

RESOLUTION NO. 2024-106

AUTHORIZING CONTRACT NO. 2024-208 WITH MOTOROLA SOLUTIONS, INC. FOR MOBILE RADIO COMMUNICATIONS EQUIPMENT FOR RAILCAR OWNER FURNISHED EQUIPMENT AND SERVICES IN AN AMOUNT NOT TO EXCEED \$211,364.40 FOR THE BASE THIRTY CAR SETS, AND IN AMOUNTS NOT TO EXCEED \$126,818.64 AND \$111,527.64 FOR TWO OPTIONS UP TO AN ADDITIONAL EIGHTEEN CAR SETS AND TWELVE CAR SETS, RESPECTIVELY, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$449,710.68 (RTA DEVELOPMENT FUND, INFORMATION TECHNOLOGY DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority ("Authority") has a need to purchase mobile radio communications equipment and services as a required component of the railcar replacement program's owner furnished equipment; and

WHEREAS, the Authority currently utilizes Motorola Solutions, Inc. mobile radio communications equipment and services throughout its system for communications; and

WHEREAS, R.C. 306.43(H)(3) provides that competitive bidding is not required when the expenditure is for a renewal or renegotiation of a lease or license for telecommunications or electronic data processing equipment, services, or systems, or for the upgrade of such equipment, services, or systems, or for the maintenance thereof as supplied by the original source or its successors or assigns; and

WHEREAS, the offer of Motorola Solutions, Inc., located at 12420 Plaza Drive, Parma, Ohio 44130, to provide mobile radio communications equipment and services in a negotiated amount not to exceed \$211,364.40 for the base thirty car sets, and in amounts not to exceed \$126,818.64 and \$111,527.64 for two options up to an additional eighteen car sets and twelve car sets, respectively, for a total contract amount not to exceed \$449,710.68 was received on November 22, 2024; and

WHEREAS, the General Manager, Chief Executive Officer deems the offer of Motorola Solutions, Inc., as negotiated, to provide mobile radio communications equipment and services for the railcar replacement program's owner furnished equipment, as negotiated, to be in the best interest of 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 offer of Motorola Solutions, Inc. to provide mobile radio communications equipment and services for the base thirty car sets and two options for an additional eighteen and twelve car sets, respectively, for the railcar replacement program's owner furnished equipment 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 Motorola Solutions, Inc. to provide mobile radio communications equipment and services for the base 30 car sets and two options up to an additional eighteen car sets and twelve car sets, respectively, with approval to exercise said options.

Section 3. That said contract will be funded through the RTA Development Fund, Information Technology Department budget, including but not limited to 100% local funds, in a total amount not to exceed \$211,364.40 for the base thirty car sets, and in amounts not to exceed \$126,818.64 and \$111,527.64 for two options up to an additional eighteen car sets and twelve car sets, respectively, for a total contract not to exceed \$449,710.68.

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon future funding, 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 Authority's Board of Trustees expects that Motorola Solutions, Inc. will attempt to exceed the 0% DBE goal assigned to this procurement.

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

Adopted: December 17, 2024



President

Attest:



Secretary-Treasurer



<b>TITLE/DESCRIPTION:</b> <b>CONTRACT:</b> MOBILE RADIO COMMUNICATIONS EQUIPMENT AND SERVICES FOR RAILCAR REPLACEMENT PROGRAM OWNER FURNISHED EQUIPMENT  <b>VENDOR:</b> MOTOROLA SOLUTIONS, INC.  <b>AMOUNT:</b> NOT TO EXCEED \$211,364.40 FOR THE BASE THIRTY CAR SETS, AND IN AMOUNTS NOT TO EXCEED \$126,818.64 AND \$111,527.64 FOR TWO OPTIONS UP TO AN ADDITIONAL EIGHTEEN CAR SETS AND TWELVE CAR SETS, RESPECTIVELY, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$449,710.68	<b>Resolution No.:</b> 2024-106
	<b>Date:</b> December 12, 2024
	<b>Initiator:</b> Information Technology 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 mobile radio communications equipment and services that are a component of the railcar replacement program’s required owner furnished equipment.
- 2.0 **DESCRIPTION/JUSTIFICATION:** The Authority entered into an agreement to purchase thirty railcars with an option for up to an additional thirty railcars. As part of that agreement, the Authority was required to provide various Owner Furnished Equipment (“OFE”), including mobile radio communication equipment and services.
- 3.0 **PROCUREMENT BACKGROUND:** R.C. 306.43(H)(3) provides that competitive procedures are not required when the expenditure is for a renewal or renegotiation of a lease or license for telecommunications or electronic data processing equipment, services, or systems, or for the upgrade of such equipment, services, or systems, or for the maintenance thereof, as supplied by the original source or its successors or assigns. Motorola Solutions, Inc. is the original provider and manufacturer of the Authority’s on-board mobile radio communications equipment.

The Procurement Department requested a proposal from Motorola Solutions, Inc. on October 15, 2024. A proposal was received on November 22, 2024. The proposal was reviewed by representatives from the Electronic Repair, Rail Equipment, Information Technology and Procurement departments and determined to be technically compliant and advantageous to the Authority. After negotiations, an amount not to exceed \$211,364.40 for the base thirty car sets, and in amounts not to exceed \$126,818.84 and \$111,527.64 for two options up to an additional eighteen car sets and twelve car sets, respectively, for a total contract amount not to exceed \$449,710.68. This total price is 2% below the independent cost estimate of \$460,000.00.

A cost analysis has been performed, and the Procurement Department determined that the negotiated price is fair and reasonable to the Authority.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 0% DBE goal was established for this procurement due to the lack of certified DBE firms.

- 5.0 POLICY IMPACT: Does not apply.
- 6.0 ECONOMIC IMPACT: This procurement will be funded through the RTA Development Fund, Information Technology Department budget, including but not limited to 100% local funds, in an amount not to exceed \$211,364.40 for the base thirty car sets, and in amounts not to exceed \$126,818.64 and \$111,527.64 for two options up to an additional eighteen car sets and twelve car sets, respectively, for a total contract not to exceed \$449,710.68.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would delay the Authority's ability to provide contractually required owner furnished equipment, resulting in potential delay claims.
- 8.0 RECOMMENDATION: This procurement was discussed by the Board of Trustees at the December 3, 2024 Committee of the Whole meeting. It is recommended that the offer of Motorola Solutions, 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