SUMMARY STATEMENT

ITEM NO.: PATCO-13-008
SUBJECT: Approval of Purchasing Settlement Agreements

COMMITTEE: Finance

COMMITTEE MEETING DATE: March 6, 2013

BOARD ACTION DATE: March 20, 2013

PROPOSAL: That the Board of Commissioners authorizes staff to enter into settlement agreements in order to satisfy claims arising from parts, materials and repair services supplied or otherwise delivered by the vendors set forth in Exhibit A in furtherance of PATCO’s critical operations.

Amount: See Attached Exhibit A

Period: October 1, 2012 through February 28, 2013

PURPOSE: PATCO is requesting authority to enter into settlement and release agreements in order to resolve claims brought by vendors who provided parts, materials and repairs services crucial to the maintenance and operation of PATCO rail systems and other facilities during the period between October 1, 2012, and February 28, 2013. The invoices supporting the individual settlement amounts are indexed and attached hereto as Exhibit A.

BACKGROUND: Currently, much of the equipment being maintained and serviced by PATCO comes from sole or single source vendors, and/or specific to the rail industry so that there are few vendors have the requisite experience and expertise to perform the work or services. The involved vendors performed repair services and/or parts needed to repair and maintain rolling stock and other equipment.

The settlement and release agreements are listed on Exhibit A with the understanding that the Board may be willing to consider all of these agreements at one time, but if any member of the Board wishes to remove any one or more of the agreements from the list for separate consideration, each member will have that privilege.

SUMMARY:

Amount: See Exhibit A
Source of Funds: PATCO Operating and Capital Budgets
Period: September 1, 2012 through February 28, 2013
Master Plan Status: N/A
Other Fund Sources: N/A
Duration of Contract: N/A
Other Parties: N/A
RESOLUTION

RESOLVED: That the Board of Commissioners authorizes staff to enter into settlement and release agreements with the vendors and for the amounts set forth in Exhibit A; and be it further

RESOLVED: That the Chair, Vice Chair and the President must approve and are hereby authorized to approve and execute all necessary agreements, contracts, or other documents on behalf of the PATCO, after review and approval by Office of General Counsel. If such agreements, contracts, or other documents have been approved by the Chair, Vice Chair and President and if thereafter either the Chair or Vice Chair is absent or unavailable, the remaining Officer may execute the said document(s) on behalf of PATCO. If both the Chair and Vice Chair are absent or unavailable, and any agreement or agreements need to be executed during their absence, then the President may execute on behalf of PATCO.

SUMMARY:
Amount: See Attached Exhibit A
Source of Funds: PATCO Operating and Capital Budgets
Period: Calendar Year 2013
Master Plan Status: N/A
Other Fund Sources: N/A
Duration of Contract: N/A
Other Parties: N/A