ORDINANCE NO. 012-59

AN ORDINANCE AUTHORIZING EXECUTION OF A BUS PURCHASE ASSIGNMENT AGREEMENT WITH NEW FLYER OF AMERICA, INC. AND KING COUNTY, WASHINGTON AND THE PURCHASE OF UP TO 100 ARTICULATED BUSES

WHEREAS, Following a competitive Request for Proposals, King County, Washington, a home rule charter county and political subdivision of the State of Washington ("King County") and New Flyer of America, Inc., a North Dakota corporation ("New Flyer") entered into a contract identified as MB 06-2 for "Manufacture and Delivery of 60 Foot Heavy Duty Articulated Low Floor Diesel-Fueled Hybrid and Standard Drive Transit Buses" (the "Bus Contract"); and

WHEREAS, Section B2.20.01 of the Bus Contract provides that King County "may assign to another transit property or governmental entity, part or all of any unused base quantity of buses that the County determines to be in excess of its needs;" and

WHEREAS, King County has tendered an Assignment Agreement to the Chicago Transit Authority ("Authority"), under which King County would assign 100 of its 515 base quantity buses to the Authority; and

WHEREAS, It is in the best interest of the Authority to execute the Assignment Agreement and purchase the buses; now, therefore:

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

SECTION 1. That the President, or his designee, is hereby authorized to execute the Assignment Agreement substantially in the form attached hereto as Exhibit A.

SECTION 2. That the President, or his designee, is hereby authorized to negotiate and execute a Contract Amendment with New Flyer setting forth all changes that are necessary to the King County bus contract in order to conform such contract to the Authority's operational, technical and legal requirements.

SECTION 3. That the purchase of up to 100 buses and capital spare equipment is hereby authorized for a total purchase price not to exceed Eighty Million, Eighty Thousand, Nine Hundred and Seventy-eight Dollars and Thirty- one cents (\$80,080,978.31) under Requisition No. C12FR101252202.

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SECTION 4. That the President, or his designee, is hereby authorized to execute any and all additional documents necessary to complete the purchase of up to 100 buses.

SECTION 5. This ordinance shall be in full force and effect from and after its passage.

APPROVED:	PASSED:
Chairman	Assistant Secretary
May 9, 2012	May 9, 2012