



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 at **9 a.m. on Tuesday, December 5, 2023** 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 Board Page www.RideRTA.com/board via the meeting date for staff and members of the public. Members of the public may attend in person.

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.

External And Stakeholder Relations & Advocacy Committee

- Federal Advocacy Update – Update from federal advocacy partners, VSA (Van Scoyoc Associates), on the current federal landscape concerning the Authority and our strategic priorities.

Organizational, Services & Performance Monitoring Committee

- RFP Procurement – a presentation of a competitive negotiated procurement for transit and shelter advertising sales.
- IFB Procurement – a presentation of a competitive procurement for the purchase of ruggedized tablets for non-revenue vehicles.
- Negotiated Procurement – a presentation of a recurring negotiated sole source procurement for Computer Aided Dispatch and Automated Vehicle Locator maintenance and support services for a five-year period.

Operational Planning & Infrastructure Committee

- Budget Presentation - Proposed FY 2024 Budget

2nd Public Hearing

- FY 2024 Budget

Audit, Safety Compliance And Real Estate Committee

- Insurance Program – Presentation on the Property Insurance Renewal Program.
- Safety Update - Presentation on the 2024 Public Transportation Agency Safety Plan (PTASP).

Committee of the Whole

- Code Book Updates:
 - A request to amend Chapter 212 Definitions and Interpretation of the Codified Rules and Regulations.
 - A request to amend Chapter 465 Financial Assistance of the Codified Rules and Regulations.
- Executive Session Requested
 - To review the negotiations concerning the compensation/terms and conditions of the employment for GCRTA's (union) employees.
 - To enable the Board to conference with GCRTA attorneys for information gathering, fact finding, and to receive legal advice.

India L. Birdsong Terry
General Manager, Chief Executive Office



AGENDA

RTA EXTERNAL & STAKEHOLDER RELATIONS & ADVOCACY COMMITTEE

Tuesday, December 5, 2023

Committee Members: TBD, Chair
 Mayor Paul A. Koomar, Vice Chair
 Mayor Anthony D. Biasiotta
 Ms. Deidre Y. McPherson
 Ms. Lauren R. Welch

- I. Roll Call
- II. Federal Advocacy Update – update from federal advocacy partners, VSA (Van Scoyoc Associates), on the current federal landscape concerning the Authority and our strategic priorities.


 Presenter:
 - Jennifer LaTourette, President and Chief Operating Officer, Van Scoyoc Associates
- III. Adjourn



Greater Cleveland
Regional Transit Authority

Interoffice Memo

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

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

Date: November 30, 2023

Subject: Federal Advocacy Update

At the December 5th External and Stakeholder Relations & Advocacy Committee meeting, staff will receive an update from our federal advocacy partners, VSA (Van Scoyoc Associates), on the current federal landscape concerning the Authority and our strategic priorities.

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

IBT/NWM

AGENDA

RTA ORGANIZATIONAL, SERVICES & PERFORMANCE MONITORING COMMITTEE

Tuesday, December 5, 2023

Committee Members: Mayor Anthony D. Biasiotta, Chair
Mayor Paul A. Koomar, Vice Chair
Mr. Jeffrey W. Sleasman
Mayor David E. Weiss
Ms. Lauren R. Welch

- I. Roll Call
- II. RFP Procurement – a presentation of a competitive negotiated procurement for transit and shelter advertising sales.

Presenter(s):
 - Sharon Jenkins, Director of Marketing
 - Ashley Bober, Contract Administrator II
- III. IFB Procurement – a presentation of a competitive procurement for the purchase of ruggedized tablets for non-revenue vehicles.

Presenter(s):
 - Mike Lively, Director of Information Technology
 - Julie Schultz, ITS Manager
 - Ann Marie Prebish, Contract Administrator II
- IV. Negotiated Procurement – a presentation of a recurring negotiated sole source procurement for Computer Aided Dispatch and Automated Vehicle Locator maintenance and support services for a five-year period.

Presenter(s):
 - Julie Schultz, ITS Manager
 - Shawn Becker, Program Contract Manager
- V. Adjourn



Greater Cleveland
Regional Transit Authority

Interoffice Memo

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

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

Date: November 30, 2023

Subject: Summary of Proposed Award – Transit and Shelter Advertising Sales

This is an RFP procurement for a firm to provide the Authority with a revenue generating program for the Transit and Shelter Advertising Sales project.

At the December 5, 2023, 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 December 19, 2023 meeting of the Board of Trustees.

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

IBT/MD
Attachment



Greater Cleveland
Regional Transit Authority

Interoffice Memo

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

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

Date: November 30, 2023

Subject: Summary of Award – Ruggedized Tablets for Non-Revenue Vehicles

This is an IFB procurement for the purchase of ruggedized tablets for non-revenue vehicles to support several departments within the Authority.

At the December 5, 2023, 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 December 19, 2023 meeting of the Board of Trustees.

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

IBT/MD
Attachment

SUMMARY OF AWARD
Ruggedized Tablets for Non-Revenue Vehicles

PROJECT OVERVIEW:

The Transit Police Department of the Greater Cleveland Regional Transit Authority ("Authority") operates an Computer Aided Dispatch and Automated Vehicle Locator (CAD/AVL) software. The CAD/AVL, along with the Authority's radio system, allows the Transit Police dispatchers to communicate and track vehicles. Officers utilize the CAD/AVL on their computers to verify real-time data with the dispatchers to help improve situational awareness and improve speed and accuracy of field reporting.

The Authority's support departments, including Service Quality, Electronic Repair and Mobile Equipment Mechanics, play vital roles in keeping the equipment and services running at safe and optimal levels. These departments utilize the CAD/AVL system, TransitMaster, to locate vehicles in service, view real-time data/communications, and to respond to urgent needs of the vehicles and passengers. For the CAD/AVL system to function properly, the hardware and software must be maintained and operational. If one hardware/software component fails, it affects the system and, in many cases, causes the other areas of the system to fail.

The current devices are several years old and many of them are not rated for rugged/mobile usage, causing further system failures and repetitive maintenance. The Authority has identified a viable ruggedized solution to meet the needs of each of these departments. Replacing these devices will ensure the safety of passengers, employees and vehicles, as well as, maintain the highest level of services possible.

PROCUREMENT OVERVIEW:

The Invitation for Bid ("IFB") for the Ruggedized Tablets for Non-Revenue was issued on September 10, 2023. The necessary legal notice was published in the Plain Dealer and Call & Post newspapers. The IFB was also published on the RTA web site.

The IFB was accessed and/or downloaded from the web site by forty-one (41) interested parties. Six (6) bids were received and opened on October 12, 2023. Of those six (6) bids, there were two (2) responsive bids. They are as follows:

Company Name	Total Base Bid
Baycom, Inc.	\$263,444.40
Southern Computer Warehouse	\$297,251.74

The Basis of Award is the lowest responsive bid from a responsible bidder for the Total Base Bid price. Baycom, Inc. was determined to be a responsive and responsible bidder. The Total Base Bid is 24.73% below the project estimate of \$349,995.00.

RECOMMENDATION:


The Office of Business Development has set a 0% DBE participation goal for this project. A resolution will request authorization to issue a contract to Baycom, Inc. to provide the Ruggedized Tablets for Non-Revenue Vehicles in a total amount of \$263,444.40.



Greater Cleveland
Regional Transit Authority

Interoffice Memo

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

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

Date: November 30, 2023

Subject: Summary of Award – CAD/AVL Maintenance and Support

This is a negotiated procurement for annual maintenance and support for its Computer Aided Dispatch and Automated Vehicle Locator (CAD/AVL) software. This CAD/AVL system along with GCRTA's radio system allows the Authority to track vehicles, monitor on-time performance and talk/text with vehicle operators.

At the December 5, 2023, 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 December 19, 2023 meeting of the Board of Trustees.

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

IBT/MD
Attachment

SUMMARY OF PROPOSED AWARD CAD/AVL Maintenance & Support

PROJECT OVERVIEW:

The Greater Cleveland Regional Transit Authority has an ongoing need for annual maintenance and support for its Computer Aided Dispatch and Automated Vehicle Locator (CAD/AVL) software, branded as "OnRoute" (Formerly known as TransitMaster). OnRoute is a product of Trapeze Software Group, Inc. dba Vontas ("Vontas"). The CAD/AVL system along with GCRTA's radio system allows the Authority to track vehicles, monitor on-time performance and talk/text with vehicle operators.

The CAD/AVL system, including the hardware and software it is comprised of, must be properly maintained and supported in order to function effectively. A maintenance and support agreement is vital to the Authority's transit operations, and is critical to maintaining communications. The support agreement ensures the software and hardware are properly maintained, failures are corrected expeditiously, and software patches are routinely provided to fix bugs. Having a support agreement in place also includes software upgrades at no additional cost.

PROCUREMENT OVERVIEW:

The Authority has had the need for an ongoing maintenance and support agreement with Trapeze Software Group, Inc. dba Vontas for its CAD/AVL software, OnRoute, formerly known as TransitMaster. The OnRoute software is proprietary to Vontas. Any training, upgrades, modifications and/or development to the software must be provided by Vontas employees. A maintenance and support agreement must be maintained with Vontas, the original provider, to ensure the software and hardware are properly supported. Due to these reasons, this project is deemed a sole source procurement and is exempt from competitive bidding as authorized under Section 306.43(H)(3) of the Ohio Revised Code.

The Procurement Department requested a proposal from Vontas on November 16, 2023. A proposal was received on November 28, 2023. The proposal was reviewed by representatives from the Information Technology and Procurement Departments, and is deemed to be advantageous, fair, and reasonable to the Authority.

RECOMMENDATION

Trapeze Software Group, Inc. dba Vontas, with an office at 5265 Rockwell Drive NE, Cedar Rapids, Iowa 52402, specializes in providing intelligent transportation system solutions to help transit agencies create a smart, safe, reliable, accessible, and more connected public transit experience.

The strengths of Trapeze Software Group, Inc. dba Vontas include:

- Sole focus on the transit industry
- Pioneers in providing intelligent transportation system solutions
- Serving transit for over thirty (30) years
- Over forty (40) offices worldwide
- Support 135+ large transit agencies across North America
- Clients consist of 1/3 of top 100 fleets in North America in the CAD/AVL space
- Partners with GCRTA for approximately 20 years

CLIENT BASE

Trapeze Software Group, Inc. dba Vontas has worked with GCRTA, Central Ohio Transit Authority (COTA), Capital Area Transit Authority (CATA), Southwest Ohio Regional Transit Authority (SORTA), Dallas Area Rapid Transit (DART), Massachusetts Bay Transportation Authority (MBTA), Maryland Transit Authority (MTA), Nashville Metropolitan Transit Authority (WeGo) and Pace Suburban Bus (Suburban Chicago), among many others.

A resolution will request authorization to issue a contract to Trapeze Software Group, Inc. dba Vontas to provide Computer Aided Dispatch and Automated Vehicle Locator Maintenance and Support services for a five-year period in an amount not to exceed \$4,559,274.00. This negotiated total is approximately 13% below the independent cost estimate of \$5,225,000.00.

AGENDA

RTA OPERATIONAL PLANNING & INFRASTRUCTURE COMMITTEE

Tuesday, December 5, 2023

Committee Members: Ms. Lauren R. Welch, Chair
Mayor Paul A. Koomar, Vice Chair
Mr. Stephen M. Love
Mr. Jeffrey W. Sleasman

I. Roll Call

II. Budget Presentation – Proposed FY 2024 Operating Budget.

Presenters:

- Kay Sutula, Director - Office of Management and Budget

III. Second Public Hearing – Proposed FY 2024 Budget

Presenters:

- Kay Sutula, Director - Office of Management and Budget


IV. Adjourn



Greater Cleveland
Regional Transit Authority

Interoffice Memo

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

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

Date: November 30, 2023

Subject: Proposed Fiscal Year (FY) 2024 Budget

At the December 5, 2023 Operational Planning & Infrastructure Committee meeting, staff will present the proposed FY 2024 Budget. A second public hearing will be held after the budget presentation.

The proposed FY 2024 Budget includes total revenues of \$335.4 million. The two largest sources of revenue are Sales & Use Tax and Passenger Fares estimated at \$268.3 million and \$27.1 million, respectively.

Operating expenditures are budgeted at \$293.6 million, which includes funding for 26 new positions and wage increases, which are largely contractual through the FOP and ATU. Transfers to other funds total \$40.2 million, which includes a 10% transfer for the Capital Improvement Program. With total expenditures of \$333.8 million against total revenues of \$335.4 million, and a beginning balance of \$22.0 million, the projected ending balance is budgeted at \$23.6 million, or a 1.0-month reserve.



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

IBT/kms



Greater Cleveland
Regional Transit Authority

Interoffice Memo

To: India Birdsong Terry, CEO, General Manager 
From: Rajan D. Gautam, DGM – Finance, Secretary-Treasurer 
Subject: Public Hearing Notice – FY 2024 Operating and Capital Budgets
Date: October 26, 2023

Notice is hereby given that a public hearing on the FY 2024 Operating and Capital Budgets of the Greater Cleveland Regional Transit Authority will be held at 9:00 A.M. Eastern Daylight Time on Tuesday, November 14, 2023. A second public hearing will be held at 9:00 A.M. Eastern Daylight Time on Tuesday, December 5, 2023. Both public hearings will be held in the Board Room of the Authority, 1st Floor, Main Office Building, 1240 West Sixth Street, Cleveland, Ohio. A copy of the proposed budget is on file in the Office of Management and Budget of the Greater Cleveland Regional Transit Authority, 4th Floor, 1240 West Sixth St., Cleveland, OH, and available for public inspection.

The board committee meetings and public hearing will be live streamed on RTA's website at (www.riderta.com/board) by selecting the meeting day. Public comments for the Public Hearings can be made in person at the meeting, via phone during the Public Hearing (440-276-4600), or via email (public-comment@gcrtcra.org).

India Birdsong Terry, General Manager, Chief Executive Officer,
Greater Cleveland Regional Transit Authority

AGENDA

RTA AUDIT, SAFETY COMPLIANCE AND REAL ESTATE COMMITTEE

Tuesday, December 5, 2023

Committee Members: Mayor Paul A. Koomar, Chair
Ms. Calley Mersmann
Mr. Jeffrey W. Sleasman
Mayor David E. Weiss

- I. Roll Call
- II. Insurance Program – Presentation on the Property Insurance Renewal Program.

Presenter:
 - Judy Lincoln, Director, Risk Management
- III. Safety Update - Presentation on the 2024 Public Transportation Agency Safety Plan (PTASP).


Presenter:
 - Steve Peganoff, Director, Safety
- IV. Adjourn



Greater Cleveland
Regional Transit Authority

Interoffice Memo

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

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

Date: November 30, 2023

Subject: Property Insurance Renewal

At the December 5, 2023, Audit, Safety Compliance and Real Estate Committee meeting, Judy Lincoln, Director of Risk Management, will provide a presentation on GCRTA's Property Insurance policy renewal.

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


IBT/JLL



Greater Cleveland
Regional Transit Authority

Interoffice Memo

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

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

Date: November 30, 2023

Subject: 2024 Public Transportation Agency Safety Plan

At the December 5, 2023 Audit, Safety Compliance, and Real Estate Committee meeting, Director of Safety, Steven Peganoff, will provide a presentation on the Public Transportation Agency Safety Plan for 2024.

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

IBT/SP

AGENDA

RTA COMMITTEE OF THE WHOLE BOARD

Tuesday, December 5, 2023

Committee Members: President Charles P. Lucas, Chair
 Mayor Paul A. Koomar, Vice Chair
 Mayor Anthony D. Biasiotta
 Mr. Stephen M. Love
 Ms. Deidre Y. McPherson
 Ms. Calley Mersmann
 Mr. Jeffrey W. Sleasman
 Mayor David E. Weiss
 Ms. Lauren R. Welch

I. Roll Call

II. Code Book Updates:

- A request to amend Chapter 212 Definitions and Interpretation of the Codified Rules and Regulations
- A request to amend Chapter 465 Financial Assistance of the Codified Rules and Regulations

Presenter:

- Dawn Tarka, Associate Counsel II

III. Executive Session Requested:

- To review the negotiations concerning the compensation/terms and conditions of the employment for GCRTA's (union) employees.
- To enable the Board to conference with GCRTA attorneys for information gathering, fact finding, and to receive legal advice.


IV. Adjourn



Greater Cleveland
Regional Transit Authority

Interoffice Memo

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

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

Date: November 30, 2023

Subject: Code Book Update

At the December 5, 2023 Committee of the Whole meeting, staff will present proposed revisions to the Authority's Codified Rules and Regulations and Personnel Policies.

The proposed revisions to the policies include:

1. Amend Chapter 212 Definitions and Interpretation
2. Amend Chapter 465 Financial Assistance

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

Attachments: A. Redline of Chapter 212 Definitions and Interpretation
B. Redline of Chapter 465 Financial Assistance

IBT/dmt

CHAPTER 212
Definitions and Interpretation

212.01	Definitions.	212.04	Construction of section references.
212.02	Rules of construction.	212.05	Conflict of laws.
212.03	Revivor; effect of re-enactment, amendment or repeal.	212.06	Severability.
		212.07	Repeal.

CROSS REFERENCES

Urban mass transportation - see 49 U.S.C.A. 1601 et seq.
 Urban Mass Transportation Administration, Department of Transportation - see 49 C.F.R. Ch. VI
 Regional transit authorities - see ~~Ohio~~ R.C. 306.30 et seq.
 Creation of regional transit authority - see ~~Ohio~~ R.C. 306.31, 306.32
 Rules and regulations of Board of Trustees - see ~~Ohio~~ R.C. 306.34
 Authority to adopt, amend and repeal bylaws - see ~~Ohio~~ R.C. 306.35(D)
 Dissolution of authority or modification of membership - see ~~Ohio~~ R.C. 306.54
 Penalty for violations of ~~county transit system rules and regulations~~ Section 306.35(D)(4) - see ~~Ohio~~ R.C. 306.99(B)
 Interpretation of Bylaws - see Bylaws Art. IX
 Amendments and supplements - see ADM. 210.02

212.01 DEFINITIONS.

As used in these ~~Policies and Procedures~~ Codified Rules and Regulations of the Board of Trustees of the Greater Cleveland Regional Transit Authority, unless otherwise expressly provided or the context otherwise requires:

- (a) "And" may be read "or," and "or" may be read "and," if the sense requires it.
- (b) "Authority" means the Greater Cleveland Regional Transit Authority, established pursuant to ~~Ohio~~ R.C. 306.32.
- (c) "Board" means the Board of Trustees of the Greater Cleveland Regional Transit Authority, appointed as provided in ~~Ohio~~ R.C. 306.33.
- (d) "County" means Cuyahoga County, Ohio.
- (e) "Land" and "real estate" include rights and easements of an incorporeal nature.

(f) "Law" means any and all laws, including constitutions, statutes, ordinances, resolutions, rules, regulations, motions and orders, of the United States, any state, any political subdivision of a state, any municipal corporation or any other legal entity.

(g) "May" is permissive.

(h) "Month" means a calendar month.

(i) "Motion" means a legislative enactment of the Board of Trustees that is recorded in the minutes of the Board but which is not separately published.

(j) "Owner," when applied to property, includes a part owner, joint owner or tenant in common of the whole or any part of such property.

(k) "Person" means the State, a municipal corporation, a political subdivision, a public or private corporation, an individual, a partnership, a firm, an association, a business trust, an estate, a trust or any other entity.

(l) "Premises," when used as applicable to property, extends to and includes land and buildings.

(m) "Property" includes real and personal property and any mixed and lesser estates or interests therein. "Personal property" includes every kind of property except real property; "real property" includes land, tenements and hereditaments.

(n) "Public place" means any place to or upon which the public resorts or travels, whether such place is owned or controlled by a municipality, the State or the United States, or any agency of the State or the United States, or is a place to or upon which the public resorts or travels by custom or by invitation, express or implied.

(o) "Reasonable time" means such time only as may be necessary for the prompt performance of an act or the giving of required notice.

(p) "Residence" means an abode in which a person permanently resides.

(q) "Resolution" means a legislative enactment of the Board of Trustees that is separately published and recorded.

(r) "Shall" is mandatory.

(s) "Sidewalk" means that portion of a street between the curb lines or lateral lines and the right-of-way lines, which is intended for the use of pedestrians.

(t) "State" means the State of Ohio.

(u) "Street," "highway" and "alley" mean the entire width subject to an easement for public right of way, or owned in fee by a municipality, county or the State, of every way or place, of whatever nature, whenever any part thereof is open to the use of the public as a matter of right for purposes of public travel. The word "alley" means any such way or place providing a secondary means of ingress and egress from a property.

(v) "Transit facility" means:

(1) A street railway, motor bus, tramline, subway, monorail, rapid transit, ~~aeroplane~~airplane, helicopter, ferry or other ground or water transportation system having as its primary purpose the regularly scheduled mass movement of passengers between locations within the territorial boundaries of the Greater Cleveland Regional Transit Authority, including all rights of way, power lines, rolling stock, equipment, machinery, terminals, buildings, administration and maintenance and repair facilities, and supporting parking facilities, and franchise rights attendant thereto, but excluding therefrom trucks and facilities designed for use in the movement of property by truck;

(2) Docks, wharves, warehouses, piers and other port, terminal or transportation facilities and marinas;

(3) Facilities used, available for use or designed for use to aid in the safe taking off or landing of aircraft, for the safety, storage and maintenance of aircraft, for the comfort and accommodation of users of air transportation, including persons, property and mail, or for the safe and efficient operation and maintenance of an airport, and buildings and facilities as are reasonably necessary for the comfort and accommodation of the users of transit facilities; or

(4) Any combination of the foregoing.

(w) "Written" and "in writing" include any representation of words, letters or figures, whether by printing or otherwise.

212.02 RULES OF CONSTRUCTION.

(a) Common and Technical Use. Words and phrases shall be read in context and construed according to the rules of grammar and common usage. Words and phrases that have acquired a technical or particular meaning, whether by legislative definition or otherwise, shall be construed accordingly.

(b) Singular and Plural; Gender; Tense.

(1) The singular includes the plural, and the plural includes the singular.

(2) Words of one gender include the other genders.

(3) Words in the present tense include the future.

(c) Computation of Time.

(1) The time within which an act is required by law to be done shall be computed by excluding the first and including the last day; except that when the last day falls on Sunday or a legal holiday, then the act may be done on the next succeeding day which is not Sunday or a legal holiday.

Committee Memo Attachment A

(2) If a number of months is to be computed by counting the months from a particular day, the period ends on the same numerical day in the concluding month as the day of the month from which the computation is begun, unless there are not that many days in the concluding month, in which case the period ends on the last day of that month.

(3) When an act is to take effect or become operative from and after a day named, no part of that day shall be included.

(d) Liberal Construction. All general provisions, terms, phrases and expressions contained in these Codified Rules and Regulations ~~Policies and Procedures of the Board of Trustees~~ of the Greater Cleveland Regional Transit Authority shall be liberally construed in order that the true intent and meaning of the Board of Trustees may be fully carried out.

(e) Minimum Requirements. In the interpretation and application of these Codified Rules and Regulations ~~Policies and Procedures~~, they shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare.

212.03 REVIVOR; EFFECT OF RE-ENACTMENT, AMENDMENT OR REPEAL.

(a) The repeal of a repealing provision of these Codified Rules and Regulations ~~Policies and Procedures of the Board of Trustees~~ of the Greater Cleveland Regional Transit Authority does not revive the provision originally repealed or impair the effect of any saving clause therein.

(b) The re-enactment, amendment or repeal of a provision of these Codified Rules and Regulations ~~Policies and Procedures~~ does not, except as provided in subsection (c) hereof:

(1) Affect the prior operation of the provision or any prior action taken thereunder;

(2) Affect any validation, cure, right, privilege, obligation or liability previously acquired, accrued, accorded or incurred thereunder;

(3) Affect any violation thereof or penalty, forfeiture or punishment incurred in respect thereto, prior to the amendment or repeal;

(4) Affect any investigation, proceeding or remedy in respect of any such privilege, obligation, liability, penalty, forfeiture or punishment; and the investigation, proceeding or remedy may be instituted, continued or enforced, and the penalty, forfeiture or punishment imposed, as if the provision had not been repealed or amended.

(c) If the penalty, forfeiture or punishment for any offense is reduced by a re-enactment or amendment of a provision of these Codified Rules and Regulations~~Policies and Procedures~~, the penalty, forfeiture or punishment, if not already imposed, shall be imposed according to the provision as amended.

212.04 CONSTRUCTION OF SECTION REFERENCES.

(a) A reference to any portion of a provision of these ~~Policies and Procedures of the Board of Trustees~~Codified Rules and Regulations of the Greater Cleveland Regional Transit Authority applies to all re-enactments or amendments thereof.

(b) References in these ~~Policies and Procedures~~Codified Rules and Regulations to action taken or authorized under designated sections of these ~~Policies and Procedures~~Codified Rules and Regulations include, in every case, action taken or authorized under the applicable legislative provision which is superseded by these ~~Policies and Procedures~~Codified Rules and Regulations.

212.05 CONFLICT OF LAWS.

(a) In the event of a conflict or inconsistency between any of the provisions of any resolution or motion enacted by the Board of Trustees and a provision of the Bylaws of the Greater Cleveland Regional Transit Authority, the provision of the Bylaws shall control.

(b) In the event of a conflict or inconsistency between any of the provisions of these ~~Policies and Procedures of the Board of Trustees~~Codified Rules and Regulations of the Greater Cleveland Regional Transit Authority and another provision of these Codified Rules and Regulations~~Policies and Procedures~~, including provisions of codes, rules, regulations, agreements, policies, procedures or other documents adopted by reference in these Codified Rules and Regulations~~Policies and Procedures~~, or otherwise adopted by the Board of Trustees but not codified in full in these Codified Rules and Regulations~~Policies and Procedures~~, that provision which is later in date shall control, but if neither provision is later in date than the other, then that provision which establishes the higher or stricter standard, or imposes the greater restriction or regulation, shall control.

(c) In the event of a conflict or inconsistency between any of the provisions of these Codified Rules and Regulations~~Policies and Procedures~~, including provisions of codes, rules, regulations, agreements, policies, procedures or other documents adopted by reference in these Codified Rules and Regulations~~Policies and Procedures~~, or otherwise adopted by the Board of Trustees but not codified in full in these Codified Rules and Regulations~~Policies and Procedures~~, and a provision of ~~State-state~~ or ~~Federal-federal~~ law, the provision of ~~State-state~~ or ~~Federal-federal~~ law shall control, except in those cases where the Board of Trustees is expressly authorized by ~~State-state~~ or ~~Federal-federal~~ law to enact legislation that is not consistent with ~~State-state~~ and/or ~~Federal-federal~~ law.

212.06 SEVERABILITY.

(a) Each section and each part of each section of these Codified Rules and Regulations~~Policies and Procedures of the Board of Trustees~~ of the Greater Cleveland Regional Transit Authority is hereby declared to be an independent section or part of a section and, notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any such section or part of a section, or any provision thereof, or the application thereof to any person or circumstance, is held to be invalid or unconstitutional, the remaining sections or parts of sections and the application of such provision to any other person or circumstance, other than those as to which it is held invalid or unconstitutional, shall not be affected thereby, and it is hereby declared to be the legislative intent that these Codified Rules and Regulations~~Policies and Procedures~~ would have been adopted independently of such section or part of a section so held to be invalid.

(b) The provisions of this section shall apply to the amendment of any section of these Codified Rules and Regulations~~Policies and Procedures~~, whether or not the wording of this section is set forth in the amendatory resolution or motion.

212.07 REPEAL.

(a) All motions and resolutions and parts of motions and resolutions of the Board of Trustees, and all rules, regulations and orders promulgated under authority of such motions and resolutions, or under authority of ~~State-state~~ or ~~Federal-federal~~ law, that are in conflict with or in any manner inconsistent with any of the provisions of these Codified Rules and Regulations~~Policies and Procedures of the Board of Trustees~~ of the Greater Cleveland Regional Transit Authority, are hereby repealed.

(b) The repeal of any motion, resolution, rule, regulation or order shall not affect any punishment or penalty incurred before the repeal takes effect, or any suit, prosecution or proceeding pending at the time of the repeal, for an offense committed or cause of action arising under the motion, resolution, rule, regulation or order repealed.

Committee Memo Attachment B

CHAPTER 465
Financial Assistance

465.01	Federal grant applications.	<u>465.06</u>	<u>Application for Funds</u>
465.02	State grant applications.		<u>Allocated by the Northeast</u>
465.03	Execution of grant contracts.		<u>Ohio Areawide Coordinating Agency ("NOACA")</u>
465.04	Documents, reports and information.	465.06 <u>465.07</u>	<u>Private grants.</u>
		465.07 <u>465.08</u>	<u>Authority of Acting CEO, General Manager/Secretary Treasurer, Chief Executive Officer.</u>
465.05	Acceptance and expenditure of funds.		

CROSS REFERENCES

Federal Grants (MAP-21) – see 49 U.S.C.A. Chapter 53
Requirements to receive ~~Federal~~federal grants – see 49 U.S.C. 5807(R) (1)
Borrowing from ~~Federal~~federal, ~~State~~state, other governmental or private source
- see Ohio R.C. 306.35(J)
Grants from the United States, the State of Ohio, other governmental or private sources – see Ohio R.C. 306.35(R)
Grants for assistance for elderly and disabled – see Ohio R.C. 5501.07(B)
Department of Internal Audit – see ADM. Ch. 260
Internal audit policies and procedures – see ADM. Ch. 262
Finance ~~and Administration~~ Division – see ADM. Ch. 286
Contracts and procurements – see FIN. Ch. 410
Debt policies – see FIN. Ch. 420

465.01 FEDERAL GRANT APPLICATIONS.

(a) Federal Grants.

- (1) The ~~CEO~~, General Manager/~~Secretary~~ Treasurer, Chief Executive Officer may execute and file applications for ~~Federal~~federal assistance on behalf of the Greater Cleveland Regional Transit Authority.
- (2) The ~~CEO~~, General Manager/~~Secretary~~ Treasurer, Chief Executive Officer may execute and file with its applications, certifications and

assurances and other documents the awarding agency may require for a ~~Federal-federal~~ assistance grant or cooperating agreement. (Res. 2007-165. Passed 11-20-07.)

(b) The ~~CEO~~,—General Manager/~~Secretary-Treasurer~~, Chief Executive Officer—may submit grant applications to the State of Ohio Department of Transportation, to provide for the ~~State's-state's~~ share of the non-~~Federal-federal~~ funds necessary for ~~Federal-federal~~ grant applications executed and filed as provided for in subsection (a)(1) hereof, and ~~State-state~~ funding for other eligible transit projects.

(Res. 1992-158. Passed 9-22-92.) ~~(Res. 2016-69. Passed 8-16-16.)~~ Res. 2023- XXX. Passed 12-19-23.)

465.02 STATE GRANT APPLICATIONS.

The ~~CEO~~, General Manager/~~Secretary-Treasurer~~, Chief Executive Officer may ~~submit-file~~ grant applications, along with any necessary certifications and documentation, to the State of Ohio for ~~State-state~~ grant funds on behalf of the Greater Cleveland Regional Transit Authority.

(Res. 1992-17. Passed 1-21-92; Res. 1992-158. Passed 9-22-92; Res. 1993-158. Passed 9-21-93; Res. 2016-69. Passed 8-16-16.)

465.03 EXECUTION OF GRANT CONTRACTS.

(a) The ~~CEO~~,—General Manager/~~Secretary-Treasurer~~, Chief Executive Officer may execute grant and cooperative agreements with awarding ~~Federal-federal~~ agencies on behalf of the Authority.

(b) The ~~CEO~~, General Manager/~~Secretary-Treasurer~~, Chief Executive Officer may execute grant contracts with the State of Ohio on behalf of the Authority. (Res. 2016-69. Passed 8-16-16.)

465.04 DOCUMENTS, REPORTS AND INFORMATION.

(a) Information Required by the State of Ohio. The ~~CEO~~,—General Manager/~~Secretary-Treasurer~~, Chief Executive Officer may furnish such additional information, assurances or other documentation, execute any and all documents or assurances and make such reports as is necessary and required by the State of Ohio for ~~State-state~~ grant funds on behalf of the Authority.

(Res. 1992-17. Passed 1-21-92.)

(b) Information Required by the United States Government.

(1) The ~~CEO~~,—General Manager/~~Secretary-Treasurer~~, Chief Executive Officer may execute and file assurances or other documents, and furnish such additional information as the awarding ~~Federal-federal~~

agencies may require in connection with ~~Federal-federal~~ grant applications on behalf of the Authority.

- (2) The ~~CEO, General Manager/Secretary-Treasurer, Chief Executive Officer~~ may set forth and execute affirmative minority business policies in connection with the procurement needs for projects funded by ~~Federal-federal~~ grants.

(Res. 1993-156. Passed 9-21-93; Res. 2016-69. Passed 8-16-16.)

465.05 ACCEPTANCE AND EXPENDITURE OF FUNDS.

(a) The ~~CEO, General Manager/Secretary-Treasurer, Chief Executive Officer~~ may accept ~~Federal-federal~~ funds from awarding ~~Federal-federal~~ agencies on behalf of the Authority and expend such funds in accordance with applicable law, regulations and grant agreements. (Res. 2007-165. Passed 11-20-07.)

(b) The ~~CEO, General Manager/Secretary-Treasurer, Chief Executive Officer~~ may accept and receive funds from the State of Ohio and expend the same pursuant to the terms and conditions of corresponding grant contracts with the State of Ohio. (Res. 1992-17. Passed 1-21-92.)

~~(c) The CEO, General Manager/Secretary-Treasurer, Chief Executive Officer may apply to the Northeast Ohio Areawide Coordinating Agency ("NOACA") and the Federal Transit Administration ("FTA") for funds allocated by NOACA, execute any necessary agreements with NOACA and FTA, accept Federal-federal funds from the FTA, received through agreements with NOACA, and expend such funds in accordance with applicable law, regulations and grant agreements. (Res. 1976-171. Passed 5-25-76.) (Res. 2016-69. Passed 8-16-16.)~~

465.06 FUNDS ALLOCATED BY THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY ("NOACA")

(a) That the General Manager, Chief Executive Officer is hereby authorized to file applications, as required, and to execute contracts, as required, on behalf of the Greater Cleveland Regional Transit Authority with the Northeast Ohio Areawide Coordinating Agency ("NOACA") for financial assistance and capital project programs (including transfer of highway funds) under all NOACA programs.

(b) That the General Manager, Chief Executive Officer is authorized to execute and file such applications, any assurances or any other documentation required by NOACA under the financial assistance and capital project programs.

(c) That the General Manager, Chief Executive Officer is authorized to furnish such additional information as NOACA may require.

(d) That that the authority granted in subsections (a) - (c) hereof is conditioned upon an assessment by the General Manger, Chief Executive Officer that (1) any required local match funds are available; (2) the Greater Cleveland

Regional Transit Authority is willing to provide the local match amount for any funding awarded to it by NOACA and (3) the Greater Cleveland Regional Transit Authority represents in writing to NOACA that it is willing to provide the local match amount for any funding awarded to it by NOACA .

(c) That the General Manager, Chief Executive Officer is authorized to accept the funds resulting from the NOACA financial assistance and capital programs.

465.01465.07 PRIVATE GRANTS.

The ~~CEO, General Manager/Secretary-Treasurer, Chief Executive Officer~~ is hereby authorized to borrow or accept grants from private sources in accordance with State law.

(Res. 2016-69. Passed 8-16-16.)

465.02465.08 AUTHORITY OF ACTING GENERAL MANAGER/~~SECRETARY-TREASURER, CHIEF EXECUTIVE OFFICER.~~

In the absence of the ~~CEO, General Manager/Secretary-Treasurer, Chief Executive Officer~~, the Acting ~~CEO, General Manager/Secretary-Treasurer, Chief Executive Officer~~ of the Authority is hereby authorized to perform any and all of the functions described in this chapter.

(Res. 1992-17. Passed 1-21-92; Res. 1992-157. Passed 9-22-92; Res. 1992-158. Passed 9-22-92; Res. 2016-69. Passed 8-16-16.)