

RESOLUTION NO. 1996-99

AUTHORIZING THE GENERAL MANAGER TO ENTER INTO ONE OR MORE SOLE SOURCE CONTRACTS WITH THE FLXIBLE CORPORATION FOR BUS PARTS AT A TOTAL PRICE NOT TO EXCEED \$400,000.00 AND DECLARING AN EMERGENCY - (CAPITAL GRANT OH-90-X222 [\$286,775.00 - \$229,420.00 IN FEDERAL FUNDS, WHICH REPRESENTS 80% OF THE TOTAL] AND GENERAL FUND - BUS EQUIPMENT AND INVENTORY DEPARTMENT BUDGETS, AS APPROPRIATE).

WHEREAS, pursuant to Section 306.43(H)(1)(a) the competitive purchase of goods or services is exempt from the competitive procurement process when the Board of Trustees by a two-thirds vote determines that a real and present emergency exists affecting a regional transit authority's ability to deliver transportation services;

WHEREAS, the bankruptcy of The Flxible Corporation threatens the ability of the Authority to obtain essential parts for the continued operation of its bus fleet;

WHEREAS, The Flxible Corporation is offering for sale substantial portions of its parts inventory;

WHEREAS, The Flxible Corporation represents the only source from which such parts are reasonably available; and

WHEREAS, purchase of such parts is necessary to maintain the bus fleet in operating condition.

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

Section 1. That an emergency is declared to exist as a result of the threat to the Authority's bus parts supply created by the bankruptcy of The Flxible Corporation.

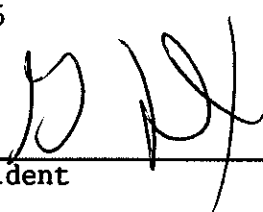
Section 2. That the General Manager be and hereby is authorized to enter into one or more sole source contracts with The Flxible Corporation, its successors or assigns for the purchase of parts necessary for the continued operation and maintenance of the Authority's bus fleet.

Section 3. That the price of said contracts shall not exceed four hundred thousand & 00/100 dollars (\$400,000.00).

Section 4. That the cost of said contracts shall be payable from Capital Grant OH-90-X222 and from the General Fund, Bus Equipment and Inventory Department budgets, as appropriate.

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

Adopted: August 20, 1996



President

Attest: 

General Manager/Secretary-Treasurer