

RESOLUTION NO. 2016-43

AUTHORIZING A CHANGE ORDER TO CONTRACT 2013-100 WITH GILLIG, LLC, FOR THE PURCHASE AND DELIVERY OF UP TO TWENTY-FOUR 40-FT. LOW FLOOR CNG COACHES PLUS TRAINING, SPECIAL TOOLS AND SPARE PARTS, AS SPECIFIED, FOR A PRICE NOT TO EXCEED \$11,528,147.43 (RTA DEVELOPMENT FUND AND FUTURE FUNDING, FLEET MANAGEMENT DEPARTMENT BUDGET)

WHEREAS, the Authority has identified the need to replace revenue vehicles that have exceeded their useful life with similar environmentally friendly fuel efficient vehicles; and

WHEREAS, Resolution 2013-110 authorized Contract No. 2013-100 with Gillig, LLC, for the manufacture and delivery of up to 60, 40-ft. low-floor CNG coaches plus training, special tools and spare parts with an option to procure up to an additional 180 coaches plus training, special tools and spare parts over the five year term of the contract and funding for the purchase of up to 60 coaches, at a total contract amount not to exceed \$28,951,898.00; and

WHEREAS, Resolution 2014-111 authorized the funding for the purchase and delivery of 30, 40-ft. low floor CNG coaches plus training, special tools and spare parts at price not to exceed \$14,047,809.40; and

WHEREAS, Resolution 2015-66 authorized the funding for the purchase and delivery of 16, 40-ft. low floor CNG coaches plus training, special tools and spare parts at price not to exceed \$7,721,511.64; and

WHEREAS, Gillig, LLC, with offices located at 25800 Clawiter Road, Haywood, CA 94545, has offered to manufacture and deliver up to 24, 40-ft. low floor CNG coaches, training, special tools, and spare parts as specified for a total negotiated contract amount not to exceed \$11,528,147.43; and

WHEREAS, the CEO, General Manager/Secretary-Treasurer deems the offer of Gillig, LLC 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 of Gillig, LLC to provide up to an additional 24, 40-ft. low-floor CNG coaches, training, special tools and spare parts be and the same is hereby accepted.

Section 2. That the CEO, General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to issue a change order to contract 2013-100 with Gillig, LLC to provide funding for the purchase of up to 24, 40-ft. low floor CNG coaches totaling \$11,351,932.32; plus training special tools and spare parts for a not to exceed amount of \$176,215.11 for a total change order amount not to exceed \$11,528,147.43 for a total contract amount not to exceed \$62,368,436.55.

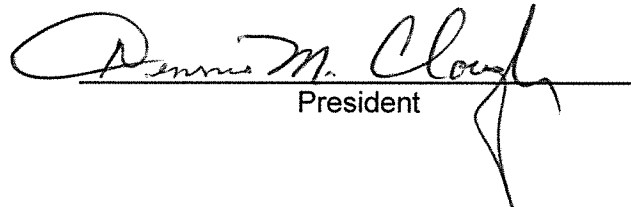
Section 3. That this change order shall be payable from the RTA Development Fund, Fleet Management Department budget, including but not limited to FTA Capital Grant OH-95-X122, in an amount not to exceed \$1,891,988.72 (\$1,513,590.98 in Federal Funds which is 80% of the cost of 4, 40-FT CNG Coaches), pending SFY 2016 CMAQ award in an amount not to exceed \$4,256,974.62 (\$3,405,579.70 in Federal Funds which is 80% of the cost of 9, 40-FT CNG Coaches), a pending Diesel Emission Reduction Grant award in an amount not to exceed \$945,994.36 (\$756,795.49 in Federal Funds which is 80% of the cost of 2, 40-FT CNG Coaches), and an additional pending CMAQ award of unobligated area funds in an amount not to exceed \$4,256,974.62 (\$3,405,579.70 in Federal Funds which is 80% of the cost of 9, 40-FT CNG Coaches). Training, spare parts and tooling shall be payable from the RTA Development Fund, Fleet Management Department budget, including but not limited to FTA Capital Grant OH-90-X823, pending FTA approval of a grant revision, in an amount not to exceed \$176,215.11 (\$140,972.09 in Federal Funds which is 80% of the cost of the spare parts) with the total amount for 24, 40-FT CNG Coaches and associated spare parts not to exceed \$11,528,147.43 (\$9,225,517.94 in Federal Funds which is 80% of the change order). This is contingent upon FTA approval of pending grant awards and pending grant revision.

Section 4. That said contract shall be binding upon and an obligation of the Authority contingent upon funding for future years and compliance by the contractor to the Specifications and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution No. 2015-076; bonding and insurance requirements and all applicable laws relating to 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: June 14, 2016



President

Attest:



CEO, General Manager/Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: AUTHORIZING THE PURCHASE OF UP TO TWENTY-FOUR, 40-FT., LOW FLOOR CNG COACHES, TRAINING, SPECIAL TOOLS AND SPARE PARTS VENDOR: GILLIG, LLC AMOUNT: NOT TO EXCEED \$11,528,147.43	Resolution No.: 2016-43
	Date: June 9, 2016
	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 resolution will authorize the funding for the procurement of up to 24, 40-ft. low-floor CNG coaches, which was approved by the Board of Trustees in Resolution No. 2013-110.

- 2.0 **DESCRIPTION/JUSTIFICATION:** The Authority intends to replace some of its fleet of 40-ft. low floor NABI coaches with similar coaches. The Authority presently has 218 NABI coaches over 12 years old and 98 NABI coaches over 10 years old. The older NABI coaches with Detroit Diesel Series 50 engines have been costly to operate and maintain. The Authority intends to replace the older NABI's with Detroit Diesel Series 50 engines with coaches with fuel-efficient Cummins CNG powered systems.

- 3.0 **PROCUREMENT BACKGROUND:** In November 2013, the Authority awarded Contract No. 2013-100 to Gillig, LLC for the manufacture and delivery of up to 60, 40-ft. low-floor CNG coaches plus training, special tools and spare parts with an option to procure up to an additional 180 coaches plus training, special tools and spare parts over the five year term of the contract through the use of the competitive RFP process. Resolution No. 2013-110 authorized the contract and funding of the initial purchase of 60 coaches. During the first three years of the five year term of the contract, three change orders totaling \$21,888,391.04 have been authorized. Resolution No. 2014-111, authorized Change Order No.1 to fund the purchase of up to 30 CNG buses. The CEO, General Manager/Secretary-Treasurer authorized Change Order No. 2 to fund the purchase of video monitors. Resolution No. 2015-66, authorized Change Order No. 3 to fund the purchase of up to 16 CNG buses, leaving 134 buses remaining under the option.

This change order will authorize the funding to manufacture and deliver 24 additional 40-ft. CNG coaches at a unit cost of \$472,997.18, with a scheduled delivery completion date of January 31, 2018. The negotiated price is within the FTA suggested Producer Price Index (PPI) Best Practices Guidelines. The procurement will include: 24, 40-ft. CNG coaches totaling \$11,351,932.32 and spare parts and special tools for a not to exceed amount of \$176,215.11, for a total contract change order amount not to exceed \$11,528,147.43. This procurement will result in 110 coaches remaining under the option.

A cost analysis was performed by the Procurement Department and it has been determined that the price is fair and reasonable to the Authority. 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 Federal Transit Administration approval of applicable grants.

- 4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: Per federal regulations, the Office of Business of 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 change order shall be payable from the RTA Development Fund, Fleet Management Department budget, including but not limited to FTA Capital Grant OH-95-X122, in an amount not to exceed \$1,891,988.72 (\$1,513,590.98 in Federal Funds which is 80% of the cost of 4, 40-FT CNG Coaches), pending SFY 2016 CMAQ award in an amount not to exceed \$4,256,974.62 (\$3,405,579.70 in Federal Funds which is 80% of the cost of 9, 40-FT CNG Coaches), a pending Diesel Emission Reduction Grant award in an amount not to exceed \$945,994.36 (\$756,795.49 in Federal Funds which is 80% of the cost of 2, 40-FT CNG Coaches), and an additional pending CMAQ award of unobligated area funds in an amount not to exceed \$4,256,974.62 (\$3,405,579.70 in Federal Funds which is 80% of the cost of 9, 40-FT CNG Coaches). Spare parts and tooling shall be payable from the RTA Development Fund, Fleet Management Department budget, including but not limited to FTA Capital Grant OH-90-X823, pending FTA approval of a grant revision, in an amount not to exceed \$176,215.11 (\$140,972.09 in Federal Funds which is 80% of the cost of the spare parts) with the total amount for 24, 40-FT CNG Coaches and associated spare parts not to exceed \$11,528,147.43 (\$9,225,517.94 in Federal Funds which is 80% of the change order). This is contingent upon FTA approval of pending grant awards and pending grant revision.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would delay the ability of the Authority to purchase replacement buses.
- 8.0 RECOMMENDATION: It is recommended that the negotiated offer of Gillig, LLC, be accepted and the resolution passed authorizing the CEO, General Manager/Secretary-Treasurer to modify the contract.
- 9.0 ATTACHMENTS: Approved Change Order Log.

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



CEO, General Manager/Secretary-Treasurer

CHANGE ORDER LOG

CONTRACT NO. 2013-100

(Manufacture and Delivery of Up to 60, 40-ft. CNG Coaches, Training and Spare Parts with an Option to Procure Up to an Additional 180 Coaches/Training/Spare Parts Over Five Year Term of the Contract)

Contract # **2013-100**

Contractor **Gillig LLC**

Original Contract Amount **\$28,951,898.00** Total G.M. C.O. Authority Remaining **\$380,930.00**

Total Change Order Amount To Date; **\$33,416,538.55**

ITEM NO.	NOTE No.	APPROVAL DATE	CHANGE ORDER AMOUNT	APPROVAL AUTHORITY	NEW CONTRACT AMOUNT
1		10/21/2014	\$14,047,809.40	BOARD	\$42,999,707.40
2		2/6/2015	\$119,070.00	GM	\$43,118,777.40
3		7/28/2015	\$7,721,511.64	BOARD	\$50,840,289.04
4			\$11,528,147.43	BOARD	\$62,368,436.55

NOTES/CHANGE ORDER DESCRIPTION:

CO No. 1 Authorizes Funding for 30 Buses/Training/Spares

CO No. 2 Authorizes Funding for Monitors in 90 Coaches

CO No. 3 Authorizes Funding for 16 Buses/Training/Tooling/Spare Parts

CO No. 4 Authorizes Funding for 24 Buses/Training/Tooling/Spare Parts

TP