

ORDINANCE NO. 008-23

AN ORDINANCE DECLARING PUBLIC  
BIDDING DISADVANTAGEOUS AND  
AUTHORIZING A CONTRACT WITH  
CUMMINS NPOWER, LLC FOR NON-  
WARRANTY CONTINGENCY REPAIRS  
OF CUMMINS DIESEL ENGINES

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WHEREAS, The Chicago Transit Authority ("Authority") has entered into contracts with Cummins NPower, LLC ("Cummins") which require Cummins to complete warranty repair and rebuilding of Cummins diesel engines in the Authority's bus fleet; and

WHEREAS, During the warranty period, Cummins will repair and/or rebuild defective Cummins engines; and

WHEREAS, Upon testing and/or disassembly, some of these engines may be determined by both Cummins and the Authority's inspector(s) to have minor defects which are not covered under the warranty; and

WHEREAS, In those cases, it would not be prudent to have another firm do the non-warranty work because this would require that the engines be reassembled and transported to another site; and

WHEREAS, In those cases, the Authority would, instead, direct Cummins to complete these minor repairs under this non-warranty contingent repair contract; and

WHEREAS, Cummins NPower, LLC is the local distributor and has certified that the prices quoted to the Authority are equal to or no 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 contracts 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 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.

SECTION 2: That the Chairman of the Board, or her designee, is hereby

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authorized to execute contract B07OP00554 with Cummins NPower, LLC to perform non-warranty engine repair work in the not-to-exceed amount of \$100,000.00, for 36 months from date of contract execution.

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

APPROVED:

PASSED:

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Chairman

February 13, 2008

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Assistant Secretary

February 13, 2008