

RESOLUTION NO. 1985-87

A RESOLUTION REPEALING RESOLUTION NO. 1981-274 AND, IN PART,  
RESOLUTION NO. 1981-273 AND ADOPTING A REVISED DISADVANTAGED  
BUSINESS ENTERPRISE/WOMEN'S BUSINESS ENTERPRISE PROGRAM FOR  
THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY

WHEREAS, the Civil Rights Act of 1964, as amended, provides: Section 601. "No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal Assistance"; and

WHEREAS, on February 22, 1977, the Board of Trustees of the Greater Cleveland Regional Transit Authority adopted an Affirmative Action Plan for the Authority (Resolution No. 1977-67 was amended by Resolution No. 1978-252 on September 5, 1978); and

WHEREAS, on March 31, 1980, the U.S. Department of Transportation Urban Mass Transportation Administration published Federal Register Vol. 45, No. 63, entitled Participation by Minority Business Enterprise in Department of Transportation Programs, as amended by Federal Register Vol. 46, No. 80, published April 27, 1981, under the same title; and

WHEREAS, the Surface Transportation Assistance Act of 1982, provides at Section 105(f): "Except to the extent that the Secretary determines otherwise, not less than 10 per centum of the amounts authorized to be appropriated under this Act shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals as defined by section 8(d) of the Small Business Act (15 U.S.C. section 637(d)) and relevant subcontracting regulations promulgated pursuant thereto." and

WHEREAS, the Department of Transportation has implemented the provisions of said Section 105(f) through the promulgation of regulations entitled Participation by Minority Business Enterprises in Department of Transportation Programs, 49 CFR, Part 23, Subpart D, and published in the July 21, 1983, Federal Register, Vol. 48, No. 141; and

WHEREAS, it has become necessary to amend the Affirmative Action Plan of the Authority in order to bring the Minority Business Enterprise component of said plan into compliance with the requirements of the Surface Transportation Assistance Act of 1982 and the aforesaid federal regulations:

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority:

Section 1. That Part II of the Affirmative Action Plan for the Greater Cleveland Regional Transit Authority, adopted February 22, 1977, (Resolution No. 1977-67 and amended on September 5, 1978, by Resolution No. 1978-252 and further amended September 15, 1981, by Resolution Nos. 1981-273 and 1981-274)

which pertains to Minority Business Enterprise and Women's Business Enterprise, and Resolution No. 1981-274, which pertains to implementation of said Part II to procurements in amounts not exceeding \$5,000.00, be and are hereby repealed.

Section 2. That the Disadvantaged Business Enterprise/Women's Business Enterprise Program, a copy of which is attached hereto, is fully incorporated herein and made a part hereof, be and is hereby adopted as a policy of the Greater Cleveland Regional Transit Authority.

Section 3. That this resolution is effective immediately upon its adoption.

Adopted: April 16, 1985

Attest: Robert J. Landgraf  
Secretary-Treasurer

Harry Alexander  
v. President