

RESOLUTION NO. 1997-11

RATIFYING THE DECLARATION OF AN EMERGENCY AND AUTHORIZING PAYMENT FOR EMERGENCY CONSTRUCTION AND REPAIR SERVICES TO DELTA RAILROAD CONSTRUCTION, INC. TOTALING \$49,419.85 (RTA CAPITAL FUND - ENGINEERING & CONSTRUCTION BUDGET).

WHEREAS, by previous Resolutions, the Board of Trustees authorized the General Manager to enter into a Contract with Delta Railroad Construction, Inc., 2648 W. Prospect Road, Ashtabula, Ohio 44004 for construction of Project 23E2-II (Westside Track Rehabilitation), and Project 32E (Waterfront Transit Line, Lakefront Section); and

WHEREAS, on November 5, 1996 an emergency condition existed involving actual physical damage to Authority structures and/or property as a result of the collapse of an underground storm sewer pipe below Red Line Track No. 9 at Tower City; and

WHEREAS, the General Manager, in accordance with emergency procedures, authorized Delta Railroad Construction, whose personnel and equipment were on-site, to perform the necessary construction and repairing required.

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

Section 1. That the Board of Trustees ratify the declaration of an emergency in accordance with ORC 306.43 H1(c).

Section 2. That the action of the General Manager for emergency construction and repair services performed on Red Line Track No. 9 at Tower City is hereby ratified and approved.

Section 3. That said performed emergency work shall be payable out of the RTA Capital Fund, Engineering & Construction Budget, in an amount not to exceed forty-nine thousand, four hundred nineteen & 85/100 dollars (\$49,419.85).

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

Adopted: _____ January 21 _____, 1997



President

Attest: 

General Manager/Secretary-Treasurer