

RESOLUTION NO. 1994- 69

AMENDING THE CONTRACT WITH THE FLXIBLE CORPORATION FOR THE PURCHASE OF ONE (1) 40' CNG TRANSIT COACH, ONE (1) SPARE POWER PLANT AND TWO (2) WHEELCHAIR LIFTS FOR A PRICE OF \$363,418.00 - CAPITAL GRANT OH-90-X166 (\$290,734.00 IN FEDERAL FUNDS WHICH REPRESENTS 80% OF THE TOTAL GRANT FUNDS).

WHEREAS, the proposal of The Flxible Corporation located at 970 Pittsburgh Drive, Delaware, Ohio 43015 for a multiyear purchase of up to sixty-five (65) CNG transit coaches with an option for an additional fifteen (15) coaches was received on the 27th day of September, 1993; and

WHEREAS, Resolution 1993-221 passed by the Board of Trustees on December 13, 1993 awarded contract No. 93082 to the The Flxible Corporation for a purchase of forty-eight (48) 40' CNG transit coaches and granted the General Manager the authority to purchase up to thirty-two (32) additional coaches; and

WHEREAS, as part of the originally negotiated offer, the Flxible Corporation agreed to provide two (2) spare power plants for \$71,330.00 each for a total of \$142,660.00, and one (1) spare wheelchair lift for \$16,500.00; and

WHEREAS, Resolutions 1994-19 and 1994-20 passed by the Board of Trustees on February 15, 1994 authorized the General Manager to acquire thirty-one (31) additional coaches and the spare referenced equipment; and

WHEREAS, to support the additional coaches, the Authority has negotiated an agreement with the Flxible Corporation to purchase two (2) additional spare wheelchair lifts and one (1) additional spare power plant at at the agreed upon price; and

WHEREAS, funding available in Grant OH-90-X166 will allow for the purchase of the one (1) remaining coach available in the contract option, one (1) spare power plant and two (2) spare wheelchair lifts.

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

Section 1. That the General Manager of the Authority be and he is hereby authorized to amend contract No. 93082 with The Flxible Corporation for the purchase of one additional CNG transit coach for a price of two hundred fifty-nine thousand eighty-eight & 00/100 dollars (\$259,088.00), one (1) spare power plant for the price of seventy-one thousand three hundred thirty & 00/100 dollars (\$71,330.00) and two (2) spare wheelchair lifts for the price of thirty-three thousand & 00/100 dollars (\$33,000.00).

Section 2. That said purchase shall be payable out of Capital Grant OH-90-X166 in the amount of three hundred sixty-three thousand four hundred eighteen & 00/100 dollars (\$363,418.00).

Section 3. That said contract shall be binding upon and in obligation of the Authority contingent upon appropriation for future contract years and upon compliance by the contractor to the scope of work; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 1993-88; bonding and insurance requirements and all applicable laws relating to the contractual obligations of the Authority.

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

Adopted: \_\_\_\_\_ May 17 \_\_\_\_\_, 1994

Attest: Ronald J. Tole  
General Manager/Secretary-Treasurer

[Signature]  
President