

ORDINANCE NO. 008-130

AN ORDINANCE AUTHORIZING EXECUTION  
OF A BUS OPTION ASSIGNMENT  
AGREEMENT WITH NEW FLYER OF  
AMERICA, INC. AND WASHINGTON  
METROPOLITAN AREA TRANSIT  
AUTHORITY AND PURCHASE OF 58  
ARTICULATED HYBRID DRIVE BUSES

WHEREAS, Washington Metropolitan Area Transit Authority ("WMATA"), a District of Columbia, Maryland and Virginia Transit Partnership, and New Flyer of America, Inc., a North Dakota corporation ("New Flyer"), entered into a contract identified as FP-7038R/JWW for hybrid electric articulated buses ("Bus Contract"); and

WHEREAS, Section 2.2.6.4 of the Bus Contract provides that WMATA "reserves the right to assign part of the Base or all of the Option No. 1 Buses to any other public transportation agency or government entity..."; and

WHEREAS, WMATA has tendered a Bus Option Assignment Agreement to the Authority, under which WMATA would assign 58 of its option quantity buses to the Authority; and

WHEREAS, It is in the best interest of the Authority to execute the Bus Option Assignment Agreement; and

WHEREAS, It is in the best interest of the Authority to purchase up to 58 articulated hybrid drive buses; now therefore:

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

SECTION 1. That the Chairman of the Board, or her designee, is authorized to notify New Flyer that CTA is exercising the bus option rights granted by the assignment of 58 buses.

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

SECTION 3. That the Chairman of the Board, or her designee, is hereby authorized to execute the Bus Option Assignment Agreement with New Flyer and WMATA, a Contract Amendment with New Flyer and any and all additional documents necessary to complete the purchase of up to 58 buses.

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SECTION 4. That the purchase of up to 58 buses and capital spare equipment is hereby authorized for a total purchase price not to exceed fifty-four million twenty-six thousand dollars (\$54,026,000).

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

APPROVED:

PASSED:

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Chairman

September 10, 2008

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Assistant Secretary

September 10, 2008