

ORDINANCE NO. 006-120

AN ORDINANCE DECLARING PUBLIC BIDDING
DISADVANTAGEOUS AND AUTHORIZING A
CONTRACT FOR CUMMINS NPOWER, LLC,
TO PROVIDE REPAIRS ON PROHEAT

BRAND ENGINE HEATERS NOT COVERED
PROHEAT WARRANTY USED
FOR

UNDER THE
ON CTA BUSES AS REQUIRED
TWENTY-FOUR (24) MONTHS

WHEREAS, The Chicago Transit Authority ("Authority") requires warranty work, to include running a computerized diagnostic test on the ProHeat engine heater which has given a fault reading; and

WHEREAS, Cummins NPower, LLC, is responsible for the performance of the warranty work on the ProHeat engine heaters; and

WHEREAS, During the warranty program, a Cummins NPower, LLC, repair technician runs a diagnostic program test to determine the cause of the bus heater's problem; and

WHEREAS, If it was discovered during this test that the heater only required a proper maintenance procedure (not covered under warranty), then the technician would perform the maintenance for the heater to be operational; and

WHEREAS, In the case of those ProHeat engine heaters which the Authority elects Cummins NPower, LLC, to do the warranty work, it is not prudent to have other firms do the work as the ProHeat engine heaters would have to be disassembled, run a diagnostic program, correct the problem and then reassemble a second time; and

WHEREAS, Cummins NPower, LLC, is the regional authorized service contractor and has certified that the labor rate quoted to the Authority is equal to or not greater than prices currently quoted to its most favored customers; and

WHEREAS, Section 54.3-5 of the Regulations Governing Purchase and Sales Transactions provides for the award of contract in those situations where the Transit Board determines that competitive public bidding would be disadvantageous; now, therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1: That based on the statements set forth in the preamble of this ordinance, the Transit Board hereby determines that competitive public bidding for this requirement is disadvantageous.

ORDINANCE NO. 006-120
(Continued) -2

SECTION 2: That the Chairman of the Board, or her designee, is hereby authorized to execute Contract B06OP03375 with Cummins NPower, LLC, to perform non-warranty repairs on ProHeat engine heaters in the amount of \$30,000.00 (thirty thousand dollars) as required for 24 months.

SECTION 3: This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

Chairman

Assistant Secretary

August 9, 2006

August 9, 2006