

RESOLUTION NO. 2009-48

AUTHORIZING CONTRACT NO. 2009-64 WITH THE ALBERT M. HIGLEY COMPANY FOR THE ENTIRE WORK UNDER PROJECT 24O- E. 55<sup>TH</sup> STREET RAPID TRANSIT STATION RECONSTRUCTION IN THE AMOUNT OF \$8,543,000.00 (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Authority deems it necessary to acquire construction services for the Entire Work, as provided under Project 24O-E. 55<sup>th</sup> Street Rapid Transit Station; and

WHEREAS, the bid of The Albert M. Higley Company located at 2926 Chester Avenue, Cleveland, Ohio 44114 was received on June 10, 2009 in the amount of eight million five hundred forty three thousand & 00/100 dollars (\$8,543,000.00) to perform said services; and

WHEREAS, the General Manager/Secretary-Treasurer deems the bid of The Albert M. Higley Company to be the lowest responsive bid from a responsible bidder 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 bid of The Albert M. Higley Company for Project 24O-E. 55<sup>th</sup> Street Rapid Transit Station Reconstruction be and the same is hereby accepted.

Section 2. That the General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to enter into a contract with The Albert M. Higley Company for the Entire Work under Project 24O- for the E. 55<sup>th</sup> St. Rapid Transit Station Reconstruction.

Section 3. That said contract is payable from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to ARRA Capital Grant OH-56-0002 and/or ARRA Capital Grant OH-96-X027 in the total amount of \$3,041,000.00 (100% Federal funds) and Capital Grant OH-05-0090 in the amount of \$5,502,000.00 for a total contract amount of \$8,543,000.00 (\$7,442,600.00 in Federal funds which represents 87% of the total cost). The award of this contract is based on initially using available 100% Local funds, of which \$3,041,000.00 will be replaced by FTA funds under the American Recovery and Reinvestment Act (ARRA) of 2009.

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, thereto, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2009-023; bonding and insurance requirements and all applicable laws relating to the contractual obligations of the Authority.

Section 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that The Albert M. Higley Company will exceed the 20% DBE goal assigned to this procurement.

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

Adopted: June 30, 2009

\_\_\_\_\_  
President

Attest: \_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority  
**STAFF SUMMARY AND COMMENTS**

TITLE/DESCRIPTION:	Resolution No.:
CONTRACT: PROJECT 240-E. 55 <sup>th</sup> STREET RAPID TRANSIT STATION RECONSTRUCTION	2009-48
VENDOR: ALBERT M. HIGLEY CO.	Date:
AMOUNT: \$8,543,000.00	June 25, 2009
ACTION REQUEST:	Initiator: Engineering & Project Devp.
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 PURPOSE: This action will allow the Authority to enter into a contract to provide construction services for the entire work portion of Project 240, E. 55<sup>th</sup> Street Rapid Transit Station Reconstruction.
- 2.0 DESCRIPTION/JUSTIFICATION: This project will provide the entire work portion of the reconstruction of the E. 55<sup>th</sup> Street Rapid Transit Station. Project 240 will totally replace the existing station with a new station building approximately 2700 square feet. A new canopy, stair and elevator tower at track level, and an enclosed pedestrian bridge will link the headhouse and tower and meet with American With Disabilities Act (ADA) compliance.
- 3.0 PROCUREMENT BACKGROUND: The Invitation for Bid (IFB) was posted on the GCRTA Procurement web site and advertised in the local newspapers. Solicitation packages were requested by a total of 34 prospective bidders. On June 10, 2009, 11 bidders submitted a total of 15 bids that included four bids for Entire Work, six bids for General Trades, no bids for Plumbing Trades, two bids for HVAC Trades, and three bids for Electrical Trades. (See Attachment A)

The Basis of Award was to be made to the lowest responsive and responsible bid for the Entire Work provided it is lower than the sum of the lowest responsive and responsible bid of the multiple trades. Award of multiple trades is allowable where the total of all contracts for the project is not in excess of 10% above the entire estimate thereof, as provided in Ohio Revised Code 153.12.

As a result of the above, the following bid was determined to be the lowest responsive and responsible bid received for Project 240: (See attachment A)

- The Albert M. Higley Company                      Entire Work                      \$8,543,000.00

The Engineer's Estimate is \$10,480,000.00 for Entire Work. The bid for Entire Work in the amount of \$8,543,000.00 is 18.5 lower than the Engineer's Estimate.

The above circumstances support award of the Entire Work for Project 240.

The Albert M. Higley Company has successfully performed construction projects in the Greater Cleveland and surrounding areas for values ranging from \$6 -\$20 million. Some of their clients include John Carroll University, University Hospitals, Kaiser Permanente and the Cleveland Museum of Art.

A price analysis was performed and the Procurement Department determined the Total Lump Sum Price bid received from The Albert M. Higley Company for the Entire Work to be fair and reasonable.

- 4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: All Affirmative Action requirements have been met. A 20% DBE goal was established for this procurement. The Albert M. Higley Co. has committed to achieve the goal through the utilization of the following DBE firm(s):

DBE Company	DBE Category	Scope of Work	AMOUNT	PERCENT
Cook Paving & Construction Co.	African American	Asphalt Paving	\$68,750	.80%
United Ready Mix	African American	Ready Mix Concrete	\$127,000	1.49%
North Electric, Inc.	Hispanic	Electrical Work	\$154,000	1.80%
Mohawk Rebar Services, Inc.	Native American	Reinforcing Supply & Install	\$187,000	2.19%
Ruccella	Hispanic	Masonry & ACM Allowance	\$222,000	2.60%
Key Cable & Supply; Inc.	Female	Catenary Cable Supply	\$452,000	3.17%
Comm Steel, Inc.	African American	Structural & Misc. Steel	\$682,000	7.98%
Total DBE Participation			\$1,892,750	20.03%

5.0 POLICY IMPACT: None

6.0 ECONOMIC IMPACT: This procurement will be funded from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to ARRA Capital Grant OH-56-0002 and/or ARRA Capital Grant OH-96-X027, Line Item 12.34.02 in the total amount of \$3,041,000.00 (100% Federal funds) and Capital Grant OH-05-0090, Line Item 12.34.02 in the amount of \$5,502,000.00 for a total contract amount of \$8,543,000.00 (\$7,442,600.00 in Federal funds which represents 87% of the total cost). The contract award is based on initially using available 100% Local funds, of which \$3,041,000.00 will be replaced by FTA funds under the American Recovery and Reinvestment Act (ARRA) of 2009.

This contract award to The Albert M. Higley Company in the amount of \$8,543,000.00 for the Entire Work is 18.5% below the Engineer’s Estimate for Entire Work (\$10,480,000.00).

7.0 ALTERNATIVES: Reject this bid. Rejection of this award would delay the Authority’s ability to ensure ADA compliance and provide reconstructive improvements at the Station.

8.0 RECOMMENDATION: It is recommended that the bid of The Albert M. Higley Company be accepted and the resolution passed authorizing the General Manager/Secretary-Treasurer to enter into a contract.

9.0 ATTACHMENTS: Attachment A

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.

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CEO, General Manager/Secretary-Treasurer

**ATTACHMENT A  
 BID TABULATION  
 E. 55<sup>TH</sup> STREET RAPID TRANSIT STATION RECONSTRUCTION  
 (IFB 2009-064)**

Engineer's Estimate  
 Entire Work \$10,543,000.00

ENTIRE WORK

<u>BID #1 The Albert M. Higley Co</u>	<u>BID #2 Marous Brothers Co.</u>
Base Bid \$8,543,000	Base Bid \$9,025,495
<u>BID #3 East-West Construction Co.</u>	<u>BID #4 Schirmer Construction Co.</u>
Base Bid \$9,750,000	Base Bid \$9,867,000

GENERAL TRADES

<u>BID #1 The Albert M. Higley Co</u>	<u>BID #2 Ruhlin Company</u>
Base Bid \$7,651,000	Base Bid \$7,995,000
<u>BID #3 East-West Construction Co.</u>	<u>BID #4 Marous Brothers Company</u>
Base Bid \$8,200,000	Base Bid \$8,254,540
<u>BID #5 Schirmer Construction Co.</u>	<u>BID #6 Giambrone Construction Co.</u>
Base Bid \$8,774,000	Base bid \$8,995,000

ELECTRICAL

<u>BID #1 Doan Electric, LLC</u>	<u>BID #2 Lake Erie Electric</u>
Base Bid \$750,000	Base Bid \$797,750
<u>BID #3 Gateway Electric, Inc.</u>	
Base Bid \$929,804	

HVAC

<u>BID #1 T. H. Martin, Inc.</u>	<u>BID #2 Miles Mechanical, Inc.</u>
Base Bid \$77,250	Base Bid \$195,000

PLUMBING – No Bids Received

**Apparent Low: Entire Work Total Bid Amount \$8,543,000**