

RESOLUTION NO. 2021-48

AUTHORIZING CONTRACT NO. 2021-028 WITH APEX CONSTRUCTION & MANAGEMENT CO., INC. FOR PROJECT 18.45 – MICHAEL’S DINER ROOF REPLACEMENT, AS SPECIFIED AND AS REQUIRED, IN AN AMOUNT NOT TO EXCEED \$279,900.00 (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Authority deems it necessary to acquire construction services, as required, under Project 18.45 – Michael’s Diner Roof Replacement; and

WHEREAS, the bid of Apex Construction & Management Co., Inc., located at 24381 Aurora Road, Ste A-6, Bedford Heights, Ohio 44146, was received on April 14, 2021 in an amount not to exceed \$279,900.00; and

WHEREAS, the General Manager, Chief Executive Officer deems the bid of Apex Construction & Management Co., Inc. to be the lowest responsive bid from a responsible bidder 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 Apex Construction & Management Co., Inc. for Project 18.45 – Michael’s Diner Roof Replacement, be and the same is hereby accepted.

Section 2. That the General Manager, Chief Executive Officer of the Authority be and she is hereby authorized to enter into a contract with Apex Construction & Management Co., Inc. for Project 18.45 – Michael’s Diner Roof Replacement.

Section 3. That said contract shall be payable from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to, 100% Local funds, for a total contract amount not to exceed \$279,900.00.

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, thereto, if any; the Affirmative Action Plan adopted by the Board of Trustees; 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 Apex Construction & Management Co., Inc. will attempt to exceed the 19% minimum DBE goal assigned to this procurement.

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

Adopted: May 25, 2021



President

Attest: 

Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: PROJECT 18.45 – MICHAEL’S DINER ROOF REPLACEMENT VENDOR: APEX CONSTRUCTION & MANAGEMENT CO., INC. AMOUNT: \$279,900.00	Resolution No.: 2021-48
	Date: May 20, 2021
	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 allow the Authority to enter into a contract to provide construction services for Project 18.45 – Michael’s Diner Roof Replacement.
- 2.0 **DESCRIPTION/JUSTIFICATION:** The work to be performed under this contract includes, but is not limited to, removal and replacement of the roofing materials as well as the two roof top HVAC units. Michael’s Diner is located at 13051 Shaker Boulevard, north and adjacent to the westbound track and just west of Shaker Square. GCRTA owns the building and leases it to the proprietor of Michael’s Diner.
- 3.0 **PROCUREMENT BACKGROUND:** The Invitation for Bid (“IFB”) was posted on the GCRTA Procurement website and advertised in the local newspapers. Four interested parties, including potential subcontractors, downloaded the solicitation package. One responsive bid was received and opened on April 14, 2021, as follows:

Company Name	Total Base Bid
Apex Construction & Management Co., Inc.	\$279,900.00

Ohio Revised Code Section 306.43(B) provides that, in the case of a single bid being received, the Authority may negotiate the price with the vendor. Negotiations failed to achieve a price reduction from Apex Construction & Management Co., Inc. The agreed upon price of \$279,900.00 is \$8,518.02, or 3.14%, greater than the Engineer’s Estimate of \$271,381.98.

A cost analysis has been performed and the bid of Apex Construction & Management Co., Inc. has been determined by the Procurement Department to be fair and reasonable to the Authority.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 19% DBE goal was established for this procurement. The Prime Contractor is Apex Construction Services, a certified DBE (Subcontinent Asian-owned) firm fulfilling the DBE participation goal established for this contract.
- 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, for a total contract amount not to exceed \$279,900.00.
- 7.0 **ALTERNATIVES:** Reject this offer. Rejection of this offer will allow for the continued degradation of the roof at Michael’s Diner.

- 8.0 RECOMMENDATION: It is recommended that the bid of Apex Construction & Management Co., Inc. be accepted and the resolution passed authorizing the General Manager, Chief Executive Officer 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.



General Manager, Chief Executive Officer