

RESOLUTION NO. 1992- 162

APPROVING THE EXECUTION OF THE GOVERNMENT AND UTILITIES
WORKING GROUP MEMORANDUM OF UNDERSTANDING

WHEREAS, the Greater Cleveland Regional Transit Authority engages in various capital and operating projects designed to improve public transportation facilities and services; and

WHEREAS, the Authority expects to increase the scope and frequency of its capital improvement projects in the future; and

WHEREAS, other governmental agencies and utilities engage in infrastructure projects which can and do have an impact on the Authority's operations and facilities; and

WHEREAS, the Government and Utilities Working Group of the Build-Up Greater Cleveland Program has developed a Memorandum of Understanding designed to improve cooperation and coordination amongst those entities engaged in infrastructure projects; and

WHEREAS, said Memorandum of Understanding is expected to produce substantial benefits to the participating agencies and to the Greater Cleveland Community;

NOW, THEREFORE, be it resolved by the Board of Trustees of the Greater Cleveland Regional Transit Authority, that:

Section 1. The General Manager/Secretary-Treasurer is hereby authorized to execute the Memorandum of Understanding shown in Attachment A hereto on behalf of the Authority.

Section 2. The General Manager/Secretary-Treasurer is hereby authorized to take the steps necessary to fulfill the Authority's obligations under the Memorandum of Understanding.

Section 3. This Resolution will take effect immediately upon its adoption.

ATTACHMENT A: Government and Utilities Working Group Memorandum of Understanding, June, 1992

Adopted: September 22, 1992



President

Attest: 

General Manager/Secretary-Treasurer

GOVERNMENT AND UTILITIES WORKING GROUP

MEMORANDUM OF UNDERSTANDING

JUNE, 1992

Statement of Purpose

As members of the Government and Utilities Working Group of Build Up Greater Cleveland--as state, regional and municipal government agencies, individual utilities and other interested parties--we are committed to working together to improve cooperation on infrastructure projects in Greater Cleveland. In doing so we recognize that in any joint undertaking all parties have underlying needs, motivations and organizational objectives. It is our intention, whenever possible, to facilitate the meeting of our respective responsibilities.

Among our shared goals are the improvement of the information available on existing facilities, the timely communication of project schedule information, the consideration and reasonable accommodation of others involved in an infrastructure project, and other actions, as needed, to enhance project efficiency. Among the resulting benefits will be lower project costs for each participating agency, reduced emphasis on legal requirements in favor of informal but equally responsive information sharing, an improved ability to bring improvements to utility service and transportation and to do so with greater speed, and the likelihood of even fuller cooperation with each successive undertaking.

The following are the principles of conduct we have recognized as critical to this joint effort. We subscribe to these and are committed individually and collectively to putting forward a good faith effort in observing them on a continuing basis. We will also seek, wherever necessary and possible, to expand upon them in the future.

Working Principles

Section I: Data Collection and Analysis

It is recognized that each of the key participants in an infrastructure project may need to expand on the information it currently possess about its own facilities. In planning infrastructure projects, additional effort may be necessary to determine the specific information needs of other affected governments or utilities.

- A. When initiating a utility or road project, each participant will try to identify potential issues among those affected at the earliest possible planning stages of the project.

- B. For road and utility projects, each utility will seek to determine the specific nature and location of below ground facilities and effort will be made to ensure that this information is as useful, accurate and detailed as is required by those to whom it is provided, to the extent reasonably possible.
- C. Each recognizes the need and agrees to work together to establish the scope, detail, schedule and sequencing of work of a project at the earliest possible planning stage.
- D. Each recognizes the importance of providing the information required by the Ohio Utility Protection Service (OUPS) to maintain its utility location information base and agrees to take part in the serious consideration of an expanded data base potential for OUPS and to provide a modest level of financial support to that organization (attachment 5).

Section II: Communication and Information Sharing

As important as possessing adequate information about existing facilities or pending projects is providing that information to other appropriate utility or government representatives and seeking their input on an infrastructure project.

- A. To the extent that a state, regional, municipal or utility project will impact the facilities and prove disruptive to the normal service or scheduled maintenance/expansion plans of others, each recognizes an obligation to communicate that fact to them, as early as reasonably possible. Each also accepts that the larger or more disruptive a project, the greater is the obligation to communicate its scope and details with those likely to be affected.
- B. We understand that accurate, detailed and timely information about a project's scope, components, schedule and sequencing should be shared.
- C. We agree that the full disclosure of project scope, schedule and sequencing is the ideal. However, accepting that this will not always be possible, a reasonable criteria for communication is whether the available information is sufficient to meet the needs of the other party.
- D. Project Managers will invite and welcome early input from those who will be affected by a project as a means to prevent any unnecessary inconvenience or work plan disruption.
- E. Each recognizes that, in the interest of early notice for others who may be affected by a project, the sharing of our longer term expansion plans is desirable and we will continue joint efforts to determine an appropriate means to provide that information to others.

- F. When initiating a project, we also agree to determine and communicate to others affected the project's special priority among our undertakings.
- G. In the interest of predictability, project schedule changes or unscheduling should be avoided wherever possible. When schedule changes cannot be avoided, we each agree to provide useful, accurate and current schedule change information to those likely to be affected.
- H. Wherever appropriate, information sharing will be conducted at informal meetings of state, regional, municipal and utility representatives.
- I. As individual organizations, we will establish adequate internal communication about current or anticipated projects so as to avoid any internal conflicts or organizational inconsistency about them.

Section III: Negotiation and Interaction

As the means to completing a project as efficiently as possible we accept the importance of close coordination among key participants, meetings as needed to resolve issues among them, informal contacts on a one-to-one basis, and early input from those affected.

- A. We believe that information sharing and negotiation, pursued in a spirit of cooperation, will yield mutually beneficial results for everyone concerned.
- B. We accept that contact need not and should not be confined to resolving specific issues and problems. Periodic and informal meetings, perhaps every six months, in addition to allowing continuous information sharing, will also provide an opportunity for building a common agenda, allow input from those not directly involved in a particular project and help establish closer working relationships.

Section IV: Consideration and Accommodation

Recognizing that no one wants to needlessly disrupt the projects or work plans of others, we are committed to a policy of reasonable consideration, accommodation and cooperation.

- A. We agree to avoid unnecessary project interruptions and schedule changes that may disrupt the work plans of others or their efforts to accommodate our project work plan.

- B. Perceiving each project, conflict or challenge as a potential "win-win" situation, we agree to approach each with the expectation that all players will emerge better off through cooperation.
- C. In the interest of predictability, reasonable expectations of one another, consistency of action from project to project and shared standards of conduct, we agree to comply with currently recognized procedures for infrastructure projects, such as those put forth in the ODOT Utilities Manual (attachment 1), and the Cuyahoga County Engineer (attachment 2). We also recognize the continuing importance to plug into the Fast Track Task Force process (attachment 3).
- D. State, regional and municipal project planners agree to seek early input from affected utilities as to their requirements for maintaining uninterrupted service during the course of a project and will seek to honor those requirements where reasonably possible.

Section V: Other Considerations

In addition to those areas where, by working together we can advance our individual and shared infrastructure agendas, there are contributions each can make toward ensuring this process will yield the best possible outcome.

- A. When initiating or participating in a project, we each agree to establish where primary responsibility for coordination of a project will lie within our respective organizations by naming a Project Manager for each significant project.
- B. As individual organizations, we will seek to ensure that our personnel are adequately trained in all areas relevant to performing our responsibilities within a cooperative utility/infrastructure project.
- C. We agree to provide, as needed, any revisions to the listing of government and utility representatives currently involved with infrastructure projects in Greater Cleveland and this cooperative process (attachment 4).

ATTACHMENTS:

1. Ohio Department of Transportation Utilities Manual
(selected pages)
2. Cuyahoga County Engineer Instruction to Designers
3. Fast Track Task Force Report
4. Regional Infrastructure Officials and Representatives
5. Outline of OUPS data base understanding (to be attached)

Those signing below, as representatives of state, regional and municipal governments or government agencies and major public and private utilities in Greater Cleveland, indicate their organization's willingness to abide by these principles. In addition, they will seek to advance, wherever possible, the goal of fuller cooperation in future infrastructure projects.

GOVERNMENT

THE STATE OF OHIO

Ohio Department of Transportation, Columbus

By _____

Date _____

Ohio Department of Transportation, District 12

By _____

Date _____

CUYAHOGA COUNTY

Cuyahoga County Engineer

By _____

Date _____

Cuyahoga County Sanitary Engineer

City of Valley View

By _____

By _____

Date _____

Date _____

MUNICIPALITIES

Mayors and Managers Association
of Cuyahoga County

By _____

Date _____

City of Cleveland

By _____

Date _____

City of Painesville

By _____

Date _____

UTILITIES

Ameritech Services

By _____

Date _____

American Telephone and Telegraph

By _____

Date _____

Cleveland Electric Illuminating Co.

By _____

Date _____

Cleveland Thermal Energy Corp.

By _____

Date _____

Columbia Gas Company

By _____

Date _____

East Ohio Gas Company

By _____

Date _____

Litel Telecommunications Co.

By _____

Date _____

Ohio Edison Company

By _____

By _____

Ohio Water Service Company

By _____

Date _____

Municipal Electric Light
and Power (CPP)

By _____

Date _____

OTHER INTERESTED PARTIES

Build Up Greater Cleveland

By _____

Date _____

Northeast Ohio Regional
Sewer District

By _____

Date _____

Greater Cleveland Regional
Transit Authority

By _____

Date _____

Ohio Utilities
Protection Service

By _____

Date _____

Cleveland State University

By _____

Date _____

Northeast Ohio Areawide
Coordinating Agency

By _____

Date _____