

RESOLUTION NO. 1992-126

**AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN AMENDMENT
TO THE PUBLIC TRANSPORTATION OPERATING AGREEMENT BETWEEN
THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY AND NORTH
OLMSTED.**

WHEREAS, the Greater Cleveland Regional Transit Authority ("GCRTA") and the City of North Olmsted entered into a Public Transportation Operating Agreement dated December 14, 1988, and

WHEREAS, GCRTA and the City of North Olmsted have determined that it is in their mutual interest that the parts rate annual adjustment set forth in the Cost Reimbursement Schedule of the agreement be amended.

WHEREAS, the Operating Agreement provides no change or modification to the original agreement shall be of any force or effect unless the amendment is dated and reduced to a writing executed by all parties.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the GCRTA, Cuyahoga County, Ohio:

Section 1: That the General Manager be and he is hereby authorized and directed to execute an amendment to the Public Transportation Operating Agreement dated December 14, 1988, between the GCRTA and the City of North Olmsted. A copy of said amendment is attached hereto and fully incorporated as if written herein.


Section 2: That the application of said amendment shall be retroactive to January 1, 1991.

Section 3: The General Manager and Secretary-Treasurer is hereby authorized and directed to execute, deliver, and perform all such further agreements, instruments, documents, and acts in the name and on behalf of the GCRTA as shall be required to carry out the intent and purposes of this resolution.


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

Adopted: July 21 , 1992.

Attachment: Amendment to the Public Transportation Operating Agreement
Dated December 14, 1988.



President

Attest: 

General Manager and Secretary-Treasurer

AMENDMENT TO THE PUBLIC TRANSPORTATION OPERATING AGREEMENT
DATED DECEMBER 14, 1988, BETWEEN THE GREATER CLEVELAND REGIONAL
TRANSIT AUTHORITY AND THE CITY OF NORTH OLMSTED.

WHEREAS, the Greater Cleveland Regional Transit Authority (hereinafter "GCRTA") and the City of North Olmsted (hereinafter "City") entered into a Public Transportation Operating Agreement dated December 14, 1988, and

WHEREAS, GCRTA and the City of North Olmsted have determined that it is in their mutual interest that the parts rate annual adjustment set forth in the Cost Reimbursement Schedule of the agreement be amended.

WHEREAS, the Public Transportation Operating Agreement provides that no change or modification to the original agreement shall be of any force or effect unless the amendment is dated and reduced to a writing executed by all parties.

NOW, THEREFORE, in consideration of the mutual promises and covenant's contained herein, the GCRTA and the City agree that the Public Transportation Operating Agreement dated December 14, 1988, shall be amended as follows:

Section 1: That the definition for the parts rate as set forth in Schedule 2, Exhibit I Cost Reimbursement for Operating Agreement between GCRTA and the City of North Olmsted shall be amended to read as follows:

The parts rate shall be computed by subtracting the December 1987 index for product code #3714 - Motor vehicle parts and accessories from the December index of the current audit period, and dividing the difference by the December 1987 index to calculate the percentage increase or decrease. The current period rate adjustment will be computed by multiplying the percentage increase or decrease by the part rate per the Operating Agreement. The formula would be as follows:

(December 199X - 12/87 index of 104.3)/104.3 = % increase or decrease %
increase or decrease multiplied by the parts rate per the operating
agreement = Current rate adjustment

Current rate adjustment plus the parts rate per operating agreement =
Adjusted parts rate

Section 2: That this amendment shall be retroactive to January 1, 1991, for auditing purposes.

IN WITNESS WHEREOF the parties hereto have caused this Amendment to the December 14, 1988, Public Transportation Operating Agreement between the

Greater Cleveland Regional Transit Authority and the City of North Olmsted to be executed this ___ day of _____, 1992.

WITNESSES:

GREATER CLEVELAND REGIONAL
TRANSIT AUTHORITY

By:

Ronald J. Tober
General Manager and
Secretary-Treasurer

The legal form and correctness of the within instrument are hereby approved.

Assistant General Manager - Legal

WITNESSES:

CITY OF NORTH OLMSTED

By:

Its:

The legal form and correctness of the within instrument are hereby approved.

Law Director - City of North Olmsted