

RESOLUTION NO. 2025-26

AUTHORIZING A CHANGE ORDER TO EXERCISE AN OPTION UNDER CONTRACT NO. 2020-046 WITH NEW FLYER OF AMERICA, INC. FOR THE PURCHASE AND DELIVERY OF SIX (6) FIVE (5) DOOR 60-FT. ARTICULATED BRT COACHES, AS SPECIFIED, FOR AN AMOUNT NOT TO EXCEED \$7,956,739.02 (RTA DEVELOPMENT FUND, FLEET MANAGEMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority ("Authority") must replace revenue vehicles that have exceeded their useful life with similar fuel-efficient vehicles; and

WHEREAS, Resolution No. 2020-061 authorized Contract No. 2020-046 ("Contract") with New Flyer of America, Inc. ("New Flyer") for the manufacture and delivery of seven (7) five (5) door 60-ft. articulated BRT coaches, training, special tools and spare parts with an option to procure an additional twenty-one (21) five (5) door 60-ft. articulated BRT coaches, training, special tools and spare parts over the five year term of the contract; and

WHEREAS, Resolution No. 2021-021 authorized Change Order No. 2 with New Flyer exercising the option to purchase nine (9) additional five (5) door 60-ft. articulated BRT coaches; and

WHEREAS, pursuant to the original options under the Contract, New Flyer has offered to manufacture and deliver six (6) five (5) door 60-ft. articulated BRT coaches, as specified, for a total negotiated contract amount not to exceed \$7,956,739.02; and

WHEREAS, the General Manager, Chief Executive Officer deems the offer of New Flyer, as negotiated, to be advantageous to the Authority, cost and other factors considered, 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 from New Flyer to provide six (6) five (5) door 60-ft. articulated BRT coaches be and the same is hereby accepted.

Section 2. That the General Manager, Chief Executive Officer of the Authority be and she is hereby authorized to enter into a change order for the exercise of an option to Contract No. 2020-046 with New Flyer, for the purchase of six (6) five (5) door 60-ft. articulated BRT coaches, for a total change order amount not to exceed \$7,956,739.02.

Section 3. This contract option shall be funded through the RTA Development Fund, Fleet Management Department budget, including but not limited to, Capital Grants OH-2024-030-01 in the amount not to exceed \$3,684,402.50 and OH-2024-030-02 in the amount not to exceed \$4,272,336.52 in a total amount not to exceed \$7,956,739.02 (\$6,365,391.22 in federal funds which represent 80% of the total cost).

Section 4. That said contract option 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, thereto, if any; the Affirmative Action Plan adopted by the Board of Trustees; bonding and insurance requirements; and all applicable laws relating to the contractual obligations of the Authority.

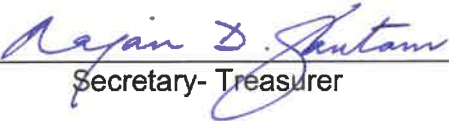
Section 5. That all terms and conditions of the original contract remain unchanged.

Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: February 25, 2025



President

Attest: 

Secretary- Treasurer



TITLE/DESCRIPTION: CONTRACT: AUTHORIZING A CHANGE ORDER TO EXERCISE AN OPTION TO PURCHASE SIX (6) FIVE (5) DOOR 60-ft. ARTICULATED BRT COACHES VENDOR: NEW FLYER OF AMERICA, INC. AMOUNT: \$7,956,739.02	Resolution No.: 2025-26
	Date: February 20, 2025
	Initiator: Fleet Management Department
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 **PURPOSE/SCOPE:** This action will authorize a change order to allow the Greater Cleveland Regional Transit Authority (“Authority”) to exercise an option for the procurement and delivery of up to six (6) of the remaining five (5) door 60-ft. articulated BRT coaches under Contract No. 2020-046, which was approved by the Board of Trustees on August 25, 2020 in Resolution No. 2020-061.
- 2.0 **DESCRIPTION/JUSTIFICATION:** To provide safe, reliable, and cost-effective services, coaches are replaced on a regular cycle. The Federal Transit Administration (“FTA”) recommends replacement of transit buses at twelve years or 500,000 miles. The Authority intends to replace coaches that have exceeded their useful life in accordance with the Authority’s vehicle replacement policy and guidelines.
- 3.0 **PROCUREMENT BACKGROUND:** On August 25, 2020, the Authority, through Resolution No. 2020-061, awarded Contract No. 2020-046 to New Flyer of America, Inc. for the manufacture and delivery of up to seven (7) five (5) door 60-ft. articulated BRT coaches, spare parts, tooling and training. The contract included an option to procure up to an additional twenty-one (21) articulated BRT coaches, spare parts, tooling and training over the five-year term of the contract. Resolution No. 2021-021 authorized Change Order No 2, exercising the purchase of up to nine (9) five (5) door 60-ft. articulated BRT coaches, leaving an option to purchase twelve (12) coaches remaining under the contract.

This resolution will authorize a change order to Contract No. 2020-046 for the manufacture and delivery of six (6) five (5) door 60-ft. articulated BRT coaches at a unit price of \$1,326,123.17, with a scheduled delivery starting date of third quarter 2025. The negotiated price is within the FTA suggested Producer Price Index (PPI) Best Practices Guidelines. There will be six (6) options still remaining under the Contract.

A cost analysis was performed by the Procurement Department, and it has been determined that the price is fair and reasonable to the Authority. The contract option award is contingent upon the successful review of all costs associated with this procurement, compliance with Pre-Award/Buy America audit requirements, and FTA approval of applicable grants.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** Per Federal Regulations, the Office of Business Development does not conduct Affirmative Action reviews or establish goals on procurements involving the purchase of Transit Motor Vehicles (TMV's).
- 5.0 **POLICY IMPACT:** Does not apply.

- 6.0 **ECONOMIC IMPACT:** This contract option shall be funded through the RTA Development Fund, Fleet Management Department budget, including but not limited to Capital Grants OH-2024-030-01 in the amount not to exceed \$3,684,402.50 and OH-2024-030-02 in the amount not to exceed \$4,272,336.52, in a total amount not to exceed \$7,956,739.02 (\$6,365,391.22 in federal funds which represents 80% of the total cost).
- 7.0 **ALTERNATIVES:** Reject this offer. Rejection of this offer would delay the ability of the Authority to purchase replacement coaches.
- 8.0 **RECOMMENDATION:** This contract option was discussed by the Board of Trustees at the February 4, 2025 Organizational, Services & Performance Monitoring Committee meeting. It is recommended that the negotiated offer from New Flyer of America, Inc. be accepted and the resolution adopted authorizing the General Manager, CEO to modify the contract.
- 9.0 **ATTACHMENT:** Change Order Log

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.



General Manager, Chief Executive Officer

CHANGE ORDER LOG

CONTRACT NO. 2020-046

MANUFACTURE AND DELIVERY OF SEVEN (7) FIVE (5) DOOR 60-FT. ARTICULATED BRT COACHES, SPARE PARTS, TOOLING, AND TRAINING, WITH AN OPTION TO PROCURE UP TO TWENTY-ONE (21) ADDITIONAL COACHES EXCERCISED WITHIN FIVE YEARS OF CONTRACT SIGNATURE

Contract # 2020-046

Contractor: New Flyer of America, Inc.

Original Contract Amount \$7,154,341.63

Total G.M. Authority Remaining \$ 91,501.62

Total Change Order Amount to Date: \$8,648,336.52

ITEM NO.	NOTE	APPROVAL DATE	CHANGE ORDER	APPROVAL AUTHORITY	NEW CONTRACT AMOUNT
1		March 15, 2021	\$(78,472.03)	GM	\$7,075,869.60
2		March 23, 2021		BOARD	\$15,821,923.80
			\$8,746,054.20		
3		August 2, 2021	\$30,390.35	GM	\$15,852,314.15
4		October 20, 2021	\$(49,636.00)	GM	\$15,802,678.15
5			\$7,956,739.02	BOARD	\$23,759,417.17

NOTES/CHANGE ORDER DESCRIPTION:

CO # 1 Various additions and deletions to the final design of the 60' BRT. Some additions are revised graphic/paint scheme, floor heaters and masked windows. Some deletions are wheel covers, Luminator destination signs, interior bike rack and wheel guards.

CO # 2 Authorize funding for nine (9) five (5) door, sixty (60) ft. articulated BRT coaches.

CO # 3 Authorize funding for Side Impact Panels.

CO #4 Deletion of sway bar and removal top tip in window mask option.

CO #5 Authorize funding for six (6) five door, sixty (60) ft. articulated BRT coaches.