

RESOLUTION NO. 2002- 89

CONFIRMING THE GENERAL MANAGER'S ACTION IN DECLARING AN EMERGENCY AND AUTHORIZING AN INCREASE TO CONTRACT NO. 2002-063 WITH ACE TAXI SERVICES, INC. TO PROVIDE PARATRANSIT SERVICE IN AN AMOUNT NOT TO EXCEED \$10,000.00 (GENERAL FUND-PARATRANSIT DISTRICT DEPARTMENT BUDGET)

WHEREAS, the Authority currently has a requirement to provide supplemental paratransit service on an on-demand basis in order to comply with the Americans with Disabilities Act (ADA) of 1990; and

WHEREAS, the Authority provides such service as part of a pilot program through a small purchase contract with Ace Taxi Service, Inc. located at 1798 East 55<sup>th</sup> St., Cleveland, OH 44103 at a price not to exceed \$24,756.00; and

WHEREAS, at the beginning of May, 2002, it was determined that the funding authorized for this contract would be completely expended prior to the May 21, 2002 meeting of the Board of Trustees; and

WHEREAS, increased funding for this contract will exceed the General Manager's small purchase authority and require approval by the Board of Trustees; and

WHEREAS, failure to provide funding for this service prior to the May 21, 2002 meeting of the Board of Trustees would leave the Authority unable to provide these transportation services; and

WHEREAS, pursuant to Ohio Revised Code Sec. 306.43(H)(1)(a), a condition affecting the Authority's ability to deliver transportation services creates an emergency; and

WHEREAS, the General Manager determined that such an emergency existed, and directed that funding be authorized prior to submittal of a funding increase request to the Board of Trustees; and

WHEREAS, additional funds are necessary to provide service during May and June 2002, pending award and implementation of a new contract now being solicited; and

WHEREAS, the General Manager determined that an emergency condition existed and directed that the price of the contract with Ace Taxi Service, Inc. be increased by \$10,000 to ensure that this service not be disrupted.

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

Section 1. That the action of the General Manager of the Authority in declaring an emergency and authorizing an increase to Contract 2002-063 with Ace Taxi Service, Inc. to provide supplemental on-demand paratransit service prior to the May 21, 2002 meeting of the Board of Trustees is hereby confirmed.

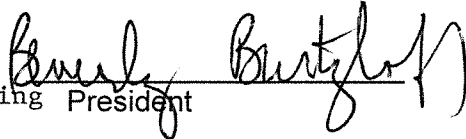
Section 2. That said amendment shall be payable from the General Fund, Paratransit District Department Budget an amount not to exceed ten thousand and 00/100 dollars (\$10,000.00) for a total contact price not to exceed thirty four thousand seven hundred fifty six and 00/100 dollars (\$34,756.00).

Resolution 2002- 89  
Supplemental Paratransit Service Emergency  
Page 2

Section 3. That all other terms and conditions of said contract shall remain unchanged.

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

Adopted: May 21, 2002

  
Acting President

Attest:   
CEO, General Manager/Secretary-Treasurer



<b>TITLE/DESCRIPTION:</b> CONFIRMING THE GENERAL MANAGER'S ACTION IN DECLARING AN EMERGENCY AND AUTHORIZING AN INCREASE TO CONTRACT NO. 2002-063 WITH ACE TAXI SERVICES, INC. TO PROVIDE PARATRANSIT SERVICE IN AN AMOUNT NOT TO EXCEED \$10,000.00 (GENERAL FUND- PARATRANSIT DISTRICT DEPARTMENT BUDGET)	<b>Resolution No.:</b> 2002- 89
	<b>Date:</b> May 16, 2002
	<b>Initiator:</b> Paratransit District Department
<b>ACTION REQUEST:</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

1.0 **PURPOSE:** This action will confirm the General Manager's declaration of an emergency action to increase the price of the contract with Ace Taxi Service, Inc for supplemental on-demand Paratransit service, as required.

2.0 **DESCRIPTION/JUSTIFICATION:** The Authority has a recurring need to provide Paratransit service to comply with the Americans with Disabilities Act (ADA) of 1990. Eligibility for Paratransit service is determined by the Authority in accordance with established FTA and ADA guidelines. The Authority is not able to meet demand with its current fleet of vehicles/support, necessitating that additional support be obtained for on-demand service.

3.0 **PROCUREMENT BACKGROUND:** The Authority established a pilot program for providing on-demand paratransit service for ambulatory eligible patrons using a small purchase competitive solicitation process. This pilot program proved successful and economical and a formal request for proposals was issued. The award recommendations from that solicitation will be presented to the June 18, 2002 Board meeting. Due to high demand, it was planned to request Board approval to increase two contracts for that service at its May 21 meeting; both increases would exceed the General Manager's small purchase authority. At the beginning of May, the Director of the Paratransit District determined that sufficient funds were not available in the contract with Ace Taxi Service, Inc. to continue the service until the Board meeting. As a result, the General Manager determined that disruption of this service would constitute an emergency pursuant to Ohio Revised Code Sec. 306.43(H)(1)(a) and directed that the planned increase of \$10,000.00 prior to Board authorization. Pursuant to Ohio Revised Code Sec 306-43(H)(1)(a), procurements under conditions which affect safety, welfare or the ability to deliver transportation services are exempt from the competitive procurement process. This action will confirm the action of the General Manager and the increased funding for this contract.

A cost/price analysis has been performed and the Procurement Department has determined the price to be fair and reasonable to the Authority. The rates established in the original contract will be maintained.

4.0 **DBE/AFFIRMATIVE ACTION BACKGROUND:** All Affirmative Action requirements have been met. This procurement was initially a small purchase therefore no DBE goal was previously assigned.

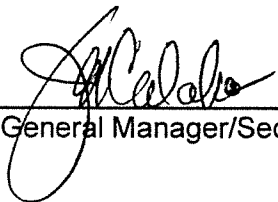
5.0 **POLICY IMPACT:** Does not apply.

N-4

SUPPLEMENTAL PARATRANSIT SERVICE EMERGENCY  
PAGE 2

- 6.0 ECONOMIC IMPACT: This amendment shall be funded through the RTA General Fund, Paratransit District Department Budget in the amount of ten thousand and 00/100 dollars (\$10,000.00) for a total contract price not to exceed thirty four thousand seven hundred fifty six and 00/100 dollars (\$34,756.00).
- 7.0 ALTERNATIVES: Rejection of this action would overrule the General Manager's action and leave the Authority without the ability to provide Paratransit service to eligible patrons, in violation of the Americans with Disabilities Act.
- 8.0 RECOMMENDATION: It is recommended that the resolution be passed confirming the General Manager's action.
- 9.0 ATTACHMENTS: None.

Recommended and certified as appropriate  
to the availability of funds, legal form  
and conformance with the Procurement  
requirements.



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CEO, General Manager/Secretary-Treasurer