

RESOLUTION 2002- 133

RATIFYING THE LEASE WITH NEW WORLD COMMUNICATIONS OF OHIO INCORPORATED ON BEHALF OF ITS TELEVISION STATION WJW-FOX 8 FOR THE USE OF ITS RADIO COMMUNICATIONS TOWER AND 150 SQUARE FEET OF EQUIPMENT ROOM SPACE BY THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY FOR ITS RADIO COMMUNICATIONS AND EQUIPMENT SERVICING RAIL, BUS AND TRANSIT POLICE RADIO OPERATIONS IN THE AMOUNT NOT TO EXCEED \$108,000.00. (GENERAL FUND, SERVICE MANAGEMENT DEPARTMENT BUDGET.)

WHEREAS, the Authority was in a situation where immediate action was necessary and it needed to preclude a condition which could have adversely affected the health and safety of the public or GCRTA employees or caused an interruption of public transit service. The former General Manager exercised his authority as an Officer of a Public Transit authority, he declared the situation an emergency and acted in the best interest of the public and the Public Transit authority; and

WHEREAS, the former General Manager / Secretary Treasurer deemed it necessary, critical and in the best interest of the Authority under the Ohio Revised Code 306.35 (G) to approve the use of New World Communications Incorporated's radio tower for the installation and operation of radio communications equipment and 150 square feet of equipment space for the continuation of the Rail, Bus and Transit Police radio communications systems; and

WHEREAS, the former General Manager / Secretary Treasurer notified the Board of Trustees of these procurement actions and sought formal approval from the Board for the installation of the equipment. The Board approved the equipment installation under Resolution NO. 1999-111 but the rental and operational use of New World Communications radio tower and equipment room was not presented at that time; and

WHEREAS, it was the intent of the Authority to enter into the Lease with New World Communications Incorporated for the use of its radio tower and equipment room for the operations of the Authority's Rail, Bus and Transit Police radio Communications systems; and

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

Section 1. That the former General Manager / Secretary Treasurer deemed it necessary, critical and in the best interest of the Authority under the Ohio Revised Code 306.35 (G) to approve the use of New World Communications Incorporated's radio tower for the installation and operation of radio communications equipment and 150 square feet of their facility for ground equipment placement for the continuation of the Rail, Bus and Transit Police radio communications systems.

Section 2. That it was the intent of the Authority to enter into the Lease with New World Communications Incorporated for the use of its radio communications tower and

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equipment room for the operations of the Authority's Rail, Bus and Transit Police radio communications systems.

Section 3. That this agreement is necessary to preclude a condition, which could adversely affect the health or safety of the public or GCRTA employees or could cause an interruption in the public transit service.

Section 4. That the General Manager/Secretary-Treasurer is hereby authorized to execute, on behalf of the Authority, the agreement with New World Communications Incorporated for its television station WJW-Fox 8 for the rental of the communications tower and equipment room space for the Authority's Rail, Bus and Transit Police radio communications systems.

Section 5. That the duration of the agreement terms are from September 1, 1999 to August 31, 2002 for an amount not to exceed \$108,000.00 payable from the RTA General Fund Service Management Department budget.

Section 6. That the Board of Trustees hereby approves and adopts the agreement on July 16, 2002.

Section 7. That this resolution shall become effective immediately upon its adoption.

Attachments: None

Adopted: July 16, 2002

  
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President

Attest:   
\_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer



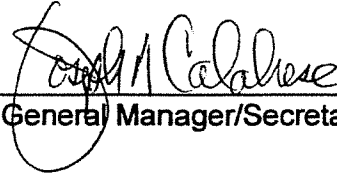
TITLE/DESCRIPTION: RATIFYING THE LEASE WITH NEW WORLD COMMUNICATIONS OF OHIO INCORPORATED ON BEHALF OF ITS TELEVISION STATION WJW-FOX 8 FOR THE USE OF ITS RADIO COMMUNICATIONS TOWER AND 150 SQUARE FEET OF THEIR FACILITY FOR THE GROUND EQUIPMENT BY THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY FOR ITS RADIO COMMUNICATIONS SYSTEM AND EQUIPMENT SERVICING RAIL, BUS AND TRANSIT POLICE RADIO OPERATIONS IN THE AMOUNT NOT TO EXCEED \$108,000.00. (GENERAL FUND, SERVICE MANAGEMENT DEPARTMENT BUDGET.)	Resolution No.: 2002- 133
	Date: JULY 16, 2002
	Initiator: Deborah McNeeley, Property Manager
ACTION REQUEST: XX Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 PURPOSE/SCOPE: This action will ratify the actions of the former General Manager/ Secretary Treasurer's intent to enter into a contract for the use of a radio communications tower and ground equipment room.
- 2.0 DESCRIPTION/JUSTIFICATION: Due to the Authority's urgent need and to preclude a condition that could adversely affect the health, or safety of the public or GCRTA's employees, or cause an interruption of the public transit service, the former General Manager approved the installation of the equipment and rental use of the communications tower and their facility for ground equipment under an emergency measure for the continuation of the Rail, Bus and Transit Police radio communications systems from New World Communications Incorporated.
- 3.0 PROCUREMENT BACKGROUND: The former General Manager sought formal approval from the Board of Trustees for the installation of the radio communications equipment through Resolution NO.1999-111 under the Ohio Revised Code 306.35 (G) but not for the use of the radio tower equipment and ground equipment room rental from New World Communications Incorporated at that time.
- 4.0 DBE BACKGROUND: Not Applicable
- 5.0 POLICY IMPACT: This action was consistent with the Ohio Revised Code 306.35 (G) and the Authority's current policies.
- 6.0 ECONOMIC IMPACT: This procurement will be payable from the RTA General Fund by the Service Management Department budget in an amount not to exceed \$108,000.00 for the term years of, 1999 to 2000, 2000 to 2001 and 2001 to 2002, starting on September 1 and ending on August 31 of each year.
- 7.0 ALTERNATIVES: Rejection of the contract. Rejection could cause a seizure of the Authority's radio communications equipment that is currently used for the Rail, Bus and Transit Police radio communications equipment, it could expose the Authority to potential legal action and more importantly it could adversely affect the health and safety of the public, or cause an interruption to public transit service.
- 8.0 RECOMMENDATION: Ratify the contract with New World Communications Incorporated under Ohio Revised Code 306.35 (G) by passing the resolution.

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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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General Manager/Secretary-Treasurer