

RESOLUTION NO. 2023-27

AUTHORIZING CONTRACT NO. 2022-128 WITH LORAM MAINTENANCE OF WAY, INC. TO PROVIDE RAIL GRINDING SERVICES FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,160,500.00 (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority ("Authority") is seeking a qualified firm to provide rail grinding services for the Red Line heavy rail track; and

WHEREAS, these rail grinding services are available from Loram Maintenance of Way, Inc., located at 3900 Arrowhead Drive, Hamel, Minnesota; and

WHEREAS, Loram Maintenance of Way, Inc. offered to provide rail grinding services for a total contract amount not to exceed \$1,160,500.00; and

WHEREAS, the General Manager, Chief Executive Officer deems the offer of Loram Maintenance of Way, Inc., 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 Loram Maintenance of Way, Inc. to provide rail grinding services 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 Loram Maintenance of Way, Inc. to provide rail grinding services.

Section 3. That said contract will be funded through the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to Capital Grant OH-2016-055, for a total contract amount not to exceed \$1,160,500.00 (\$928,400.00 in federal funds which represents 80% 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 Loram Maintenance of Way, Inc. will attempt to exceed the 7% DBE goal assigned to this procurement.

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

Adopted: April 18, 2023



President

Attest: 
Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: RAIL GRINDING SERVICES VENDOR: LORAM MAINTENANCE OF WAY, INC. AMOUNT: NTE \$1,160,500.00	Resolution No.: 2023-27
	Date: April 13, 2023
	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 action will allow the Greater Cleveland Regional Transit Authority (“Authority”) to enter into a contract for rail grinding services.
- 2.0 DESCRIPTION/JUSTIFICATION: The Authority is seeking a qualified firm to provide rail grinding services to improve the rail and wheel interaction along the Red Line heavy rail track. The Contractor will be responsible for all personnel, equipment, technical accuracy, quality, and material necessary to perform the profiling services, in addition to stringent safety and fire control measures.
- 3.0 PROCUREMENT BACKGROUND: The Request for Proposals (“RFP”) was posted on the Authority’s Procurement website and advertised in local newspapers. Thirteen (13) interested parties downloaded the solicitation, and four (4) proposals were received on November 14, 2022. After evaluation by a panel of Authority employees in accordance with established Procurement Department policies and procedures, the proposal of Loram Maintenance of Way, Inc. to provide rail grinding services was determined to be the most advantageous to the Authority, price and all other factors considered. After negotiations, a contract amount not to exceed \$1,160,500.00 was agreed upon. That amount is approximately 1.5% above the estimate of \$1,144,000.00 for this project.

 A cost analysis has been performed, and the Procurement Department has determined the price to be fair and reasonable to the Authority.
- 4.0 AFFIRMATIVE ACTION/ DBE BACKGROUND: All Affirmative Action requirements have been met. A 7% DBE goal was established for this procurement. Loram Maintenance of Way, Inc. has committed to achieving the DBE goal through the utilization of Denise’s Flagging (African American Female-owned) in the amount of \$81,237.00 or 7%.
- 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 Capital Grant OH-2016-055, for a total contract amount not to exceed \$1,160,500.00 (\$928,400.00 in federal funds which represents 80% of the total cost).
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would delay the necessary rail grinding services needed to extend rail life, extend rail wheel life, eliminate defects, and reduce power consumption.

- 8.0 RECOMMENDATION: This procurement was discussed by the Board of Trustees at the April 4, 2023 Organizational, Services and Performance Monitoring Committee meeting. It is recommended that the offer of Loram Maintenance of Way, 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