

RESOLUTION NO. 2019-97

AUTHORIZING CONTRACT NO. 2019-121 WITH OHIO CAT FOR THE PURCHASE AND DELIVERY OF ONE CATERPILLAR 440 BACKHOE LOADER AND ACCESSORIES, AS SPECIFIED, THROUGH THE STATE OF OHIO, DEPARTMENT OF ADMINISTRATIVE SERVICES, COOPERATIVE PURCHASING PROGRAM FOR A TOTAL PRICE NOT TO EXCEED \$132,572.50 (RTA DEVELOPMENT FUND, RAIL DISTRICT DEPARTMENT BUDGET)

WHEREAS, the Authority has identified the need to purchase one backhoe loader and accessories to replace a similar piece of equipment that has exceeded its useful life; and

WHEREAS, such equipment is available through the State of Ohio, Department of Administrative Services State Term Schedule (STS); and

WHEREAS, Section 5513.01(B) of the Ohio Revised Code provides political subdivisions within the State of Ohio the opportunity to participate in contracts executed by the State of Ohio, Department of Administrative Services for the purchase of machinery, materials, supplies, or other articles; and

WHEREAS, the Board of Trustees authorized utilization of the Cooperative Purchasing Program in Resolution 1990-069, as set forth in Chapter 410 of the Codified Rules and Regulations of the Greater Cleveland Regional Transit Authority; and

WHEREAS, Section 306.43(H)(4) of the Ohio Revised Code permits a regional transit authority to enter into such a contract; and

WHEREAS, Ohio Cat with an office located at 3993 E. Royalton Rd. Broadview Heights, Ohio 44147, has offered to deliver one backhoe loader and accessories, as specified, for a total contract amount not to exceed \$132,572.50; and

WHEREAS, the General Manager, Chief Executive Officer has deemed it in the best interest of the Authority to procure the required equipment from Ohio Cat utilizing the State of Ohio Cooperative Purchasing Program 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 from Ohio Cat to provide one backhoe loader and accessories, as specified, 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 Ohio Cat for the purchase of one backhoe loader and accessories, as specified.

Section 3. That said contract is entered into under the authority granted by the Ohio Revised Code, Section 5513.01(B), Resolution No. 1990-069, as set forth in Chapter 410 of the Codified Rules and Regulations of the Greater Cleveland Regional Transit Authority and under the terms of the Cooperative Purchasing Program.

Section 4. That said contract shall be payable from the RTA Development Fund, Rail District Department budget, including but not limited to Capital Grant OH-2018-024, for a total contract amount not to exceed \$132,572.50 (\$106,058.00 in Federal funds which is 80% of the total cost).

Section 5. 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 in Resolution No. 2015-076; bonding and insurance requirements and all applicable laws relating to contractual obligations of the Authority.

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

Adopted: September 24, 2019



President

Attest: 

Interim Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: CONTRACT: PURCHASE OF ONE CATERPILLAR 440 BACKHOE LOADER AND ACCESSORIES VENDOR: OHIO CAT AMOUNT: NOT TO EXCEED \$132,572.50	Resolution No.: 2019-97
	Date: September 19, 2019
	Initiator: Rail District 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 resolution will authorize the Authority to enter into a contract for the manufacture and delivery of one Caterpillar 440 Backhoe Loader and Accessories through the State of Ohio, Department of Administrative Services, State Term Schedule (STS).
- 2.0 DESCRIPTION/JUSTIFICATION: The Authority's Power & Way Department currently operates a 1978 backhoe to assist in maintaining the Authorities rail right of way. This backhoe is obsolete, unreliable, and is frequently down for extended periods for repair.
- 3.0 PROCUREMENT BACKGROUND: The Board of Trustees has authorized the General Manager, Chief Executive Officer to utilize the State of Ohio Cooperative Purchasing Program, as set forth in Chapter 410 of the Codified Rules and Regulations of the Greater Cleveland Regional Transit Authority. This allows the Authority to purchase equipment from the Ohio Department of Administrative Services, Office of State Purchasing contracts. The Authority is able to enter into a contract for equipment as authorized by Ohio Revised Code, Section 306.43 (H)(4).


This resolution will authorize the purchase and delivery of one Caterpillar 440 Backhoe Loader and Accessories as defined in the contract. The price of the Backhoe Loader and Accessories through the Cooperative Purchasing Program, Contract No. 800525, is for a total amount not to exceed \$132,572.50.

A price analysis was performed by the Procurement Department, and it has been determined that the price is fair and reasonable to the Authority. Contract award is contingent upon the successful review of all costs associated with this procurement and compliance with Pre-Award/Buy America Audit requirements.

- 4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: The Office of Business Development does not conduct Affirmative Action reviews or establish DBE participation goals on procurements included in the State Cooperative Purchasing Program.

- 5.0 POLICY IMPACT: Does not apply.
- 6.0 ECONOMIC IMPACT: This contract shall be payable from the RTA Development Fund, Rail District Department budget, including but not limited to Capital Grant OH-2018-024, for a total contract amount not to exceed \$132,572.50 (\$106,058.00 in Federal funds which is 80% of the total cost).
- 7.0 ALTERNATIVES: Reject this bid. Rejection of this bid would restrict the Authority's ability to maintain the rail right of way.
- 8.0 RECOMMENDATION: It is recommended that the bid of Ohio Cat 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