

RESOLUTION NO. 2023-77

AUTHORIZING CONTRACT NO. 2023-130 WITH HOLLAND LP TO PROVIDE TRACK GEOMETRY TESTING SERVICES IN AN AMOUNT NOT TO EXCEED \$420,500.00 FOR A PERIOD OF FIVE (5) YEARS (GENERAL FUND, POWER & WAY DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority ("Authority") has an ongoing need to perform annual track geometry testing in order to identify deviations in the track infrastructure; and

WHEREAS, R.C. Section 306.43(H)(2) provides that competitive procedures are not required when the purchase consists of goods or services, or any combination thereof, and after reasonable inquiry the board or any officer or employee the board designates finds that only one source of supply is reasonably available; and

WHEREAS, the offer of Holland LP, located at 1000 Holland Drive, Crete, Illinois 60417, to provide track geometry testing services for a period of five (5) years was received on August 24, 2023; and

WHEREAS, after negotiations, a total price not to exceed \$420,500.00 for a period of five (5) years was agreed upon; and

WHEREAS, the General Manager, Chief Executive Officer deems the offer of Holland LP, as negotiated, to provide track geometry testing services for a period of five (5) years, 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 Holland LP, as negotiated, to provide track geometry testing services for a period of five (5) years 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 Holland LP to provide track geometry testing services for a period of five (5) years.

Section 3. This contract shall be payable through the General Fund, Power & Way Department budget in amounts not to exceed \$78,000.00 FY 2023, \$81,500.00 FY 2024, \$84,400.00 FY 2025, \$87,000.00 FY 2026, and \$89,600.00 FY 2027, for a total contract amount not to exceed \$420,500.00 for a period of five (5) years.

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon future funding, compliance by the contractor with 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 Holland LP will attempt to exceed the 0% minimum DBE goal assigned to this procurement.

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

Adopted: September 26, 2023



President

Attest:



Secretary-Treasurer



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| TITLE/DESCRIPTION: CONTRACT: TRACK GEOMETRY TESTING | Resolution No.: 2023-77 |
| VENDOR: HOLLAND LP | Date: September 21, 2023 |
| AMOUNT: NTE \$420,500.00 FOR A PERIOD OF FIVE (5) YEARS | Initiator: Power & Way 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 negotiated sole source agreement to provide track geometry testing services for a period of five (5) years.
- 2.0 DESCRIPTION/JUSTIFICATION: Track geometry testing is used to identify deviations from the appropriate track specifications with concerns due to wear, gauge, curvature, cross-level, surface, alignment, twist, and warp. This service is required to meet track safety standards and is critical to the preventative maintenance of the track infrastructure and for providing safe and reliable rail transportation to the Authority's customers and employees.
- 3.0 PROCUREMENT BACKGROUND: Per R.C. Section 306.43(H)(2), competitive procedures are not required when the purchase consists of goods or services, or any combination thereof, and after reasonable inquiry the board or any officer or employee the board designates finds that only once source of supply is reasonably available. Holland LP is the only known source who can perform the required track geometry testing under 3,000 pounds vertical and 3,000 pounds lateral loaded gauge. This safety requirement simulates the forces the Authority's trains place on the rails. Holland LP has offered to provide track geometry testing services for a period of five (5) years in a total contract amount not to exceed \$420,500.00 (2023 - \$78,000.00, 2024 - \$81,500.00, 2025 - \$84,400.00, 2026 - \$87,000.00, and 2027 - \$89,600.00). The proposal submitted by Holland LP is 5% below the Independent Cost Estimate of \$440,713.31 which was based on historical pricing.

A cost analysis has been performed, and the Procurement Department has determined that the rates and 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 contract shall be payable through the General Fund, Power & Way Department budget, in amounts not to exceed \$78,000.00 FY 2023, \$81,500.00 FY 2024, \$84,400.00 FY 2025, \$87,000.00 FY 2026, and \$89,600.00 FY 2027, for a total contract amount not to exceed \$420,500.00 for a period of five (5) years.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer will delay the ability to perform track geometry testing services, which could impede the ability to preemptively identify deviations in the rail infrastructure to perform preventative maintenance accurately and efficiently.

- 8.0 RECOMMENDATION: This procurement was discussed by the Board of Trustees at the September 12, 2023 Organizational, Services & Performance Monitoring Committee meeting. It is recommended that the offer of Holland LP, as negotiated, 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