

RESOLUTION NO. 2020-61

AUTHORIZING CONTRACT NO. 2020-046 WITH 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 IN AN AMOUNT NOT TO EXCEED \$7,154,341.63 WITH OPTIONS TO PROCURE UP TO TWENTY-ONE (21) ADDITIONAL COACHES, SPARE PARTS, TOOLING AND TRAINING, TO BE DELIVERED OVER THE FIVE (5) YEAR TERM OF THE CONTRACT (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, the offer of New Flyer of America Inc., located at 6200 Glenn Carlson Drive, St. Cloud, MN 56301, to manufacture and deliver up to seven (7) five (5) door 60-ft. articulated BRT coaches, spare parts, tooling and training, with options to procure up to twenty-one (21) additional coaches, spare parts, tooling and training, to be delivered over the five (5) year term of the contract; and

WHEREAS, New Flyer of America Inc., has offered to provide up to seven (7) 60-ft. articulated BRT coaches, spare parts, tooling and training as specified for a total negotiated contract amount not to exceed \$7,154,341.63; and

WHEREAS, the General Manager, Chief Executive Officer deems the offer of New Flyer of America Inc. 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 New Flyer of America Inc., to manufacture and deliver up to seven (7) five (5) door 60-ft. articulated BRT coaches, spare parts, tooling and training, with options to purchase up to twenty-one (21) additional coaches, spare parts, tooling and training to be delivered over the five (5) year term of the contract, be and the same is hereby accepted.

Section 2. That the General Manager, Chief Executive Officer be and is hereby authorized to enter into a contract with New Flyer of America Inc. to manufacture and deliver up to seven (7) five (5) door 60-ft. articulated BRT coaches, spare parts, tooling and training with options to purchase up to an additional twenty-one (21) coaches, spare parts, tooling, and training to be delivered over the five (5) year term of the contract.

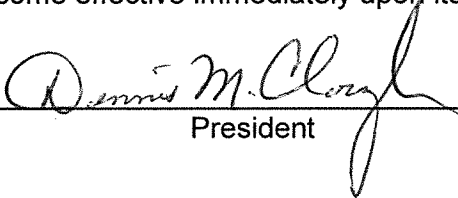
Section 3. That the General Manager, Chief Executive Officer may exercise options, subject to available funding and formal Board of Trustee approval, for up to twenty-one (21) additional articulated BRT coaches and related spare parts, tooling, and training, based on the negotiated purchase price of the year the option is exercised.

Section 4. That this contract shall be payable from the RTA Development Fund, Fleet Management Department budget, including but not limited to FTA Capital Grant OH-2019-037-307 in an amount of \$1,621,875.00 and FTA Capital Grant OH-2020-006 in an amount of \$5,532,466.63 for a total contract not to exceed \$7,154,341.63 (\$5,723,473.30 in federal funds which represents 80% of the total cost).

Section 5. That said contract shall be binding upon and an obligation of the Authority contingent upon future funding, 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 6. That this resolution shall become effective immediately upon its adoption.

Adopted: August 25, 2020



President

Attest: 

Interim Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: MANUFACTURE AND DELIVERY OF UP TO SEVEN (7) FIVE (5) DOOR 60-ft. ARTICULATED BRT COACHES, SPARE PARTS, TOOLING AND TRAINING, WITH OPTIONS TO PROCURE UP TO TWENTY-ONE (21) ADDITIONAL COACHES, SPARE PARTS, TOOLING AND TRAINING EXERCISED WITHIN FIVE YEARS OF CONTRACT SIGNATURE VENDOR: NEW FLYER OF AMERICA INC. AMOUNT: NOT TO EXCEED \$7,154,341.63 FOR THE FIRST SEVEN COACHES	Resolution No.: 2020-61
	Date: August 20, 2020
	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 allow the Authority to enter into a contract for the manufacture and delivery of up to seven (7) five (5) door 60-ft. articulated BRT coaches, spare parts, tooling and training, with options to purchase up to twenty-one (21) additional articulated BRT coaches, spare parts, tooling and training to be delivered over the five (5) year term of the contract.

- 2.0 **DESCRIPTION/JUSTIFICATION:** The Authority currently operates twenty-four (24) 60-ft. articulated BRT coaches. This procurement will replace seven (7) 2007 New Flyer of America articulated BRT coaches which have exceeded their useful life in accordance with the Authority's vehicle replacement policy and guidelines. The procurement of these articulated BRT coaches will ensure adequate vehicles will be available for the Authority's HealthLine service.

- 3.0 **PROCUREMENT BACKGROUND:** The Request for Proposals ("RFP") was posted on the GCRTA web site and advertised in the local newspapers. Fourteen (14) interested parties downloaded the solicitation. One (1) proposal was received on April 16, 2020. After evaluation by a panel of Authority employees in accordance with established Procurement Policies and Procedures, and subsequent negotiations, the proposal of New Flyer of America Inc., as negotiated, is determined to be advantageous to the Authority.

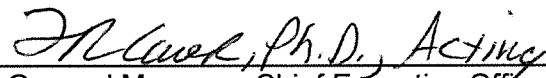
 Contract award is contingent upon the successful review of all costs associated with this procurement, compliance with Pre-Award/Buy America Audit requirements and Federal Transit Administration approval of applicable grants.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. In accordance with Federal Regulations, The Office of Business Development (OBD) does not establish goals on Transit Vehicle Manufacturer (TVM) contracts. As required, OBD has received and reviewed the New Flyer's TVM Certification submitted to FTA.

- 5.0 **POLICY IMPACT:** Does not apply.

- 6.0 ECONOMIC IMPACT: This contract shall be payable from the RTA Development Fund, Fleet Management Department budget, including but not limited to FTA Capital Grant OH-2019-037-307 in an amount of \$1,621,875.00 and FTA Capital Grant OH-2020-006 in an amount of \$5,532,466.63 for a total contract not to exceed \$7,154,341.63 (\$5,723,473.30 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 procurement was discussed by the Board of Trustees at the August 11, 2020 Organizational, Services & Performance Monitoring Committee meeting. It is recommended that the offer of New Flyer of America Inc., be accepted and the resolution passed authorizing the General Manager, Chief Executive Officer to enter into a contract.
- 9.0 ATTACHMENT: None.

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



General Manager, Chief Executive Officer