

**APPROVE ENTERING INTO AN AGREEMENT WITH CHICAGO INTERNATIONAL TRUCKS, LLC  
AND CUMMINS NPOWER LLC FOR THE PURCHASE AND INSTALLATION OF DIESEL OXIDATION  
EQUIPMENT**

**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Approve entering into agreements with Chicago International Trucks, LLC and Cummins NPowers LLC for the purchase and the installation of diesel oxidation equipment for the Department of Operations, Bureau of Student Transportation at an aggregate cost not to exceed \$879,970.00. Vendors were selected on a competitive basis pursuant to Board Rule 7-2 (Specification Number 10-250031). Written agreements for this purchase is available for signature. No goods may be ordered or received and no payment shall be made to any Vendor prior to the execution of their written agreement. The authority granted herein shall automatically rescind as to each Vendor in the event their written agreement is not executed within 90 days of the date of this Board Report. Information pertinent to these agreements is stated below.

Specification Number : 10-250031  
Contract Administrator : Patricia Hernandez / 773-553-2256

**VENDOR:**

- 1) Vendor # 10939  
CHICAGO INTERNATIONAL TRUCKS, LLC  
1827 WARDEN OFFICE SQ- STE 275  
SCHAUMBURG, IL 60173  
Joe Coconate  
847-875-0949  
847-669-3950
- 2) Vendor # 58506  
CUMMINS NPOWER LLC  
7145 SANTA FE DRIVE  
HODGKINS, IL 60525  
Jeff Ludwig  
800-589-2644  
414-768-9441

**USER:**

Citywide School Transportation  
125 South Clark Street 16th Floor  
Chicago, IL 60603

Contact : Patricia L. Taylor  
Phone: 773-553-2900

**TERM:**

The term of each agreement shall commence on the date the contract is executed by the Board and shall end December 31, 2010.

**EARLY TERMINATION RIGHT:**

The Board shall have the right to terminate each agreement with 30 days written notice.

**DESCRIPTION OF PURCHASE:**

Goods: Vendors shall provide diesel oxidation equipment and installation. Equipment includes: diesel particulate matter filters, diesel oxidation catalyst and installation kits.

Quantity: as indicated in each contract  
Unit Price: as indicated in each contract  
Total Cost Not to Exceed: \$879,970.00 in the aggregate

**OUTCOMES:**

This purchase will result in diesel oxidation equipment being installed on school buses that provide transportation services to Chicago Public Schools.

**COMPENSATION:**

Vendors shall be paid in accordance with the unit prices contained in their agreement; total for all vendors not to exceed \$879,970.00 in the aggregate.

**AUTHORIZATION:**

Authorize the General Counsel to include other relevant terms and conditions in the written agreements. Authorize the President and Secretary to execute the agreements. Authorize Chief Operating Officer to execute all ancillary documents required to administer or effectuate the agreements.

**AFFIRMATIVE ACTION:**

Pursuant to the section 5.2.4 of the Remedial Program for Minority and Women Business Enterprise Contract Participation in goods and services (M/WBE Program) this contract is except for review because of it is a unique transaction.

**LSC REVIEW:**

Local School Council approval is not applicable to this report.

**FINANCIAL:**

Charge to the Bureau of Student Transportation: \$879,970.00

11940-324-54210-255052-511219-2011 \$879,970.00

**CFDA# :** Not Applicable

**GENERAL CONDITIONS:**

Inspector General - Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

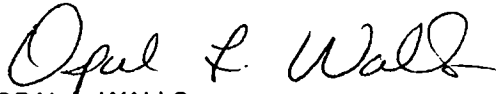
Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their terms of office.

Indebtedness - The Board's Indebtedness Policy adopted June 26, 1996 (96-0626-PO3), as amended from time to time, shall be incorporated into and made a part of the agreement.


Ethics - The Board's Ethics Code adopted June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

Contingent Liability - The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:

  
OPAL L. WALLS  
Chief Purchasing Officer

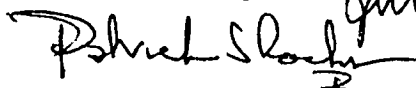
Approved:

  
RON HUBERMAN  
Chief Executive Officer

Within Appropriation:

  
DIANA S. FERGUSON  
Chief Financial Officer

Approved as to Legal Form:

  
PATRICK J. ROCKS  
General Counsel