

RESOLUTION NO. 2023-56

AUTHORIZING CONTRACT NO. 2023-080 WITH ECS MIDWEST, LLC FOR PROJECT 19.78 – ON CALL TESTING AND REPORTING 2023 IN AN AMOUNT NOT TO EXCEED \$200,000.00 FOR A PERIOD OF TWENTY-FOUR (24) MONTHS (RTA CAPITAL AND/OR DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority (“Authority”) requires task order inspection services and construction management support services; and

WHEREAS, the proposal of ECS Midwest, LLC, with an office located at 1125 Valley Belt Road, Brooklyn Heights, Ohio 44131, to perform said services was received on June 1, 2023 in a response to a competitive solicitation; and

WHEREAS, after negotiations, ECS Midwest, LLC has agreed to perform the required services in an amount not to exceed \$200,000.00 for a period of twenty-four (24) months; and

WHEREAS, the General Manager, Chief Executive Officer deems the offer of ECS Midwest, LLC to be the most advantageous to the Authority, finds the price to be fair and reasonable for said services, 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 ECS Midwest, LLC to provide various task order services under Project 19.78 On Call Testing and Reporting 2023 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 ECS Midwest, LLC for the performance of said services.


Section 3. This procurement shall be payable through the RTA Capital and/or RTA Development Fund, Engineering & Project Development Department budget, including but not limited to 100% local funds and FTA Grants to be determined, in an amount not to exceed \$200,000.00 for a period of twenty-four (24) months.

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 Greater Cleveland Regional Transit Authority’s Board of Trustees expects that ECS Midwest, LLC will attempt to exceed the 5% minimum DBE goal assigned to this procurement.

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

Adopted: July 25, 2023



President

Attest: 

Secretary/Treasurer



TITLE/DESCRIPTION: CONTRACT: ON CALL TESTING AND REPORTING 2023		Resolution No.: 2023-56
VENDOR: ECS MIDWEST, LLC		Date: July 20, 2023
AMOUNT: NOT TO EXCEED \$200,000.00 FOR TWENTY-FOUR MONTH PERIOD		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 On Call Testing and Reporting services for a period of twenty-four (24) months.
- 2.0 DESCRIPTION/JUSTIFICATION: This project is to obtain professional services to provide testing and reporting services. Tasks will be issued to support various projects throughout the Authority. The services will be authorized on an as needed basis.
- 3.0 PROCUREMENT BACKGROUND: The Request for Proposals (“RFP”) was posted on the GCRTA Procurement website and advertised in the local newspapers. Eighteen (18) interested parties, including potential subcontractors, downloaded the solicitation package and two (2) responsive proposals were 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 ECS Midwest, LLC, the first ranked firm, and an acceptable price was reached.

 ECS Midwest, LLC has successfully completed projects for the GCRTA, Cuyahoga County Department of Public Works, the Northeast Ohio Regional Ohio Sewer District, and the City of Shaker Heights, among others.

 The Procurement Department performed a cost analysis and determined the proposed pricing from ECS Midwest, LLC in an amount not to exceed \$200,000.00 for a period of twenty-four (24) months to be fair and reasonable to the Authority.
- 4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: All Affirmative Action requirements have been met. A 5% DBE goal was established for this procurement. ECS Midwest, LLC has committed to achieving the DBE participation goal through the utilization of Denise's Flagging & Construction Services (African American female-owned) in the amount of \$10,000.00 or 5%.
- 5.0 POLICY IMPACT: Does not apply.

- 6.0 **ECONOMIC IMPACT:** This procurement shall be payable through the RTA Capital and/or RTA Development Fund, Engineering & Project Development Department budget, including but not limited to, 100% local funds and FTA Grants to be determined, in an amount not to exceed \$200,000.00 for a period of twenty-four (24) months. This is the budgeted amount for this project.
- 7.0 **ALTERNATIVES:** Reject this offer. Rejection of this offer would leave the Authority without the ability to have testing performed as required to complete construction and engineering projects.
- 8.0 **RECOMMENDATION:** This procurement was discussed by the Board of Trustees at the July 18, 2023 Operational Planning and Infrastructure Committee meeting. It is recommended that the offer from ECS Midwest, LLC 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