Code of Regulations Update

November 14, 2017

Greater Cleveland Regional Transit Authority
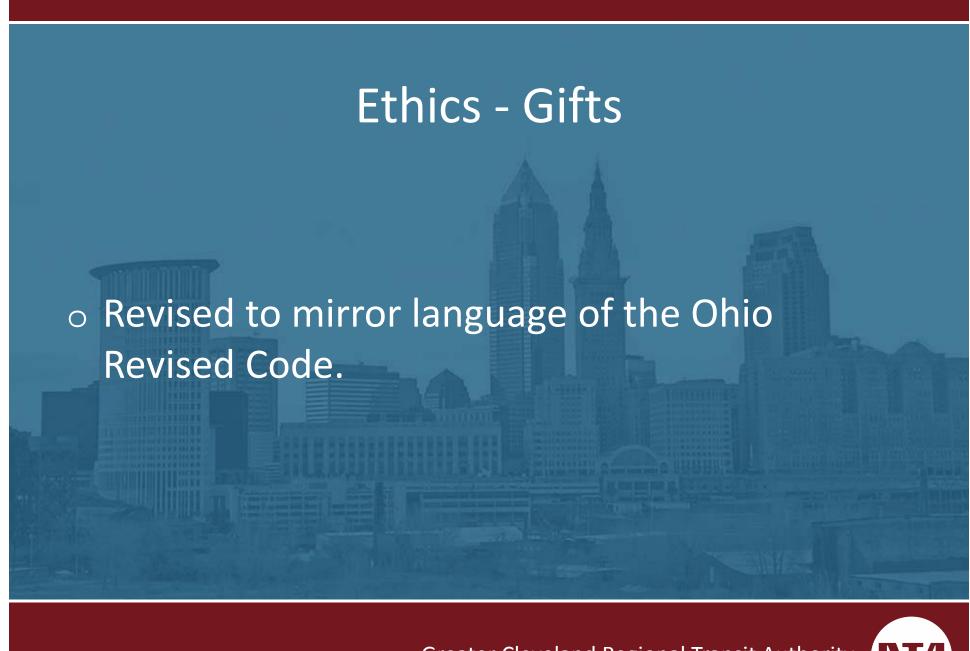
Chapter 410 Procurement

o Procurement Policies are not currently included in the code book.

o Rename chapter from "Contracts & Procurement" to "Procurement."

Ethics – Participation in Procurement

o FTA's procurement-specific ethics statement

o "employee or member of immediate family"

o "agent, board member, or his or her immediate family member, partner, or organization that employs or is about to employ any of the foregoing"

Ethics - Gifts

o Revised to mirror language of the Ohio Revised Code.

Delegations of Authority

o Consolidates authority shared by the CEO and the Director of Procurement.

o All substantive delegations to the CEO and the Director of Procurement remain the same.

o CEO's change order authority is unchanged.

Procurement Planning

o Revised to reflect current practices

o User Department is responsible for preparing:

    o Specifications

    o Scope of services

    o Cost estimate

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Debarment

o State or Federal Debarment list

Protests, Claims & Disputes

o Combined two policies into one

o Handled according to applicable federal and/or state regulations

o Procedure is in the Procurement Manual

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Procurement Types – Formal Contracts

o Procurement Department has discretion to determine type of procurement within parameters of applicable state and federal laws and regulations.

Procurement Types - Small Purchases

o The small purchase limit remains $100,000.00, as prescribed by Ohio R.C. 306.43.

Procurement Types - Sealed Bid Procurements

o Director of Procurement shall determine when a sealed bid method of procurement is appropriate.
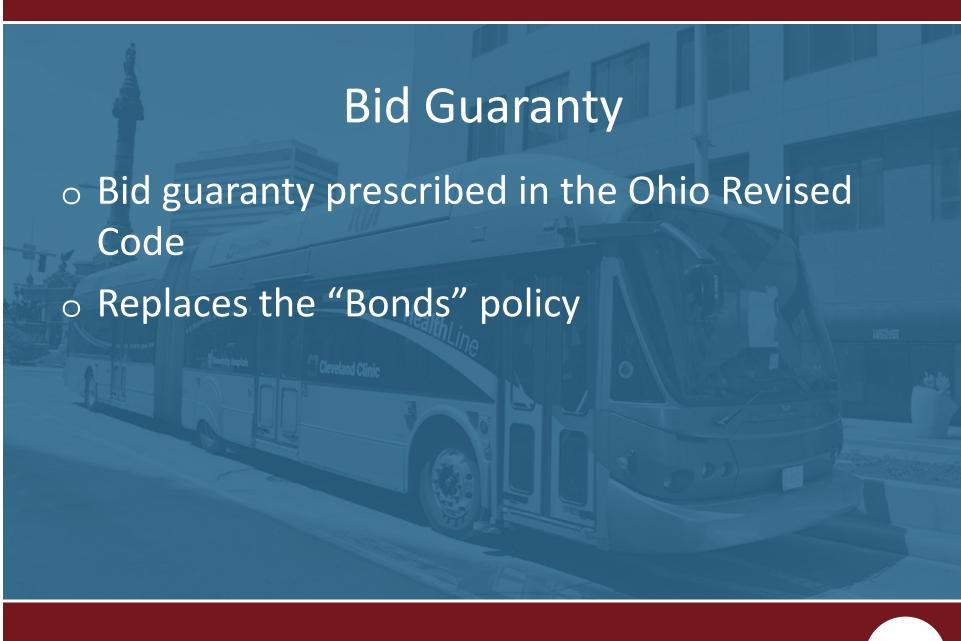
Procurement Types - Non-Competitive Procurements

o Must be justified under state and federal law

o Examples: sole source, emergency

o Board approval above small purchase threshold

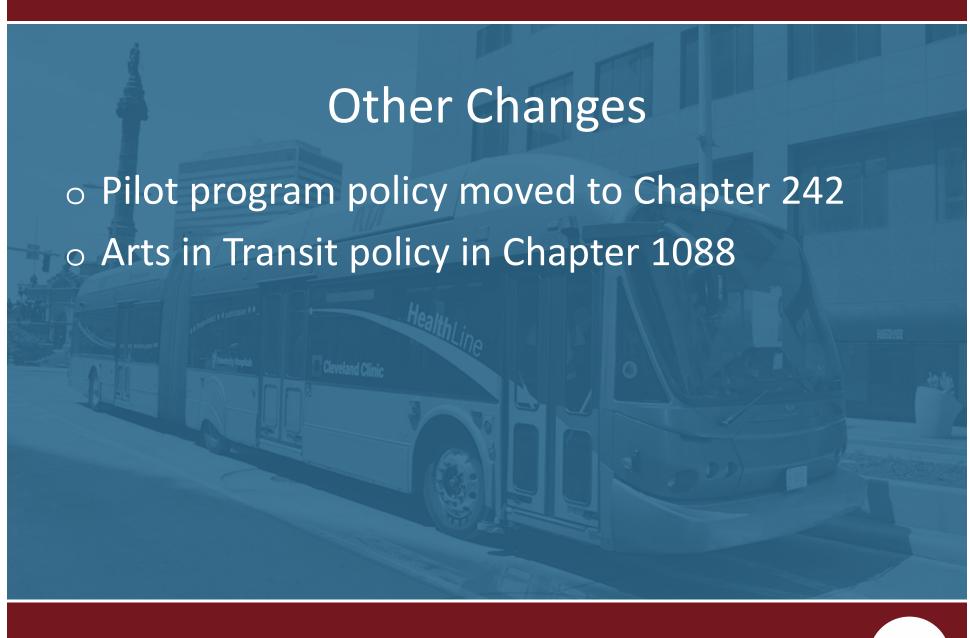o Best interest of the Authority

o Price must be fair and reasonable

Construction Services

o Removed requirement for individual trades

o Brings into compliance with current law

o Retained two requirements:

    o Conducted as sealed bid procurements

    o Lowest responsive and responsible bidder

Bid Guaranty

- Bid guaranty prescribed in the Ohio Revised Code
- Replaces the "Bonds" policy

Other Changes

o Pilot program policy moved to Chapter 242
o Arts in Transit policy in Chapter 1088

Chapter 410 Procurement

Staff requests that the Committee of the Whole recommend these provisions to the Board of Trustees for approval.

QUESTIONS?

Greater Cleveland Regional Transit Authority