

RESOLUTION NO. 2024-55

AUTHORIZING CONTRACT NO. 2024-91 WITH APEX CONSTRUCTION & MANAGEMENT CO., INC. FOR PROJECT 19.82 – HAYDEN GARAGE CMU PAINTING & REHABILITATION IN AN AMOUNT NOT TO EXCEED \$116,176.00 (RTA CAPITAL FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority (“Authority”) deems it necessary to acquire construction services for the painting and rehabilitation of both the interior and exterior concrete masonry unit walls (“CMU”) at Hayden Garage, as required, under Project 19.82 – Hayden Garage CMU Painting & Rehabilitation; and

WHEREAS, the bid from Apex Construction & Management Co., Inc., located at 24381 Aurora Rd., A-6, Bedford, Ohio, 44146, was received on June 28, 2024 in an amount not to exceed \$116,176.00; 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 19.82 – Hayden Garage CMU Painting & Rehabilitation 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 19.82 – Hayden Garage CMU Painting & Rehabilitation.

Section 3. That this contract shall be payable from the RTA Capital Fund, Engineering & Project Development Department budget, including but not limited to 100% local funds, in an amount not to exceed \$116,176.00.

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, 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 the Greater Cleveland Regional Transit Authority's Board of Trustees expects that Apex Construction & Management Co., Inc. will attempt to exceed the 11% minimum DBE goal assigned to this procurement.

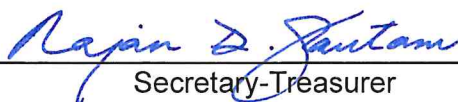
Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: July 30, 2024



President

Attest:



Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: PROJECT 19.82 – HAYDEN GARAGE CMU WALL PAINTING & REHABILITATION VENDOR: APEX CONSTRUCTION & MANAGEMENT CO., INC. AMOUNT: \$116,176.00	Resolution No.: 2024-55
	Date: July 25, 2024
	Initiator: Engineering & Project Development Department
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 resolution will allow the Greater Cleveland Regional Transit Authority (“Authority”) to enter into a contract to provide construction services for Project 19.82 – Hayden Garage CMU Painting & Rehabilitation.
- 2.0 **DESCRIPTION/JUSTIFICATION:** The work to be performed under this contract includes the painting and rehabilitation of both the interior and exterior concrete masonry unit walls (“CMU”) as well as repairing CMU sealant control joints and tuck points, as necessary. The project location is at the Hayden Bus Garage in East Cleveland, Ohio.
- 3.0 **PROCUREMENT BACKGROUND:** The Invitation for Bids (“IFB”) was posted on the Authority’s Procurement website and advertised in the local newspapers. Twenty-eight (28) interested parties, including potential subcontractors, downloaded the solicitation package. Seven (7) bids were received and opened on June 28, 2024, as follows:

Company Name	Total Base Bid
Apex Construction & Management Co., Inc.	\$116,176.00
MVP Contractors, LLC	\$149,749.60
Dugger Acquisitions, LLC	\$163,580.18
CSC The Charles Smith Co., LLC	\$176,456.70
Markleys Precision Company, LLC	\$176,500.00
Thomarios	\$187,327.00
Athos Contracting, LLC	\$194,800.00

The basis of award is the lowest responsive bid from a responsible bidder for the total base bid price. The total base bid price of \$116,176.00 from Apex Construction & Management Co., Inc. is approximately 42% less than the Engineer’s Estimate of \$200,521.00. Apex Construction & Management Co., Inc. was determined to be a responsible bidder.

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. An 11% DBE goal was established for this procurement. The Prime Contractor, Apex Construction & Management Co., Inc. is a certified DBE (Subcontinent Asian male-owned) firm and will perform approximately 40% of this contract with its own forces, which will exceed the DBE participation goal on this contract. Additionally, the prime contractor will utilize E M Painting (African American male-owned) in the amount of \$70,000.00 or 60%.

- 5.0 POLICY IMPACT: Does not apply.
- 6.0 ECONOMIC IMPACT: This contract shall be payable from the RTA Capital Fund, Engineering & Project Development Department budget, including but not limited to 100% local funds, in an amount not to exceed \$116,176.00.
- 7.0 ALTERNATIVES: Reject this bid. Rejection of this bid would leave the Authority without the protection of the Authority's assets due to the failing paint system at Hayden Garage.
- 8.0 RECOMMENDATION: It is recommended that the bid from Apex Construction & Management Co., Inc. be accepted and the resolution adopted 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