

RESOLUTION NO. 2004- 2

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE LINE DEVELOPMENT AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND ENTER INTO AGREEMENTS WITH THE CITY OF BELLFLOWER AND WITH TRANSPRAPH-USA FOR THE ORANGELINE/ BELLFLOWER GREENWAY PROJECT

WHEREAS, the City of Bellflower plans to develop the so-called West Branch Greenway along the MTA-owned former Pacific Electric railroad right-of-way proposed for use by the Orangeline within the Bellflower City limits; and

WHEREAS, since first proposed, the Orangeline concept has included the development of a greenway as a potential use for the area underneath the elevated maglev system; and

WHEREAS, the Greenway would provide cities along the Orangeline corridor a much-needed recreational amenity and also enhance the transportation use of the corridor by including a bike path, which would provide a means for access to Orangeline stations and to the growing bike paths throughout the region; and

WHEREAS, it is necessary that plans for the Greenway accommodate the physical and operational requirements of the future Orangeline maglev system, which includes stations, columns to support the elevated guideways, power distribution system, communication system, and other physical structures; and

WHEREAS, the City of Bellflower intends to enter into an agreement with the Authority that will provide the Authority funding so that the Authority can provide the City the detailed Orangeline maglev system design and engineering criteria the City needs; and

WHEREAS, the Orangeline feasibility study completed in April 2002 by the IBI Group identified the maglev technology developed by the German consortium Transrapid, currently in operation in Shanghai, China, as the only high-speed maglev system currently available for deployment in a commercial application; and

WHEREAS, Transrapid was selected by the Southern California Association of Governments (SCAG) as the technology for the intra-regional maglev system, of which the Orangeline is a part, and the Federal Railroad Administration and the Federal Republic of Germany have entered into a cooperative agreement to transfer Transrapid technology to U.S. applications; and

WHEREAS, an agreement with Transrapid-USA, would enable the Authority to provide the City of Bellflower detailed design and operational specifications for the Transrapid maglev technology and to coordinate the design of the Greenway and the Orangeline maglev system; and

WHEREAS, under the agreements with the City of Bellflower and Transrapid-USA, funds shall not be obligated until the agreement between the Authority and the City of Bellflower has been executed and said funds are made available by the City to the Authority. No funds shall be obligated or expended by the Authority beyond the amount stipulated in the said agreement; and

WHEREAS, the sole-source selection of Transrapid for this work is justified on the basis that Transrapid-USA is the only firm with the first-hand information on Transrapid maglev technology required to support the design of the Greenway; and

WHEREAS, the proposed agreement with Transrapid-USA would be negotiated to ensure a fair price and a high level of service quality, and would provide for timely support of Bellflower's development of the Greenway, and the ability to achieve a plan that reflects the requirements of the Orangeline maglev system, ensuring that the design plans for the Greenway reflect the transportation requirements for the corridor,

NOW, THEREFORE, THE ORANGE LINE DEVELOPMENT AUTHORITY DOES HEREBY FIND, RESOLVE AND ORDER AS FOLLOWS:

Section 1. The Executive Director is authorized to negotiate and execute, on behalf of the Authority and subject to approval of legal counsel, an agreement with the City of Bellflower for the purpose of providing funds to the Authority in order for the Authority to assist the City of Bellflower in planning the Orangeline/Bellflower Greenway Project.

Section 2. The Executive Director is authorized to negotiate and execute on behalf of the Authority and subject to approval of legal counsel, a sole-source, professional services agreement with Transrapid-USA for the purpose of acquiring technical information regarding Transrapid maglev technology and coordination support services in regard to the Orangeline/Bellflower Greenway Project.

Section 3. The obligation and expenditure of funds for this project shall be restricted to the funding made available to the Authority under the agreement between the Authority and the City of Bellflower described in Section 1.

Section 4. The terms of the agreements authorized here shall be substantially similar to the provisions of those agreements described in this resolution.

PASSED, APPROVED and ADOPTED this 19th day of February 2004.

AYES: Board Members:
NOES: Board Members:
ABSTAIN: Board Members:



Hector De La Torre, Chair

ATTEST:

APPROVED AS TO FORM:



Art Gallucci, Secretary



2/19/04

Michael G. Colantuono, General Counsel