

RESOLUTION NO. 2018-69

AUTHORIZING A CHANGE ORDER TO CONTRACT NO. 2013-100 WITH GILLIG, LLC, IN AN AMOUNT NOT TO EXCEED \$323,169.00 FOR THE UPGRADE TO THE NEXT GENERATION L9N NEAR ZERO EMISSION CNG ENGINE IN 33 CNG COACHES SCHEDULED FOR DELIVERY IN 2018 (RTA DEVELOPMENT FUND, 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 No. 2013-110 authorized Contract No. 2013-100 with Gillig, LLC, for the manufacture and delivery of up to 240, 40-ft., low-floor CNG coaches plus training, special tools and spare parts and the funding for the purchase of 60 coaches for delivery in 2015, 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, at a total contract amount not to exceed \$28,951,898.00; and

WHEREAS, Resolution No. 2014-111 authorized funding for the purchase and delivery of up to 30, 40-ft. low floor, CNG coaches plus training, special tools and spare parts at a price not to exceed \$14,047,809.40; and

WHEREAS, Resolution No. 2015-66 authorized funding for the purchase and delivery of up to 16, 40-ft. low floor, CNG coaches plus training, special tools and spare parts at a price not to exceed \$7,721,511.64; and

WHEREAS, Resolution No. 2016-43 authorized funding for the purchase and delivery of up to 24, 40-ft. low floor CNG coaches plus training, special tools and spare parts at a price not to exceed \$11,528,147.43; and

WHEREAS, Resolution No. 2016-104 authorized funding for the purchase and delivery of up to 3, 40-ft. low floor CNG coaches at a price not to exceed \$1,418,991.54; and

WHEREAS, Resolution No. 2017-06 rescinded Resolutions Nos. 2016-43 and 2016-104 and authorized funding for the purchase and delivery of up to 29, 40-ft. low floor diesel coaches plus special tools and spare parts at a price not to exceed \$12,707,960.75; and

WHEREAS, Resolution No. 2017-094 authorized funding for the purchase and delivery of up to 33, 40-ft low floor CNG coaches plus special tools and spare parts at a price not to exceed \$16,156,919.61; and

WHEREAS, the engine identified in the contract is no longer available, thus creating the need to upgrade and replace the engine initially contracted for; and

WHEREAS, Gillig, LLC, with offices located at 25800 Clawiter Road, Haywood, CA 94545, has offered to purchase and install the Cummins Next Generation L9N Near Zero Emission CNG engine to power the GCRTA's fleet of 33, 40-ft., low floor coaches at a negotiated amount not to exceed \$323,169.00; 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 purchase and install up to 33 Cummins Next Generation L9N Near Zero Emission CNG engines in GCRTA's fleet scheduled for delivery in 2018, be and the same is hereby accepted.

Section 2. That the CEO, General Manager/Secretary-Treasurer of the Authority may and he is hereby authorized to enter into a change order to Contract No. 2013-100 with Gillig, LLC to provide funding for the upgrade to the Cummins Next Generation L9N Near Zero Emission CNG engines for installation in GCRTA's fleet scheduled for delivery in 2018.

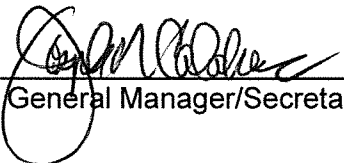
Section 3. That this change order shall be payable from the RTA Development Fund, Fleet Management Department budget, including but not limited to, the pending Urban Transit Program ("UTP") grant award in an amount not to exceed \$323,169.00 (\$258,535.20 in Federal Funds which is 80% of the cost of 33 Next Generation L9N Near Zero Emission CNG engines).

Section 4. That all terms and conditions of the original contract remain unchanged.

Section 5. Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: July 24, 2018

  
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President

Attest:   
\_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer



<b>TITLE/DESCRIPTION:</b> <b>CONTRACT:</b> AUTHORIZING A CHANGE ORDER TO CONTRACT NO. 2013-100 WITH GILLIG, LLC, IN AN AMOUNT NOT TO EXCEED \$323,169.00 FOR THE UPGRADE TO THE NEXT GENERATION L9N NEAR ZERO EMISSION CNG ENGINE IN 33 CNG COACHES SCHEDULED FOR DELIVERY IN 2018 (RTA DEVELOPMENT FUND, FLEET MANAGEMENT DEPARTMENT BUDGET)  <b>VENDOR:</b> GILLIG, LLC  <b>AMOUNT:</b> NOT TO EXCEED \$323,169.00	<b>Resolution No.:</b> 2018-69
	<b>Date:</b> July 19, 2018
	<b>Initiator:</b> Fleet Management Department
<b>ACTION REQUEST:</b> <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 additional funding to the current 40 ft. Gillig coach contract (Contract No. 2013-100) for the furnishing of CNG coaches. This funding is required for the upgrade from a Cummins ISL CNG engine to the Cummins Next Generation L9N Near Zero Emission CNG engine in the 33 coaches scheduled for delivery to the Authority in 2018.
  
- 2.0 **DESCRIPTION/JUSTIFICATION:** The Authority currently has a contract with Gillig LLC to build and deliver 33 CNG coaches in 2018. The engine manufacturer (Cummins) has stopped producing the ISL Natural Gas Engine currently identified in the contract and replaced it with a Next Generation L9N Near Zero Emission Natural Gas engine. This engine upgrade was driven by EPA mandate for all engines built and sold after January 1, 2018 to be equipped with on board diagnostics. The engine change also resulted in a price increase of \$9,793.00 per bus for a total increase not to exceed \$323,169.00.
  
- 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 five year term of the contract, seven contract options totaling \$63,804,899.36 have been authorized. Resolution No. 2014-111, authorized Option No. 1 to fund the purchase of up to 30 CNG buses. The CEO, General Manager/Secretary-Treasurer authorized Option No. 2 to fund the purchase of video monitors. Resolution No. 2015-66, authorized Option No. 3 to fund the purchase of up to 16 CNG buses. Resolution No. 2016-43, authorized Option No. 4 to fund the purchase of up to 24 CNG buses. Resolution No. 2016-104 authorized Option No. 5 to fund the purchase of up to 3 CNG buses. Resolution No. 2017-06, authorized Option No. 6, rescinding Options 4 and 5 and funding the purchase of up to 29 diesel buses. The CEO, General Manager/Secretary-Treasurer authorized Option No. 7 to fund the purchase of starting system ultra capacitors and Allison xFE transmissions. Resolution No. 2017-094, authorized Option No. 8 to fund the purchase of up to 33 CNG buses. The CEO, General Manager/Secretary-Treasurer authorized Option No.9 to remove various exterior lights and add retarder disable lights.

This resolution will authorize funding for the upgrade to the Cummins Next Generation L9N Near Zero Emission CNG engine that will be installed in GCRTA's order of 33 Gillig coaches scheduled for delivery in 2018. This request was reviewed and approved by the Change Order Committee.

A cost analysis was performed by the Procurement Department and it has been determined that the price is fair and reasonable to the Authority.

- 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 change order shall be payable from the RTA Development Fund, Fleet Management Department budget, including but not limited to, the pending Urban Transit Program ("UTP") grant award in an amount not to exceed \$323,169.00 (\$258,535.20 in Federal funds which is 80% of the cost of 33 Next Generation L9N Near Zero Emission CNG engines).
- 7.0 **ALTERNATIVES:** Reject this offer. Rejection of this offer would delay the Authority's purchase of 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 **ATTACHMENT:** Approved Option Log.

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



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CEO, General Manager/Secretary-Treasurer

## APPROVED OPTION LOG

### CONTRACT NO. 2013-100

(Manufacture and Delivery of Up To 60 40ft. CNG Coaches, Training and Spare Parts With An Option to Procure Up To An Additional 180 Coaches/Training/Spare Parts Over 5 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 **\$234,916.99**

Total Change Order Amount To Date; **\$63,804,899.36**

<i>ITEM NO.</i>	<i>NOTE No.</i>	<i>APPROVAL DATE</i>	<i>CHANGE ORDER AMOUNT</i>	<i>APPROVAL AUTHORITY</i>	<i>NEW CONTRACT</i>
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		6/14/2016	\$11,528,147.43	BOARD	\$62,368,436.47
5		11/15/2016	\$1,418,991.54	BOARD	\$63,787,428.01
6		1/24/2017	\$12,707,960.75	BOARD	\$63,548,429.79
7		5/19/2017	\$125,251.00	GM	\$63,673,500.79
8		11/27/2017	\$16,156,919.61	BOARD	\$79,830,420.40
9		3/2/2018	(-\$20,762.01)	GM	\$79,809,658.39
10			\$323,169.00	BOARD	\$80,132,827.39

#### 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 Rescinded -Authorizes Funding for 24 Buses/Training/Tooling/Spare Parts

CO No. 5 Rescinded - Authorizes Funding for 3 buses

CO No. 6 Authorizes Funding for 29 Buses and rescinding Options 4 & 5

CO No. 7 Authorizes Funding for Starting system Ultra Capacitors and Allison xFE Transmission

CO No. 8 Authorizes Funding for 33 Buses/Training/Tooling/Spare Parts

CO No. 9 Authorizes the Removal of Various Exterior Lights and Adding Retarder Disable Light

Ted Pickett

7/11/2018