

RESOLUTION NO. 2021-34

AMENDING SECTIONS 620.02 AND 620.03 OF THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY

WHEREAS, pursuant to Resolution No. 1989-176, the Board of Trustees of the Authority codified the resolutions establishing its policies and procedures; and

WHEREAS, the Authority has conducted a review and determined that Sections 620.02 and 620.03 of the Human Resources Code should be updated and moved to Chapter 415 of the Finance Code; and

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

Section 1. That Section 620.02, Adoption of Disadvantaged Business Enterprise/Women's Business Enterprise Program, and Section 620.03, Program Manual for Disadvantaged Business Enterprise and Small Business Participation for Federally Funded Contracts, are hereby amended to read as specified in Attachment A hereto.

Section 2. That the Board of Trustees hereby waives the fourteen-day period provided for in Article XI, Section 2 of the Bylaws.

Section 3. That this resolution shall become effective immediately upon its adoption.

Attachment: A. Chapter 415

Adopted: April 20, 2021



President

Attest:



Interim Secretary-Treasurer

Attachment A to Resolution

Chapter 415 Disadvantaged Business Enterprise Program

415.01 DISADVANTAGED BUSINESS ENTERPRISE AND SMALL BUSINESS PARTICIPATION FOR FEDERALLY FUNDED CONTRACTS.

(a) The Authority has established a Disadvantaged Business Enterprise (“DBE”) program in accordance with regulations of the U.S Department of Transportation, 49 CFR Part 26.

(b) The Authority maintains a signed copy of the DBE Program Policy Statement and a copy of the DBE Program Plan on the Authority’s web site.

(c) Revisions to the DBE Program Policy Statement and the DBE Program Plan shall be reviewed and approved by the Board of Trustees.

(d) The Authority shall submit the DBE Program Plan to the Federal Transit Administration (“FTA”) in accordance with the requirements of 49 CFR Part 26.

(Res. 2004-124. Passed 9-21-04; Res. 2012-27. Passed 3-20-12; Res. 2014-44. Passed 5-20-14. Res. 2021-XXX. Passed XX-XX-2021)



TITLE/DESCRIPTION: AMENDING SECTION 620.02 AND 620.03 OF THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY	Resolution No.: 2021- 34
	Date: April 15, 2021
	Initiator: Human Resources
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 resolution will amend Section 620.02, Adoption of Disadvantaged Business Enterprise/Women’s Business Enterprise Program, and Section 620.03, Program Manual for Disadvantaged Business Enterprise and Small Business Participation for Federally Funded Contracts, of the Codified Rules and Regulations (“Code”) of the Greater Cleveland Regional Transit Authority.
- 2.0 DESCRIPTION/JUSTIFICATION: These sections describe the Authority’s disadvantaged business enterprise (“DBE”) program. The proposed amendments would combine two sections into a single section and update the provision to reflect the Authority’s current practices. In particular, the new provision specifies that the DBE Program Policy Statement and DBE Program Plan are located on the Authority’s web site and the DBE Program Plan is to be submitted to the Federal Transit Administration. The updated provision will be moved from Sections 620.02 and 620.03 of the Human Resources Code to Chapter 415 of the Finance Code because the Office of Business Development, which administers the DBE program, is located in the Authority’s Finance Division.
- 3.0 PROCUREMENT BACKGROUND: Does not apply.
- 4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: Does not apply.
- 5.0 POLICY IMPACT: Adoption of the resolution will bring the Authority’s policy regarding its disadvantaged business enterprise program up to date.
- 6.0 ECONOMIC IMPACT: Does not apply.
- 7.0 ALTERNATIVES: Not adopting this resolution. Not adopting this resolution would result in a policy that remains out of date.
- 8.0 RECOMMENDATION: This resolution was discussed at the April 6, 2021 Committee of the Whole meeting and recommended for consideration by the full Board of Trustees. It is recommended that this resolution be adopted.
- 9.0 ATTACHMENTS: A. Red-line of proposed amendments to Sections 620.02 and 620.03

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

J. M. Land, Ph.D., Acting

General Manager, Chief Executive Officer

Attachment A to Staff Summary

Chapter 415 Disadvantaged Business Enterprise Program

~~620.02 — ADOPTION OF DISADVANTAGED BUSINESS ENTERPRISE/ WOMEN'S BUSINESS ENTERPRISE PROGRAM.~~

~~(a) Part II of the Affirmative Action Plan for the Greater Cleveland Regional Transit Authority, adopted in Section 620.01, which pertains to Minority Business Enterprise and Women's Business Enterprise, is hereby repealed.~~

~~(b) The Disadvantaged Business Enterprise/Women's Business Enterprise Program, a copy of which is attached to original Resolution 1985-87, passed April 16, 1985, as revised by Resolution 1991-42, passed February 19, 1991, is fully incorporated herein and made a part hereof and is hereby adopted as a policy of the Authority. (Res. 1985-87. Passed 4-16-85; Res. 1991-42. Passed 2-19-91.)~~

~~620.03 415.01 PROGRAM MANUAL FOR DISADVANTAGED BUSINESS ENTERPRISE AND SMALL BUSINESS PARTICIPATION FOR FEDERALLY FUNDED CONTRACTS.~~

~~(a) The Authority has established a Disadvantaged Business Enterprise ("DBE") program in accordance with regulations of the U.S Department of Transportation, 49 CFR Part 26.~~

~~(b) The Authority maintains a signed copy of the DBE Program Policy Statement and a copy of the DBE Program Plan on the Authority's web site.~~

~~(c) Revisions to the DBE Program Policy Statement and the DBE Program Plan shall be reviewed and approved by the Board of Trustees.~~

~~(d) The Authority shall submit the DBE Program Plan to the Federal Transit Administration ("FTA") in accordance with the requirements of 49 CFR Part 26.~~

~~The revised Program Manual for disadvantaged business enterprise participation in all contracting by the Authority, a copy of which is attached to original Resolution 2004-124, passed September 21, 2004, and as amended by Resolution 2012-27, passed March 20, 2012 and Resolution 2014-44, passed May 20, 2014 to include the Small Business Participation Plan attached to that resolution, and which is fully incorporated herein, is hereby approved. The General Manager/Secretary-Treasurer is directed to submit to the Federal Transit Administration (FTA) this Program Manual in accordance with the requirements of 49 CFR, Part 26.~~

~~(Res. 2004-124. Passed 9-21-04; Res. 2012-27. Passed 3-20-12; Res. 2014-44. Passed 5-20-14. Res. 2021-XXX. Passed XX-XX-2021)~~