

RESOLUTION NO. 2009-13

AUTHORIZING CONTRACT NO. 2009-006 WITH THE CITY OF SHAKER HEIGHTS FOR LANDSCAPE MAINTENANCE AND PARKING LOT SNOW REMOVAL FOR A PERIOD OF THREE YEARS IN AN AMOUNT NOT TO EXCEED \$705,912.00 (GENERAL FUND, RAIL DISTRICT DEPARTMENT BUDGET)

WHEREAS, Ohio Revised Code, Section 306.43(H)(4), permits a regional transit authority to enter into agreements for goods or services with another political subdivision without competition; and

WHEREAS, by virtue of the Mass Transit System Transfer Agreement of 1975, the City of Shaker Heights and the Greater Cleveland Regional Transit Authority agreed that said City will perform maintenance of grounds adjoining rail rights-of-way and will remove snow from the Authority's parking lots at rail stations within said City and that the Authority shall reimburse said City for the cost thereof; and

WHEREAS, the parties wish to renew this Agreement for a period of three years commencing January 1, 2009 and ending December 31, 2011.

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

Section 1. That the General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to enter into a contract with the City of Shaker Heights for the maintenance of grounds adjoining rail rights-of-way and removal of snow from the Authority's parking lots at rail stations within said City for the period commencing January 1, 2009 and ending December 31, 2011.

Section 2. That said contract shall be payable from the General Fund, Rail District Department budget at a price not to exceed seven hundred five thousand nine hundred twelve & 00/100 dollars (\$705,912.00) for the three year period.

Section 3. That said contract shall be binding upon and an obligation of the Authority, contingent upon appropriation of funds for future years and contingent upon compliance by the contractor to the Specification and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 2008-061; bonding and insurance requirements and all applicable laws relating to the contractual obligations of the Authority.

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

Adopted: February 17, 2009



President

Attest: 

CEO, General Manager/Secretary-Treasurer



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: AUTHORIZING CONTRACT NO. 2009-006 WITH THE CITY OF SHAKER HEIGHTS FOR LANDSCAPE MAINTENANCE AND PARKING LOT SNOW REMOVAL FOR A PERIOD OF THREE YEARS IN AN AMOUNT NOT TO EXCEED \$705,912.00 (GENERAL FUND, RAIL DISTRICT DEPARTMENT BUDGET)	Resolution No.: 2009-13
	Date: February 12, 2009
	Initiator: Rail District Department
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

1.0 **PURPOSE/SCOPE:** This action will renew an existing agreement with the City of Shaker Heights to perform landscape maintenance of the Authority's rights of way along the Blue and Green Lines and removes snow from the Authority's rail station parking lots within the City.

2.0 **DESCRIPTION/JUSTIFICATION:** This agreement was entered into as part of the Mass Transit System Transfer Agreement by which the Authority acquired the Shaker Heights Rapid Transit System, including the rights-of-way. Shaker Heights reserved to itself the right to perform these services, and the Authority agrees to compensate it for its labor and material costs pursuant to a fixed schedule of services. This new agreement is for three years, which coincides with the term of the City's union agreements.

3.0 **PROCUREMENT BACKGROUND:** The original contract entered into on November 23, 1982 and amended on May 1, 2000 and again February 23, 2001 is an ongoing contractual agreement with the City of Shaker Heights for the maintenance of grounds adjoining rail rights-of-way which was entered into and delineated the respective responsibilities as to the maintenance of those grounds and facilities adjoining the Blue and Green Lines of the Authority.

The total cost for the period from January 1, 2009 through December 31, 2011 is not to exceed \$705,912.00. The annual costs are: for the year 2009 - \$226,798.00 (fixed), year 2010 - \$235,997.00 and for year 2011 - \$243,117.00. These costs are an increase of 2.3% over the previous contract amount for 2008 due to increase in fuel and salt pricing. The 2009 pricing has no increase for labor rate and an increase of 2.5% for 2010 and 2011 based on the City's negotiated labor agreement.

4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** The Office of Business Development does not conduct Affirmative Action reviews or set DBE participation goals on governmental Interagency Agreements.

5.0 **POLICY IMPACT:** This action will carry out a provision of the agreement by which the Authority acquired the Blue and Green Lines.

6.0 **ECONOMIC IMPACT:** This agreement will be funded through the General Fund, Rail District Department budget, in an amount not to exceed seven hundred five thousand nine hundred twelve & 00/100 dollars (\$705,912.00) for the three-year period.

7.0 **ALTERNATIVES:** Reject this agreement: Rejection of this agreement would represent a breach of the Mass Transit System Transfer Agreement.

8.0 RECOMMENDATION: It is recommended that the resolution be adopted and the General Manager/Secretary-Treasurer be authorized to enter into the agreement.

9.0 ATTACHMENTS: None.

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



CEO General Manager/Secretary-Treasurer