



MEETING NOTICE

Notice is hereby given that the following meeting of the Board of Trustees of the Greater Cleveland Regional Transit Authority will take place on **Tuesday, February 1, 2022** in the Board Room of the Authority, 1240 West Sixth Street, Cleveland, OH 44113 for consideration of the listed items and such other items that may properly come before the Board and be acted upon.

This meeting will be live-streamed on RTA's Facebook page (www.facebook.com/rideRTA) for staff and members of the public. Members of the public may also attend in-person. Based on Centers for Disease Control (CDC) guidance to continue to avoid large events and gatherings and Ohio Department of Public Health advice that businesses and other entities may continue to require mitigation measures, as well as RTA's interest in protecting community and employee health and safety, the following measures will be in place for in-person attendance:

1. To allow for social distancing, RTA Board Room capacity is limited to forty-four (44) people. To accommodate members of the public, RTA will limit the number of staff permitted in the Board Room.
2. All persons entering RTA's Main Office Building ("MOB") at 1240 West 6th Street are required to wear a mask/face covering and maintain a distance of six feet or more from other individuals who are not members of their family or household. The mask/face covering must be cloth or other fabric and worn to cover the person's nose, mouth and chin. If a person entering the building does not have a mask, one can be provided to them.
3. All persons entering RTA's MOB will be temperature screened for COVID-19 in accordance with guidance provided by the CDC and the Cuyahoga County Board of Health. If the screening indicates that the person may be infected with COVID-19, that individual will be denied entry.

The meeting package will be posted on RTA's website at (www.riderta.com/board), on RTA's Facebook page, and RTA's Twitter page.

- 9:00 A.M. Audit, Safety Compliance And Real Estate Committee
- Safety Update – Presentation on the 2022 update of the Public Transportation Agency Safety Plan (PTASP).

Organizational, Services & Performance Monitoring Committee

- RFP Procurement – A presentation of a competitive negotiated procurement for employee assistance program services.
- RFP Procurement – A presentation of a competitive negotiated procurement for parts washer services.
- IFB Procurement – A presentation of a competitive procurement for the purchase of Ultra-Low Sulfur Diesel Fuel.



Greater Cleveland
Regional Transit Authority

Committee Of The Whole

- Code Book Updates – Presentation on various provisions in the Human Resources Parts of the Codified Rules and Regulations of the Greater Cleveland Regional Transit Authority.

A handwritten signature in blue ink, appearing to read "India L. Birdsong".

India L. Birdsong
General Manager, Chief Executive Officer

ILB:tab
Attachment

AGENDA

RTA AUDIT, SAFETY COMPLIANCE AND REAL ESTATE COMMITTEE

Tuesday, February 1, 2022

Committee Members: Ms. Karen Gabriel Moss - Chair
 Mr. Terence P. Joyce
 Mayor Paul A. Koomar
 Ms. Valarie J. McCall
 Mayor David E. Weiss

- I. Roll Call
- II. Safety Update – Presentation on the 2022 update of the Public Transportation Agency Safety Plan (PTASP).

Presenter:
 - Steve Peganoff, Director of Safety
- III. Adjourn



Greater Cleveland
Regional Transit Authority

Interoffice Memo

To: Rev. Charles P. Lucas, President
and Members, Board of Trustees

From: India L. Birdsong
General Manager, Chief Executive Officer 

Date: January 27, 2022

Subject: 2022 Public Transportation Agency Safety Plan

At the February 1, 2022 Audit, Safety Compliance, and Real Estate meeting, Director of Safety, Steven Peganoff, will provide an update to the Public Transportation Agency Safety Plan for 2022.

Please call me if you have any questions or require additional information prior to Tuesday's meeting.

IB/SP

AGENDA

RTA ORGANIZATIONAL, SERVICES & PERFORMANCE MONITORING COMMITTEE

Tuesday, February 1, 2022

Committee Members: Mayor Michael P. Byrne, Chair
Ms. Karen Gabriel Moss, Vice Chair
Ms. Roberta Duarte
Mr. Leo Serrano
Mayor David E. Weiss

- I. Roll Call
- II. RFP Procurement – A presentation of a competitive negotiated procurement for employee assistance program services.

Presenters:
 - Nadine DeJesus, Lead Benefits Specialist
 - Sharon Cottrell, Procurement Team Leader
- III. RFP Procurement – A presentation of a competitive negotiated procurement for parts washer services.

Presenters:
 - Ryan Fogliano, Assistant Supply Chain Manager
 - Shawn Becker, Contract Administrator
- IV. IFB Procurement – A presentation of a competitive procurement for the purchase of Ultra-Low Sulfur Diesel Fuel.

Presenters:
 - Ryan Fogliano, Assistant Supply Chain Manager
 - Charnese Wilson, Contract Administrator
- V. Adjourn



Greater Cleveland
Regional Transit Authority

Interoffice Memo

To: Rev. Charles P. Lucas, President
and Members, Board of Trustees

From: India L. Birdsong
General Manager, Chief Executive Officer 

Date: January 27, 2022

Subject: Summary of Proposed Award – Employee Assistance Program Services

This is a competitive negotiated procurement to provide the Authority with a qualified firm to provide Employee Assistance Program services for a period of three years with two, one-year options.

At the February 1, 2022, Organizational, Services & Performance Monitoring Committee meeting, we will make a presentation of the procurement process and staff recommendation for contract award. Attached is the summary for this contract award. We will be requesting that the Organizational, Services & Performance Monitoring Committee recommend the award of this contract at the February 15, 2022 meeting of the Board of Trustees.

Please call me if you have any questions or require additional information prior to Tuesday's meeting.

ILB/MD
Attachment



Greater Cleveland
Regional Transit Authority

Interoffice Memo

To: Rev. Charles P. Lucas, President
and Members, Board of Trustees

From: India L. Birdsong
General Manager, Chief Executive Officer 

Date: January 27, 2022

Subject: Summary of Proposed Award – Parts Washer Services

This is a competitive negotiated procurement to provide the Authority with a qualified firm to provide Parts Washer Services for the cleaning and maintenance of the Authority's fleet of rail cars, non-revenue vehicles, and all main line and paratransit buses for a period of three years.

At the February 1, 2022, Organizational, Services & Performance Monitoring Committee meeting, we will make a presentation of the procurement process and staff recommendation for contract award. Attached is the summary for this contract award. We will be requesting that the Organizational, Services & Performance Monitoring Committee recommend the award of this contract at the February 15, 2022 meeting of the Board of Trustees.

Please call me if you have any questions or require additional information prior to Tuesday's meeting.

ILB/MD
Attachment



To: Rev. Charles P. Lucas, President
and Members, Board of Trustees

From: India L. Birdsong
General Manager, Chief Executive Officer 

Date: January 27, 2022

Subject: Summary of Award – Ultra Low Sulfur Diesel Fuel

This is a competitive procurement to provide the Authority with a qualified firm to provide ultra low sulfur diesel fuel for its revenue and non-revenue vehicles for a period of three years.

At the February 1, 2022, Organizational, Services & Performance Monitoring Committee meeting, we will make a presentation of the procurement process and staff recommendation for contract award. Attached is the summary for this contract award. We will be requesting that the Organizational, Services & Performance Monitoring Committee recommend the award of this contract at the February 15, 2022 meeting of the Board of Trustees.

Please call me if you have any questions or require additional information prior to Tuesday's meeting.

ILB/MD
Attachment

SUMMARY OF AWARD
Requirements Contract for the Furnishing of Ultra Low Sulfur Diesel Fuel, As Specified
for a Period of Three Years

PROJECT OVERVIEW:

Ultra Low Sulfur Diesel Fuel (ULSDF) is required for the operation of the Authority's revenue fixed route and non-revenue fleet of vehicles. The Authority procures approximately 2,000,000 gallons of ULSDF, per year, to fuel these vehicles.

PROCUREMENT OVERVIEW:

Due to the volatile fuel market, the Authority adopted an Energy Risk Management Policy & Strategy to better manage its fuel costs. As a part of the energy risk management strategy, the Authority plans to price the delivery of its diesel fuel requirements on the Oil Price Information Service (OPIS) average daily rate on the date of delivery.

The Invitation for Bid ("IFB") for the furnishing of ULSDF, as specified and as required, for a period of three years, was issued on December 20, 2021. The necessary legal notice was published in the Plain Dealer and Call & Post newspapers and posted on the GCRTA Procurement web site.

Six (6) responsive bids were received on January 19, 2022. A summary of the year one full load OPIS Differential bid is as follows:

Estimated Usage 2,000,000 Gallons Per Year	
Vendor	Contractor's Increment (+/-) OPIS Average
Ports Petroleum Co., Inc.	\$0.0223 Below OPIS
Guttman Energy	\$0.0150 Below OPIS
Mansfield Oil	OPIS Plus \$0.0058
Petroleum Traders	OPIS Plus \$0.0116
Colonial Oil	OPIS Plus \$0.0201
Gladieux Trading	OPIS Plus \$0.0287

RECOMMENDATION:

Ports Petroleum Co. Inc., located at 1337 Blachleyville Road, Wooster, OH, 44691, is an independent transporter of petroleum products and diesel fuel. They supply fuel to many major clients throughout the U.S.

Ports Petroleum Co., Inc. will provide the Authority with approximately 2,000,000 gallons of ULSDF per year, for a three-year period. This fuel will be provided at a firm basis rate of Oil Price Information Service (OPIS) average daily rate on the date of delivery minus \$0.0223 per gallon for year one, minus \$0.0223 per gallon for year two, and minus \$0.0223 per gallon for year three.

There was a 0% DBE goal assigned to this procurement by the Office of Business Development.

CLIENT BASE:

Current clients of Ports Petroleum Co., Inc. include:

- State of Ohio DAS
- City of Akron, Ohio
- Ohio University, Athens, Ohio
- Estes Express Lines

The resolution will request authorization to award a contract to Ports Petroleum Co., Inc. to furnish Ultra Low Sulfur Diesel Fuel to the Authority for a period of three years.

AGENDA

RTA COMMITTEE OF THE WHOLE BOARD

Tuesday, February 1, 2022

Committee Members: President Charles P. Lucas (Chair)
 Ms. Karen Gabriel Moss (Vice Chair)
 Mayor Michael P. Byrne
 Ms. Roberta Duarte
 Mr. Terence P. Joyce
 Mayor Paul A. Koomar
 Ms. Valarie J. McCall
 Ms. Luz N. Pellot
 Mr. Leo Serrano
 Mayor David E. Weiss

- I. Roll Call

- II. Code Book Updates – Presentation on various provisions in the Human Resources Parts of the Codified Rules and Regulations of the Greater Cleveland Regional Transit Authority.

 Presenter:
 • Dawn Tarka, Associate Counsel

- III. Adjourn



To: Rev. Charles P. Lucas, President
and Members, Board of Trustees

From: India L. Birdsong
General Manager, Chief Executive Officer

Date: January 27, 2022

Subject: Human Resources Code Update

A handwritten signature in blue ink, appearing to be 'IB', located to the right of the 'From' field.

At the February 1, 2022 Committee of the Whole meeting, staff will present proposed revisions to the Authority's Human Resources Code, specifically the sections related to the Ohio Public Employees Retirement System and Ohio Deferred Compensation.

The proposed revisions to the policies include:

1. Amending Section 644.10 related to the Ohio Public Employees Retirement System and removing Section 644.10 to replace Section 400.10 of the Personnel Policies, removing Section 628.03, amending Section 628.035 and removing Section 628.035 to be incorporated in Section 400.10 of the Personnel Policies.
2. Removing Section 628.04 related to Ohio Deferred Compensation and adding a new Section 400.15 to the Personnel Policies.

Please call me if you have any questions or require additional information prior to Tuesday's meeting.

Attachments: Red-lines of Code Book Sections 644.10, 628.03, 628.035 and 628.04
Red-line and clean copy of proposed Personnel Policies Section 400.10
Proposed Personnel Policies Section 400.15

IB/dmt

644.10 OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM ("OPERS").

(a) All employees of the Authority are required by State law to participate in the Ohio Public Employees Retirement System ("OPERS"). Employees hired after June 30, 1986, will be subject to the mandatory percentage of Medicare ~~Tax~~tax. All OPERS contributions and Medicare tax withholding will be automatically deducted from the employees' wages.

(b) OPERS Pick-up Plan.

- (1) Internal Revenue Service ~~Law~~regulations make it possible for an employer to pay (pick-up) employee contributions for members of OPERS. This ~~is a technique that~~ enables employers to designate employee contributions picked up by the employer as employer contributions.
- (2) The ~~Federal law~~states regulations state that employer contributions to a qualified pension plan are nontaxable to the employee until such time as the contributions are received as a refund or as retirement benefits.
(Res. 2001-119. Passed 8-21-01; Res. 2013-95. Passed 9-17-13.)

~~628.03 — PICK UP OF P.E.R.S. CONTRIBUTIONS.~~

~~(a) A P.E.R.S. pick-up plan is hereby established for all employees of the Authority who are members of the Public Employment Retirement System (P.E.R.S.) and who are not covered by collective bargaining agreements and those who are covered by collective bargaining agreements, if such agreements require participation in the plan. On the effective date of this section (Resolution 1987-294, passed November 17, 1987) the authority shall reduce the current compensation payable to all employees who are members of P.E.R.S. and are eligible either as part of a group or as provided herein. The amount of contribution for each employee under this plan shall be equal to the mandatory employee contribution to P.E.R.S. as determined pursuant to Ohio R.C. 145.47, currently 8.5 percent of earnable compensation. The authority shall pay this amount to P.E.R.S. for each such employee but without withholding the same from the employee's compensation.~~

~~(b) Beginning on the effective date of this section (Resolution 1987-294, passed November 17, 1987), the Authority shall reduce the then current compensation payable to all of its employees who are members of P.E.R.S.; and who are not covered by collective bargaining agreements and, if the Authority enters into a collective bargaining agreement which requires the Authority to pick up employee contributions to P.E.R.S. for employees covered by such agreement, then by an amount equal to the mandatory employee contribution to P.E.R.S. as determined pursuant to Ohio R.C. 145.47, currently 8.5 percent of earnable compensation, and in addition shall pay (pick up) the employee contribution to P.E.R.S. for such employee, without withholding the same from the compensation of such employees.~~

~~(c) All employee contributions to P.E.R.S. made by the Authority pursuant to this section shall be considered part of the compensation of each employee affected by this section for purposes of determining the required employee contribution to P.E.R.S.~~

~~(d) All amounts contributed to P.E.R.S. by the Authority pursuant to this section shall be designated as employee contributions, but, although so designated, shall be paid by the Authority in lieu of contributions by employees affected by this section.~~

~~(e) Employees affected by this section shall not be given the option of choosing to receive the contributed amount directly instead of having them paid by the Authority to P.E.R.S.~~

~~(f) The General Manager/Secretary-Treasurer shall request a private letter ruling from the Internal Revenue Service that this section meets the requirements of Section 414(h)(2) of the Internal Revenue Code and the criteria set forth in Rev. Ruls. 81-35 and 81-36.~~

~~(g) This section shall become effective on the first day of the pay period after the Authority obtains the private letter ruling from the Internal Revenue Service and delivers such ruling, together with a copy of this section, to P.E.R.S.~~

~~(h) Employees shall become covered by this section on the first day of the first pay period occurring at least thirty days after the Authority notifies P.E.R.S. of the changes effected by this section.~~

~~(i) The General Manager/Secretary Treasurer is hereby authorized to take such further action and execute and deliver such further documents as, acting with the advice of counsel, he or she shall deem necessary and appropriate to carry out the intent of this section.~~

~~(Res. 1987-294. Passed 11-17-87.)~~

~~(j) See Section 650.06 et seq. for additional provisions regarding pensions.~~

628.035 PICK-UP EMPLOYEE PURCHASE OF ADDITIONAL SERVICE CREDITS.

~~(a) All employees who are contributing members of the Ohio Public Employees Retirement System (P.E.R.S. "OPERS") of Ohio may purchase additional service credits, tax-deferred, in accordance with OPERS requirements. Such purchases may be made by payroll deduction.~~

~~(b) The Authority shall withhold the required service credit deduction from the gross pay of each person who elects to do so and shall pick-up such deduction to the P.E.R.S.~~

~~(c) A person electing this pick-up deduction shall not have the option of choosing to receive the payroll deduction directly instead of having this deduction picked up by the Authority.~~

~~(d) Members who have elected to participate in this plan cannot increase, decrease or terminate the amount of the pick-up deduction.~~

~~(e) The CEO/General Manager/Secretary Treasurer is hereby authorized and directed to implement the provisions of this section to effect the pick-up of the payroll deduction for the purchase of additional service credit to the P.E.R.S. for the employees within the class established in subsection (a) herein.~~

~~(Res. 2001-33. Passed 2-27-01. Res. 2022-XX. Passed 2-15-2022)~~

~~628.04 ——— DEFERRED COMPENSATION.~~

~~(a) The Board of Trustees hereby adopts the Ohio Public Employees Deferred Compensation Program and extends to all eligible employees the opportunity to join such Program.~~

~~(b) The General Manager/Secretary Treasurer is hereby authorized to execute an agreement with the Ohio Public Employees Deferred Compensation Board on terms and conditions which he or she determines are in the best interest of the Authority. Such agreement shall authorize the Board to offer the Program to all eligible employees of the Authority and thereafter to administer the Program on behalf of such employees. (Res. 1977-65. Passed 2-22-77.)~~

400.10 OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM (“OPERS”)

All employees of the Authority are required by State law to participate in the Ohio Public Employees Retirement System (“OPERS”). Employees hired after June 30, 1986, will be subject to the mandatory percentage of Medicare Tax. All OPERS contributions and Medicare tax withholding will be automatically deducted from the employees' wages.

OPERS PICK-UP PLAN:

Internal Revenue Service Law-regulations makes it possible for an employer to pay (pick-up) employee contributions for members of OPERS. This ~~is a technique that~~ enables employers to designate employee contributions picked up by the employer as employer contributions.

The Federal Lawregulations states that employer contributions to a qualified pension plan are non-taxable to the employee until such time as the contributions are received as a refund or as retirement benefits.

EMPLOYEE PURCHASE OF ADDITIONAL SERVICE CREDITS.

All employees who are contributing members of the Ohio Public Employees Retirement System (“OPERS”) may purchase additional service credits, tax-deferred, in accordance with OPERS requirements. Such purchases may be made by payroll deduction.

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All employees of the Authority are required by State law to participate in the Ohio Public Employees Retirement System ("OPERS"). Employees hired after June 30, 1986, will be subject to the mandatory percentage of Medicare Tax. All OPERS contributions and Medicare tax withholding will be automatically deducted from the employees' wages.

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Internal Revenue Service regulations make it possible for an employer to pay (pick-up) employee contributions for members of OPERS. This enables employers to designate employee contributions picked up by the employer as employer contributions.

The regulations state that employer contributions to a qualified pension plan are non-taxable to the employee until such time as the contributions are received as a refund or as retirement benefits.

EMPLOYEE PURCHASE OF ADDITIONAL SERVICE CREDITS.

All employees who are contributing members of the Ohio Public Employees Retirement System ("OPERS") may purchase additional service credits, tax-deferred, in accordance with OPERS requirements. Such purchases may be made by payroll deduction.

400.15 OHIO DEFERRED COMPENSATION

All eligible GCRTA employees may participate in the Ohio Deferred Compensation program. Ohio Deferred Compensation qualifies as a deferred compensation plan under Section 457(b) of the Internal Revenue Code of 1986, 26 U.S.C. 457 and is organized under Chapter 148 of the Ohio Revised Code. Employees may enroll in the program by contacting Ohio Deferred Compensation directly at Ohio457.org. GCRTA will make deferrals to the program by payroll deduction.