

RESOLUTION NO. 1999- 139

AUTHORIZING CONTRACT NO. 99138 WITH CUMMINS INTERSTATE POWER, INC. FOR THE PROVISION OF L-10 DIESEL ENGINES AS REQUIRED FOR A PERIOD OF ONE (1) YEAR IN AN AMOUNT NOT TO EXCEED \$840,967.20. - CAPITAL GRANT OH-90-X337 ((\$672,773.76 IN FEDERAL FUNDS, REPRESENTING 80% OF THE TOTAL COST)

WHEREAS, the Authority needs to replace approximately sixty (60) 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 finds that only one source of supply is reasonably available; and

WHEREAS, the offer of Cummins Interstate Power, Inc. to provide approximately sixty (60) replacement diesel engines which will meet EPA requirements was received on October 6, 1999; and

WHEREAS, after negotiations, a unit price of \$14,016.12 per engine, for an estimated total price of eight hundred forty one thousand nine hundred sixty seven & 20/100 (\$840,967.20) was agreed upon for the provision of sixty (60) 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 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 L-10 diesel engines.

Section 3. That said contract shall be payable from Capital Grant OH-90-X337 in an amount not to exceed eight hundred forty thousand nine hundred sixty seven & 20/100 dollars (\$840,967.20).

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon funding for future years; compliance by the contractor to the Specifications and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution 1999-114; bonding and insurance requirements and all applicable laws relating to contractual obligations of the Authority.

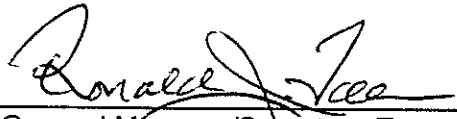
Section 5. That this resolution shall become effective immediately upon its adoption.

Adopted: October 26, 1999



President

Attest:



General Manager/Secretary-Treasurer