

RESOLUTION NO. 2024-94

AUTHORIZING CONTRACT NO. 2024-100 WITH BURNS ENGINEERING, INC. FOR PROJECT 19.88 – ENGINEERING SERVICES FOR LIGHT RAIL FIBER OPTIC DESIGN IN AN AMOUNT NOT TO EXCEED \$1,026,609.82, (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority (“Authority”) needs to contract with a firm to provide Engineering Services for Light Rail Fiber Optic Design described under Project 19.88; and

WHEREAS, the proposal from Burns Engineering, Inc., with an office located at 2001 Market Street, Suite 600, Philadelphia, Pennsylvania, 19103, to perform said services was received on July 24, 2024 in response to a competitive solicitation; and

WHEREAS, after negotiations, Burns Engineering, Inc. has agreed to perform the required services in a negotiated amount not to exceed \$1,026,609.82; and

WHEREAS, the General Manager, Chief Executive Officer deems the offer from Burns Engineering, Inc. 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 Burns Engineering, Inc. to provide professional design services under Project 19.88 - Engineering Services for Light Rail Fiber Optic Design 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 Burns Engineering, Inc. for the performance of said services.

Section 3. This procurement shall be payable from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to Capital Grant OH-2024-011-337 in an amount of \$900,000.00, and pending local advance funds in an amount of \$126,609.82 pending a grant revision to OH-2019-037-337, for a total negotiated amount not to exceed \$1,026,609.82 (\$720,000.00 in federal funds, which represents 70.1% 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 the Greater Cleveland Regional Transit Authority’s Board of Trustees expects that Burns Engineering, Inc. will attempt to exceed the 6% minimum DBE goal assigned to this procurement.

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

Adopted: December 17, 2024

  
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President

Attest:

 acting for  
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Secretary-Treasurer 



<b>TITLE/DESCRIPTION:</b> <b>CONTRACT:</b> ENGINEERING SERVICES FOR LIGHT RAIL FIBER OPTIC DESIGN  <b>VENDOR:</b> BURNS ENGINEERING, INC.  <b>AMOUNT:</b> NOT TO EXCEED \$1,026,609.82	<b>Resolution No.:</b> 2024-94
	<b>Date:</b> December 12, 2024
	<b>Initiator:</b> Engineering & Project Development 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 action will allow the Greater Cleveland Regional Transit Authority (“Authority”) to enter into a contract for Project 19.88 – Engineering Services for Light Rail Fiber Optic Design.
  
- 2.0 **DESCRIPTION/JUSTIFICATION:** The current light rail communication network consists of leased fiber lines, radios, and a twenty-five (25) pair copper cable. The current light rail communications infrastructure cannot accommodate a modern signal system or make use of technologies such as broken rail detection. This contract will obtain the services of a qualified engineering consultant team to design a state-of-the-art fiber optic network along the Blue and Green Lines. The light rail network will be designed with the capability to communicate with the existing communication networks such as the Red Line and the Euclid Corridor.
  
- 3.0 **PROCUREMENT BACKGROUND:** The Request for Proposals (“RFP”) was posted on the Authority’s Procurement website and advertised in the local newspapers. Forty-one interested parties, including potential subcontractors, downloaded the solicitation package, and one responsive proposal was received. 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 price 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. In this instance, negotiations were held with Burns Engineering, Inc., the first ranked firm, and an acceptable price was reached.  
  
 Burns Engineering, Inc. has successfully completed projects for the Port Authority of New York, the Port of Philadelphia, the Massachusetts Bay Transit Authority, and Amtrak, among others.  
  
 The Procurement Department performed a cost analysis and determined the proposed pricing from Burns Engineering, Inc., in an amount not to exceed \$1,026,609.82, to be fair and reasonable to the Authority.
  
- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 6% DBE goal was established for this procurement. Burns Engineering, Inc. has committed to achieving the DBE goal through the utilization of Integrated Communication Plans, LLC (Indian male-owned) in the amount of \$86,134.00 or 8.4%.
  
- 5.0 **POLICY IMPACT:** Does not apply.

- 6.0 ECONOMIC IMPACT: This procurement shall be payable from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to Capital Grant OH-2024-011-337 in an amount of \$900,000.00, and pending local advance funds in an amount of \$126,609.82 pending a grant revision to OH-2019-037-337, for a total negotiated amount not to exceed \$1,026,609.82 (\$720,000.00 in federal funds, which represents 70.1% of the total cost).
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer will prevent the Light Rail system from using more advanced communications technology.
- 8.0 RECOMMENDATION: This procurement was discussed by the Board of Trustees at the December 3, 2024 Operational Planning and Infrastructure Committee meeting. It is recommended that the offer from Burns Engineering, 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.

  
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General Manager, Chief Executive Officer