

RESOLUTION NO. 2022-89

AUTHORIZING CONTRACT NO. 2022-103 WITH WESTERN RESERVE COACH SALES, INC. FOR THE PURCHASE OF UP TO 20 WESTERN RESERVE DIAMOND PARATRANSIT COACHES, AS SPECIFIED, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$2,454,880.00 (RTA DEVELOPMENT FUND, FLEET MANAGEMENT DEPARTMENT BUDGET)

WHEREAS, the Authority has identified the need to purchase Paratransit vehicles to replace those that have reached or exceeded their useful life; and

WHEREAS, such vehicles are available through the State of Ohio, Department of Transportation Cooperative Purchasing Program ("Cooperative Purchasing Program"); and

WHEREAS, Section 5513.01(B) of the Ohio Revised Code provides political subdivisions within the State of Ohio the opportunity to participate in contracts executed by the State of Ohio, Department of Transportation; and

WHEREAS, the Board of Trustees of the Authority authorized the utilization of the Cooperative Purchasing Program in Resolution No. 2004-076; and

WHEREAS, Section 306.43(H)(4) of the Ohio Revised Code states that competitive procedures are not required when the purchase is made from another political subdivision, public agency, public transit system, regional transit authority, the state, or the federal government, or as a third party beneficiary under a state or federal procurement contract, or as a participant in a department of administrative services contract under division (B) of Section 125.04 of the Revised Code; and

WHEREAS, Western Reserve Coach Sales, Inc., located at 12347 Marlboro Avenue, Alliance, OH 44601, has offered to manufacture and deliver up to 20 Diamond Paratransit coaches, as specified, at a unit price of \$122,744.00, for a total amount not to exceed \$2,454,880.00; and

WHEREAS, the General Manager, Chief Executive has deemed it in the best interest of the Authority to procure the required vehicles utilizing the Cooperative Purchasing Program from Western Reserve Coach Sales, Inc. 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 Western Reserve Coach Sales, Inc., for the manufacture and delivery of up to 20 Diamond Paratransit coaches, as specified, 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 Western Reserve Coach Sales, Inc. for the manufacture and delivery of up to 20 Paratransit coaches, as specified.

Section 3. This contract shall be payable from the RTA Development Fund, Fleet Management Department budget, including but not limited to FTA Capital Grant OH-2021-009 in an amount of \$2,077,077.50, FTA Capital Grant OH-2017-029 in an amount of \$14,867.36, and 100% local funds in the amount of \$362,935.14 for 20 Paratransit coaches, at a unit price of \$122,744.00, resulting in a total contract amount not to exceed \$2,454,880.00 (\$1,673,555.88 in federal funds which represents 68% 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; bonding and insurance requirements and all applicable laws relating to contractual obligations of the Authority.

Section 5. That this resolution shall become effective immediately upon its adoption.

Adopted: September 20, 2022

  
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President

Attest:   
\_\_\_\_\_  
Secretary- Treasurer





<b>TITLE/DESCRIPTION:</b> <b>CONTRACT:</b> AUTHORIZING THE PURCHASE OF UP TO 20 WESTERN RESERVE DIAMOND PARATRANSIT COACHES  <b>VENDOR:</b> WESTERN RESERVE COACH SALES, INC.  <b>AMOUNT:</b> NOT TO EXCEED \$2,454,880.00	<b>Resolution No.:</b> 2022-89
	<b>Date:</b> September 15, 2022
	<b>Initiator:</b> Fleet Management Department
<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 resolution will authorize the Authority to enter into a contract for the manufacture and delivery of up to 20, wheelchair equipped, Western Reserve Diamond Paratransit coaches, through the State of Ohio, Department of Transportation, Cooperative Purchasing Program ("Cooperative Purchasing Program").
- 2.0 **DESCRIPTION/JUSTIFICATION:** These transit vehicles will be used by the Authority's Paratransit District. The Board of Trustees approved Resolution No. 2021-52 with Myers Equipment Corp. for the purchase of 10 Paratransit coaches under the State of Ohio, Cooperative Purchasing Program. Due to multiple supply chain and manufacturing issues with the vehicles, the contract was canceled. The 20 Paratransit coaches purchased under authority of this Resolution include the 10 that had been canceled. These new vehicles will replace the GCRTA's 7500 fleet, Paratransit vans, and MV-1 vehicles. The vehicles were purchased in 2013 and have exceeded their useful life in age and/or mileage in accordance with the Authority's vehicle replacement policy and guidelines.
- 3.0 **PROCUREMENT BACKGROUND:** The Board of Trustees has authorized the General Manager, Chief Executive Officer to utilize the Cooperative Purchasing Program by Resolution No. 2004-076. This allows the Authority to place orders against State of Ohio, Department of Transportation contracts. Under Ohio Revised Code Section 306.43(H)(4), competitive procedures are not required when the purchase of goods or services is made from another political subdivision, public agency, public transit system, regional transit authority, the state, or the federal government, or as a third-party beneficiary under a state or federal procurement contract, or as a participant in a department of administrative services contract under division (B) of Section 125.04 of the Revised Code. The Cooperative Purchasing Program includes contracts for Paratransit coaches, which are a result of competitive solicitations. The Authority will purchase up to 20 Western Reserve Diamond Paratransit coaches at a unit price of \$122,744.00, for a total price not to exceed \$2,454,880.00. A price analysis has been performed, and the Procurement Department has determined the price submitted by Western Reserve Coach Sales, Inc. is fair and reasonable to the Authority.
- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** The Office of Business Development does not conduct Affirmative Action/DBE reviews or establish goals on procurements included in the State Cooperative Purchasing Program.
- 5.0 **POLICY IMPACT:** Does not apply.
- 6.0 **ECONOMIC IMPACT:** This contract shall be payable from the RTA Development Fund, Fleet Management Department budget, including but not limited to FTA Capital Grant OH-2021-009 in an amount of \$2,077,077.50, FTA Capital Grant OH-2017-029 in an amount of \$14,867.36, and 100% local funds in the amount of \$362,935.14 for 20 Paratransit coaches, at a unit price of \$122,744.00, resulting in a total contract amount not to exceed \$2,454,880.00 (\$1,673,555.88 in federal funds which represents 68% of the total cost).

- 7.0 ALTERNATIVES: Reject this offer. Rejection of this contract would impact the Authority's ability to provide reliable and timely service.
- 8.0 RECOMMENDATION: This procurement was discussed by the Board of Trustees at the September 13, 2022 Organizational Planning & Infrastructure Committee meeting. It is recommended that the bid of Western Reserve Coach Sales, Inc., be accepted and the resolution passed authorizing the General Manager, Chief Executive Officer to enter into a contract.
- 9.0 ATTACHMENT: None

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.

  
General Manager, Chief Executive Officer