

PROCUREMENT SUMMARY

**BYD COACH & BUS, LLC - SIXTY 40' ZERO EMISSION TRANSIT BUSES/
OP28367-002**

1.	Contract Number: OP28367-002		
2.	Contractor: BYD Coach & Bus LLC		
3.	Mod. Work Description: Increase Contract Modification Authority		
4.	Contract Work Description: Procure 40' ZE transit buses		
5.	The following data is current as of: 07/16/20		
6.	Contract Completion Status		Financial Status
	Contract Awarded:	07/27/17	Contract Award Amount: \$47,774,723
	Notice to Proceed (NTP):	11/15/17	Total of Modifications Approved: \$(146,930)
	Original Complete Date:	8/16/19	Pending Modifications (including this action): \$30,863,440
	Current Est. Complete Date:	11/01/21	Current Contract Value (with this action): \$78,491,233
7.	Contract Administrator: Elizabeth Hernandez		Telephone Number: (213) 922-7334
8.	Project Manager: Julio Rodriguez		Telephone Number: (213) 922-6603

A. Procurement Background

This Board Action is to approve an increase in the Contract Modification Authority from 10% to 15% (\$11,795,724) for Contract OP28367-002 to procure 40' ZE buses from BYD Coach & Bus, LLC. and staff delegated authority to negotiate and execute future contract modifications in the not-to-exceed amount of \$1,000,000.

This Contract Modification will be processed in accordance with Metro's Acquisition Policy and the contract type is a firm fixed unit price.

On July 27, 2017, the Board awarded Contract No.: OP28367-002 to BYD Coach & Bus, LLC. for the manufacture and delivery of the 60 units of 40' ZE transit buses in the Not-To-Exceed amount of \$47,774,723. On September 19, 2019, the Board authorized the exercise of 40 option buses in the amount of \$30,863,440.

Contract Modification Nos. 1 through 4 were issued with staff delegated authority.

(Refer to Attachment D – Contract Modification/Change Order Log)

B. Cost/Price Analysis

The recommendation to increase the CMA from 10% to 15% and for staff delegated authority to negotiate and execute future change orders in the not-to-exceed amount of \$1,000,000 for each contract modification action ensure that the maximum cost and schedule benefits are realized. Additionally, this will allow for Metro to quickly execute any technological advancements and solutions in response to COVID-19. The recommended option was determined to be fair and reasonable based on cost analysis at the time of the original contract award.

CONTRACT MODIFICATION/CHANGE ORDER LOG

BYD COACH & BUS, LLC - SIXTY 40' ZE TRANSIT BUS/OP28367-002

Mod. no.	Description	Status (approved or pending)	Date	\$ Amount
1	Update Special Provision-38 Terms	Approved	01/09/19	\$0
2	Optional Bus Configuration	Approved	12/03/19	\$326,780
3	Modify project delivery terms	Approved	12/27/19	\$0
4	Modify bus configurations	Approved	04/16/20	\$(473,710)
	Exercise of Option	Pending	TBD	\$30,863,440
	Modification Total:			\$30,716,510
	Original Contract:			\$47,774,723
	Total:			\$78,491,233