

RESOLUTION NO. 2023-43

AUTHORIZING CONTRACT NO. 2023-57 WITH NEO BUILDING CONSTRUCTION, LLC FOR PROJECT 19.33 – W. 65TH & W. 117TH RTS GENERATORS IN AN AMOUNT NOT TO EXCEED \$166,924.00 (RTA CAPITAL FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority (“Authority”) deems it necessary to acquire construction services, as specified, under Project 19.33 – W. 65th & W. 117th RTS Generators; and

WHEREAS, the proposal of NEO Building Construction, LLC, located at 34910 Avon Commerce Pkwy, Suite C, Avon, Ohio, 44011, was received on April 20, 2023 in an amount not to exceed \$166,924.00; and

WHEREAS, the General Manager, Chief Executive Officer deems the bid of NEO Building Construction, LLC to be the lowest responsive bid from a responsible bidder 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 NEO Building Construction, LLC for Project 19.33 – W. 65th & W. 117th RTS Generators, 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 NEO Building Construction, LLC for Project 19.33 – W. 65th & W. 117th RTS Generators.

Section 3. That this contract shall be payable from the RTA Capital Fund, Engineering & Project Development Department budget, including but not limited to 100% local funds, in an amount not to exceed \$166,924.00.

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 NEO Building Construction, LLC will attempt to exceed the 10% minimum DBE goal assigned to this procurement.

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

Adopted: June 27, 2023



President

Attest: 
Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: PROJECT 19.33 – W. 65 TH & W. 117 TH RTS GENERATORS VENDOR: NEO BUILDING CONSTRUCTION, LLC AMOUNT: AMOUNT NOT TO EXCEED \$166,924.00	Resolution No.: 2023-43
	Date: June 22, 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 resolution will allow the Greater Cleveland Regional Transit Authority (“Authority”) to enter into a contract to provide construction services for Project 19.33 - W. 65th & W. 117th RTS Generators.
- 2.0 **DESCRIPTION/JUSTIFICATION:** The work to be performed under this contract consists of removing the old UPS system (currently not in use), installing a new backup generator and transfer switch, and installing decorative fencing around the generators at both W. 65th & W. 117th Rapid Transit Stations. This project will include all labor, material, equipment, and supervision necessary to install a generator at each facility and complete the job in a workmanlike manner consistent with recognized good practices and current building code requirements.
- 3.0 **PROCUREMENT BACKGROUND:** The Invitation for Bids (“IFB”) was posted on the GCRTA Procurement website and advertised in the local newspapers. Twelve interested parties, including potential subcontractors, downloaded the solicitation package. Three bids were received and opened on April 20, 2023, as follows:

Company Name	Total Base Bid
NEO Building Construction, LLC	\$166,924.00
The Fowler Company	\$226,358.00
Hatzel & Buehler, Inc.	\$242,000.00

The Basis of Award is the lowest responsive bid from a responsible bidder for the Total Base Bid price. The Total Base Bid price of \$166,924.00 from NEO Building Construction, LLC is approximately 1% greater than the Engineer’s Estimate of \$164,853.14. NEO Building Construction, LLC was determined to be a responsible bidder.

A cost analysis has been performed, and the bid of NEO Building Construction, LLC has been determined by the Procurement Department to be fair and reasonable to the Authority.

- 4.0 **AFFIRMATIVE ACTION/ DBE BACKGROUND:** All Affirmative Action requirements have been met. A 10% DBE goal was established for this procurement. NEO Building Construction has committed to achieving the DBE participation goal through the utilization of Irizar Electric LLC (Hispanic male-owned) in the amount of \$40,000.00 or 23.9%.
- 5.0 **POLICY IMPACT:** Does not apply.
- 6.0 **ECONOMIC IMPACT:** This contract shall be payable from the RTA Capital Fund, Engineering & Project Development Department budget, including but not limited to 100% local funds, in an amount not to exceed \$166,924.00.

- 7.0 ALTERNATIVES: Reject this bid. Rejection of this bid would leave the Authority without reliable backup power for continuous operational services.
- 8.0 RECOMMENDATION: It is recommended that the bid from NEO Building Construction, 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