

RESOLUTION NO. 1999- 41

AUTHORIZING CONTRACT NO. 99051 WITH CUMMINS INTERSTATE POWER, INC. FOR THE PROVISION OF 11 L-10 DIESEL ENGINES - \$154,177.32 - CAPITAL GRANT OH-90-X222 (\$123,341.86 IN FEDERAL FUNDS, REPRESENTING 80% OF THE TOTAL COST)

WHEREAS, the Authority needs to replace eleven Cummins L-10 diesel bus engines which are no longer suitable for service, and

WHEREAS, Cummins Interstate Power, Inc. located at 7585 Northfield Road, Cleveland, OH 44146 is the exclusive distributor of Cummins engines in the Northeast Ohio area; and

WHEREAS, Section 306.43 (H)(2) of the Ohio Revised Code provides that competitive bidding is not required when the purchase consists of goods or service, or any combination thereof, and after reasonable inquiry the board or any officer or employee the board designee finds that only one source of supply is reasonably available; and

WHEREAS, the offer of Cummins Interstate Power, Inc. to provide eleven (11) replacement diesel engines which will meet EPA requirements was received on February 10, 1999; and

WHEREAS, after negotiations, a unit price of \$14,016.12 per engine, for a total price of one hundred fifty-four thousand one hundred seventy-seven & 32/100 (\$154,177.32) was agreed upon for the provision of eleven (11) L-10 engines; and

WHEREAS, the General Manager deems acceptance of the offer of Cummins Interstate Power, Inc. as negotiated, to be in the best interest of the Authority, and recommends acceptance thereof by the Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the offer of Cummins Interstate Power, Inc. as negotiated for the supply of eleven (11) L-10 diesel engines be and the same is hereby accepted as in the best interest of the Authority.

Section 2. That the General Manager of the Authority be and he is hereby authorized to enter into a contract with Cummins Interstate Power, Inc. for the provision of eleven (11) L-10 diesel engines.

Section 3. That said contract shall be payable from Capital Grant OH-90-X222 in the amount of one hundred fifty-four thousand one hundred seventy-seven & 32/100 dollars (\$154,177.32).

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon compliance by the contractor to the Specifications and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 1996-123; bonding and insurance requirements and all applicable laws relating to contractual obligations of the Authority.

Section 5. That this resolution shall become effective immediately upon its adoption.

Adopted: \_\_\_\_\_ April 20 \_\_\_\_\_, 1999



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President

Attest:   
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General Manager/Secretary-Treasurer