

RESOLUTION 2003- 135

AUTHORIZING CONTRACT NO. 2003-077 WITH EAST PENN MANUFACTURING COMPANY, INC., FOR THE FURNISHING OF BUS BATTERIES, AS SPECIFIED AND AS REQUIRED, FOR A PERIOD OF TWO (2) YEARS IN AN AMOUNT NOT TO EXCEED \$117,022.00 (GENERAL FUND, FLEET MANAGEMENT DEPARTMENT BUDGET).

WHEREAS, the Authority has a recurring requirement to replace existing batteries which are no longer serviceable; and

WHEREAS, the bid of East Penn Manufacturing Company, Inc., located at P.O. Box 147, Deka Road, Lyon Station, PA 19536, for the furnishing of bus batteries as specified and as required, for a period of two (2) years was received on August 5, 2003, at unit prices resulting in an amount not to exceed one hundred seventeen thousand twenty two & 00/100 dollars (\$117,022.00); and

WHEREAS, said bid was the only responsive bid received in response to the solicitation; and

WHEREAS, Section 306.43B (5) of the Ohio Revised Code provides that when fewer than two responsive and responsible bids are received, that the authority may negotiate price with the sole responsive and responsible bidder; and

WHEREAS, the General Manager deems the bid of East Penn Manufacturing Company, Inc., as negotiated, to be in the best interest of the Authority and recommends acceptance thereof by the Board of Trustees.

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

Section 1. That the bid of East Penn Manufacturing Company, Inc., received on August 5, 2003 be and the same is hereby accepted as the lowest responsive bid from a responsible bidder.

Section 2. That the General Manager of the Authority be and he is hereby authorized to enter into a contract with East Penn Manufacturing Company, Inc., for the furnishing of bus batteries, as specified and as required, for a period of two (2) years.

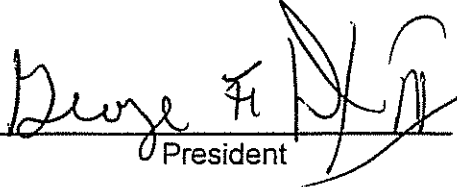
Section 3. That said contract shall be payable from the General Fund, Fleet Management Department Budget, in an amount not to exceed one hundred seventeen thousand twenty two & 00/100 dollars (\$117,022.00).

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon compliance by the contractor to the Specifications and Addenda, thereto, if any, the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2003-107; bonding and insurance requirements and all applicable laws relating to contractual obligations of the Authority.

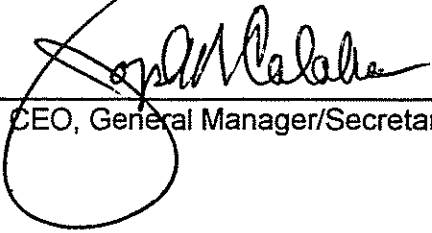
Section 5. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that East Penn Manufacturing Co., Inc. will attempt to exceed the (0%) minimum DBE goal assigned to this procurement.

Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: September 16, 2003



President

Attest: 

CEO, General Manager/Secretary-Treasurer