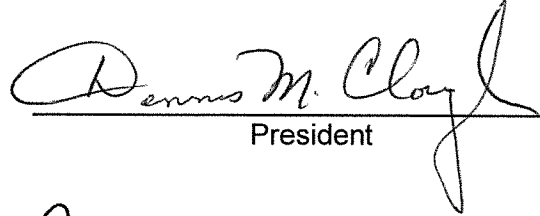
Section 2. That the Interim CEO, General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to execute a contract with The Great Lakes Construction Co. for the Emergency Repair of the Red Line S-Curve Retaining Wall.

Section 3. This procurement shall be payable through the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to, 100% Local funds, in an amount not to exceed \$650,000.00, pending FTA's approval to use grant funds for emergency repairs.

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon compliance by the contractor to the Specifications, 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 this resolution shall become effective immediately upon its adoption.

Adopted: June 4, 2019

  
\_\_\_\_\_  
President

Attest:   
\_\_\_\_\_  
Interim CEO, General Manager/Secretary-Treasurer



TITLE/DESCRIPTION: <b>CONTRACT: RATIFICATION OF CONTRACT NO. 2019-087 FOR EMERGENCY REPAIR OF THE RED LINE S-CURVE RETAINING WALL</b>  <b>VENDOR: THE GREAT LAKES CONSTRUCTION CO.</b> <b>AMOUNT: AMOUNT TO EXCEED \$650,000.00</b>	Resolution No.: 2019-59
	Date: June 3, 2019
	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 ratify an emergency procurement with The Great Lakes Construction Co. for Contract No. 2019-087 to provide construction services for Emergency Repair of the Red Line S-Curve Retaining Wall.
  
- 2.0 **DESCRIPTION/JUSTIFICATION:** GCRTA's Engineering Department and outside consultants determined that the health, safety, and ability of GCRTA to deliver transportation services were compromised by the movement of the Red Line S-Curve Retaining Wall. Revenue services was stopped effective May 30, 2019. The Great Lakes Construction Co. agreed to work with internal GCRTA personnel and outside consultants to perform necessary repairs to the 20-foot high structure. The President of the GCRTA Board of Trustees gave approval for the emergency repair work. Pursuant to procedures contained in the GCRTA Procurement Manual, the Board of Trustees must ratify Contract No. 2019-087 with The Great Lakes Construction Co.
  
- 3.0 **PROCUREMENT BACKGROUND:** Ohio Revised Code 306.43(H)(1)(a) states that competitive solicitation is not required when an emergency exists that affects safety, welfare, or the ability to deliver transportation services. Revenue service was stopped on May 30, 2019 due to health and safety concerns and cannot be resumed until the Red Line S-Curve Retaining Wall is structurally repaired.  
  
 The GCRTA Procurement Manual contains procedures for emergency procurements. In accordance with those procedures, the need for the emergency work was presented to the President of the GCRTA Board of Trustees by GCRTA's Interim CEO, General Manager/Secretary-Treasurer. Approval was given to proceed with the emergency contract, pending ratification of Contract No. 2019-087 by the Board of Trustees.  
  
 Given its extensive history with GCRTA and Norfolk Southern, The Great Lakes Construction Co. was contacted to perform these emergency repairs. At this time, the specific repair statement of work is still being developed by WSP USA, Inc. and the GCRTA Engineering staff. Once design is completed, The Great Lakes Construction Co. will proceed with repairs. The current internal estimate for repairs is \$650,000.00.
  
- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** An Affirmative Action review was not conducted and a DBE participation goal was not considered for the project due to the nature of this emergency procurement.
  
- 5.0 **POLICY IMPACT:** Does not apply.
  
- 6.0 **ECONOMIC IMPACT:** This procurement shall be payable through the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to, 100% Local funds, in an amount not to exceed \$650,000.00, pending FTA's approval to use grant funds for emergency repairs.
  
- 7.0 **ALTERNATIVES:** Reject this offer. Rejection of this Resolution will prevent repair of the wall and full operation of the Red Line.

- 8.0 RECOMMENDATION: It is recommended that the Board of Trustees ratify Contract No. 2019-087 with The Great Lakes Construction Co.
- 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