

RESOLUTION NO. 2021-58

AUTHORIZING AN INCREASE TO CONTRACT NO. 2019-148 WITH LYTX, INC. TO PROVIDE 4G DRIVER BEHAVIOR PERFORMANCE MONITORING SYSTEM EQUIPMENT AND RELATED SERVICES FOR BUS AND PARATRANSIT VEHICLES IN AN AMOUNT NTE \$211,000.00, FOR A NEW TOTAL CONTRACT AMOUNT NTE \$1,213,936.00 (GENERAL FUND, FLEET MANAGEMENT DEPARTMENT BUDGET)

WHEREAS, the Authority currently utilizes a driver behavior performance monitoring system for its bus and paratransit vehicles; and

WHEREAS, on December 17, 2019, Resolution No. 2019-113 authorized Contract No. 2019-148 with Lytx, Inc. to provide driver behavior performance monitoring system services, as needed, in an amount not to exceed \$601,761.60 for the base three years, and an amount not to exceed \$200,587.20 for each of the two option years, for a total contract amount not to exceed \$1,002,936.00 for the five-year period; and

WHEREAS, based on the Authority's need to now purchase Lytx's proprietary 4G driver behavior performance monitoring system equipment and related services, an offer was received from Lytx, Inc. with an office located at 9785 Towne Centre Drive, San Diego, CA 92121, and

WHEREAS, Lytx, Inc. has offered to provide the 4G driver behavior performance monitoring equipment and related services at a discounted rate, resulting in an increase to the contract in a negotiated amount not to exceed \$211,000.00, for a new total contract amount not to exceed \$1,213,936.00 for the five year period; and

WHEREAS, the General Manager, Chief Executive Officer deems the negotiated offer from Lytx, Inc. to provide 4G driver behavior performance monitoring equipment and related services as specified in Contract No. 2019-148, to be in the best interest of the Authority 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 Lytx, Inc. to increase Contract No. 2019-148 for 4G driver behavior performance monitoring equipment and related services for bus and paratransit vehicles is hereby accepted.

Section 2. That the General Manager, Chief Executive Officer of the Authority be and she is hereby authorized to amend Contract 2019-148 with Lytx, Inc. to increase the contract by an amount not to exceed \$211,000.00 for 4G driver behavior performance monitoring equipment and related services for bus and paratransit vehicles.

Section 3. This increase will be payable through the General Fund, Fleet Management Department budget, in an amount not to exceed \$211,000.00 for a new total contract amount not to exceed \$1,213,936.00 for the five year period.

Section 4. That the General Manager, Chief Executive Officer's change order authority is reinstated in its entirety.

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

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

Adopted: June 29, 2021



President

Attest: 

Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: AUTHORIZING AN INCREASE TO CONTRACT NO. 2019-148 TO PROVIDE 4G DRIVER BEHAVIOR PERFORMANCE MONITORING SYSTEM EQUIPMENT AND RELATED SERVICES FOR BUS AND PARATRANSIT VEHICLES VENDOR: LYTX, INC. AMOUNT: NTE \$211,000.00 FOR A NEW TOTAL CONTRACT AMOUNT NTE \$1,213,936.00	Resolution No.: 2021-58
	Date: June 24, 2021
	Initiator: Fleet Management
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 allow the Authority to increase Contract No. 2019-148 with Lytx, Inc. to purchase 4G driver behavior performance monitoring system equipment and related services under the existing agreement for Driver Behavior Performance Monitoring System services.

- 2.0 **DESCRIPTION/JUSTIFICATION:** During negotiations for subscription services under Contract No. 2019-148, GCRTA was informed by Lytx that the 3G technology DriveCam DC3P device was scheduled for sunset by cellular providers on December 31, 2021 and, consequently, the 416 DC3P devices currently installed in the GCRTA fleet will not work after that time. This request will increase the contract by \$211,000.00 and will allow the Authority to purchase up to 440 Lytx SF300 DriveCam event recorder kits, which include event recorders, harnesses, mounting brackets, equipment, shipping and handling fees, as well as a provisioning fee for the GCRTA fleet as previously negotiated in Contract No. 2019-148.

- 3.0 **PROCUREMENT BACKGROUND:** Contract No. 2019-148 was awarded to Lytx, Inc. on December 17, 2019, by Resolution No. 2019-113 to purchase driver behavior performance monitoring system services. The contract award was in an amount not to exceed \$601,761.60 for the base three years, and an amount not to exceed \$200,587.20 for each of the two option years, for a total contract amount not to exceed \$1,002,936.00 for the five-year period.

 Contract No. 2019-148 anticipated the purchase of 4G performance monitoring system equipment and related services. DriveCam technology is proprietary to Lytx, Inc. and, therefore, this sole source procurement was exempt from competitive bidding as authorized under Section 306.43(H)(3) of the Ohio Revised Code. The Fleet Management Department reviewed the offer for adherence to the technical requirements. This change order was discussed and approved by the Change Order Committee.

 The price analysis has been performed and the Procurement Department has determined that the price is fair and reasonable to the Authority.

- 4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 0% DBE participation goal was established for this procurement because it is for the maintenance of proprietary software, which work is limited and exclusive to the original provider and installer by agreement.

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

- 6.0 ECONOMIC IMPACT: This increase shall be payable from the General Fund, Fleet Management Department budget, in an amount not to exceed \$211,000.00, for a new total contract amount not to exceed \$1,213,936.00 for the five year period.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would leave the Authority without a critical training tool for its bus and paratransit operators.
- 8.0 RECOMMENDATION: It is recommended that the offer of Lytx, Inc. be accepted and the resolution passed authorizing the General Manager, Chief Executive Officer to modify the contract.
- 9.0 ATTACHMENTS: None.

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



General Manager, Chief Executive Officer