

RESOLUTION NO. 1989-124

**DECLARING AN EMERGENCY SITUATION AND DIRECTING THE
GENERAL MANAGER TO PETITION THE COURT FOR PERMISSION
TO COMPLETE EMERGENCY ROOF REPAIRS ON THE BROOKLYN
GARAGE FACILITY**

WHEREAS, Resolution No. 1989-17, dated February 28, 1989, authorized a contract with Seuffert Construction Co. for the Rehabilitation of the Brooklyn Garage Facility (Project 17A) authorizing an expenditure of Eight Million Eight Hundred Thirty-Seven Thousand Nine Hundred Fifty-Four & 00/100 Dollars (\$8,837,954.00); and

WHEREAS, the Cuyahoga Common Pleas Court has declared the contract between GCRTA and Seuffert Construction Co., Inc. to be void; and

WHEREAS, an appeal of that decision has been filed by both the GCRTA and Seuffert Construction Company; and

WHEREAS, the reconstruction of the Brooklyn Garage is approximately thirty percent (30%) complete at this point in time; and

WHEREAS, it has been determined that emergency repairs to the Brooklyn Garage roof must be completed to ensure that no damage be done to insulation, decking and the concrete foundation of the building.

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

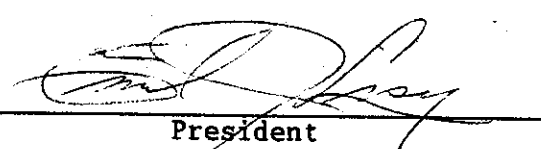
Section 1. That a real and present emergency exists for the reasons outlined in Attachment A.

Section 2. That actual physical damage has occurred to the structure and additional actual physical damage will occur should emergency repairs not be completed.

Section 3. That the General Manager be and he is hereby directed to petition the court for approval to complete emergency roof repairs of the Brooklyn Garage Facility.

Section 4. That this resolution shall become effective immediately upon its adoption.

Adopted: August 15, 1989



President

Attest: 

General Manager/Secretary-Treasurer