SUMMARY STATEMENT

ITEM NO.: PATCO-11-019          SUBJECT: PATCO Thirty (30) Ton Ballast Car

COMMITTEE: Operations & Maintenance

COMMITTEE MEETING DATE: October 19, 2011

BOARD ACTION DATE: November 16, 2011

PROPOSAL: That the Board authorizes staff to negotiate a contract with Hudson ROI Equipment for the purchase of One (1) Thirty (30) Ton Ballast Car with hydraulic gate control system for automated ballast distribution.

Amount: $117,832.00

Contractor: Hudson ROI Equipment
2565 Front Road
Hawkesbury, Ontario K6A 2R2

Other Bidders: None

PATCO’s Estimate: $126,000.00

PURPOSE: To provide ballast car with hydraulic gate control system for automated ballast distribution for PATCO track bed.

BACKGROUND: The 2011 Capital Budget includes funds for the purchase of a new Thirty (30) Ton Ballast Car with hydraulic gate control system for automated ballast distribution for PATCO. The ballast car will be used for distribution of ballast across the railroad track bed replacing the present labor intensive, by hand process of ballast distribution using ballast forks and shovels. Ballast placement is a critical and frequent element of track structure maintenance.

The ballast car procurement was originally advertised on August 16, 2010 and bids were received on September 15, 2010. A contract was awarded to Klutts Equipment of Tulsa, Oklahoma in the amount of $86,141.00, as per Board Resolution PATCO-10-021. A Purchase Order was issued to Klutts Equipment on February 24, 2011. PATCO received a letter dated April 28, 2011 from Drummond Law, PLLC
advising us that Klutts Equipment was in Receivership, and unable to fulfill providing the ballast car under the terms of the Purchase Order. The Purchase Order with Klutts Equipment was voided, and the purchase re-bid.

Bids were again publicly advertised for the purchase and delivery of a new Thirty (30) Ton Ballast Car with hydraulic gate control system for automated ballast distribution with training included in the price. Bid documents were mailed to four (4) prospective bidders (Hudson ROI Equipment, Merchantville Overhead Door Company, Modern Track Machinery, Inc. and RCC Fabricators) and an advertisement was posted on the DRPA website. Two (2) responses were received, one of which was a “no-bid”. The only responsive bid submitted was Hudson ROI Equipment in the amount of $117,832.00.

It is recommended that a contract be negotiated with Hudson ROI Equipment of Hawkesbury, Ontario to provide a Thirty (30) Ton Ballast Car with hydraulic gate control system for automated ballast distribution in the amount of $117,832.00. Upon approval of the Board, a contract will be negotiated with Hudson ROI Equipment to provide a Thirty (30) Ton Ballast Car.

**SUMMARY:**

- **Amount:** $117,832.00
- **Source of Funds:** 2010 Revenue Bonds (Series D)
- **Capital Project #:** D09023
- **Operating Budget:** N/A
- **Master Plan Status:** N/A
- **Other Fund Sources:** N/A
- **Duration of Contract:** N/A
- **Other Parties Involved:** N/A
RESOLUTION

RESOLVED: That the Board authorizes staff to negotiate a contract with Hudson ROI Equipment of Hawkesbury, Ontario to provide a Thirty (30) Ton Ballast Car with hydraulic gate control system for automated ballast distribution in the amount of $117,832.00; and be it further

RESOLVED: The Chair, Vice Chair and the Chief Executive Officer must approve and are hereby authorized to approve and execute all necessary agreements, contracts, or other documents on behalf of DRPA. If such agreements, contracts, or other documents have been approved by the Chair, Vice Chair and Chief Executive Officer and if thereafter, either the Chair or Vice Chair is absent or unavailable, the remaining Officer may execute the said document(s) on behalf of DRPA, along with the Chief Executive Officer. If both the Chair and Vice Chair are absent or unavailable, and if it is necessary to execute the said document(s), while they are absent or unavailable, then the Chief Executive Officer shall execute such document(s) on behalf of DRPA.

SUMMARY:  
Amount: $117,832.00  
Source of Funds: 2010 Revenue Bonds (Series D)  
Capital Project #: D09023  
Operating Budget: N/A  
Master Plan Status: N/A  
Other Fund Sources: N/A  
Duration of Contract: N/A  
Other Parties Involved: N/A