

**WITHDRAWN**

February 24, 2010

**DRAFT**

10-0224-PR6

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

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

Approve entering into an agreement with Chicago International Truck, LLC for the purchase of and the installation of diesel oxidation equipment for Department of Operations at a cost not to exceed \$879,970.00. Vendor was selected on a competitive basis pursuant to duly advertised Bid Solicitation (Specification Number 08-250045). A written agreement for this purchase is currently available for signature. No goods may be ordered or received and no payment shall be made to Vendor prior to the execution of the written agreement. The authority granted herein shall automatically rescind in the event a written agreement is not executed within 90 days of the date of this Board Report. Information pertinent to this agreement is stated below.

**Specification Number :** 08-250045  
**Contract Administrator :** Diego Droira / 773-553-2123

**VENDOR:**

Vendor # 10939  
Chicago International Trucks, Llc  
1827 Warden Office Sq- Ste 275  
Schaumburg, Il 60173  
Joe Coconate  
847-875-3612

847-669-3950

**USER:**

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

Contact : Pat Taylor

Phone: 773-553-2872

**TERM:**

The term of this agreement shall commence on the date the agreement is signed and shall end 12 months thereafter. This agreement shall have two options to renew for periods of one year each.

**EARLY TERMINATION RIGHT:**

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

**DESCRIPTION OF PURCHASE:**

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

Quantity: as indicated in contract.

Unit Price: as indicated in contract.

Total Cost Not to Exceed: \$879,970.00

**OUTCOMES:**

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

**COMPENSATION:**

Vendor shall be paid in accordance with the unit prices contained in the agreement; not to exceed the sum of \$879,970.00.

**AUTHORIZATION:**

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

**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 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.

11940-324-54210-255052-511209-2010	\$414,061.00
11940-324-54210-255052-511219-2010	\$373,909.00

**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.

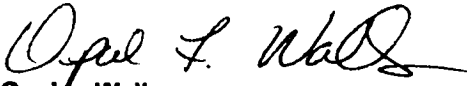
Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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

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**Ron Huberman**  
**Chief Executive Officer**

**Within Appropriation:**

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**Diana S. Ferguson**  
**Chief Financial Officer**

**Approved as to legal form:**

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**Patrick J. Rocks**  
**General Counsel**