

## PROCUREMENT SUMMARY

NEW FLYER OF AMERICA, INC. - 60' LOW FLOOR ZERO EMISSION BUSES/  
OP28367-001

1.	<b>Contract Number:</b> OP28367-001		
2.	<b>Contractor:</b> New Flyer of America, Inc. (NFA)		
3.	<b>Mod. Work Description:</b> Procure 8 additional units of depot charging equipment; Increase Contract Modification Authority		
4.	<b>Contract Work Description:</b> Procure 60' Low-Floor ZE transit buses		
5.	<b>The following data is current as of:</b> 07/24/20		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	07/27/17	<b>Contract Award Amount:</b> \$60,050,097
	<b>Notice to Proceed (NTP):</b>	11/15/17	<b>Total of Modifications Approved:</b> \$13,239,876
	<b>Original Complete Date:</b>	09/16/19	<b>Pending Modifications (including this action):</b> \$1,138,133
	<b>Current Est. Complete Date:</b>	11/30/20	<b>Current Contract Value (with this action):</b> \$74,428,106
7.	<b>Contract Administrator:</b> Elizabeth Hernandez		<b>Telephone Number:</b> (213) 922-7334
8.	<b>Project Manager:</b> Steve Schupak		<b>Telephone Number:</b> (213) 922-6652

**A. Procurement Background**

1. This Board Action is to approve Contract Modification No. 14 for Contract OP28367-001 issued in support of Metro's bus fleet electrification program and replacement plan for the manufacture and delivery of 40 units of 60' zero emission buses from New Flyer of America Inc. This Modification is to procure 8 additional units of depot charging equipment for the G (Orange) Line in the amount of \$1,138,133, including tax.

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

2. Further, this Board Action is to approve an increase in the Contract Modification Authority from 10% to 15% (\$10,113.208) to procure 60' ZE buses from New Flyer of America, Inc.

On July 27, 2017, the Board awarded Contract No.: OP28367-001 New Flyer of America, Inc. for the manufacture and delivery of the 35 units of 60' ZE transit buses in the Not-To-Exceed amount of \$60,050,097. On March 22, 2018, the Board

approved the exercise of 5 option buses for a firm fixed price of \$7,371,287. Contract Modification Nos. 1 through 13 were issued within staff delegated authority.

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

**B. Cost/Price Analysis**

The recommended price of \$1,138,133, including tax, has been determined to be fair and reasonable based upon MAS audit findings, an independent cost estimate, cost analysis, technical evaluation, fact finding, and negotiations.

<b>Proposal Amount</b>	<b>Metro ICE</b>	<b>Negotiated Amount</b>
\$1,344,012	\$1,433,771	\$1,138,133

The recommendation for an increase in the Contract Modification Authority from 10% to 15% (\$10,113,208) ensures 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.

## CONTRACT MODIFICATION/CHANGE ORDER LOG

NEW FLYER OF AMERICA, INC. - 60' LOW FLOOR ZERO EMISSION BUSES/  
OP28367-001

Mod. no.	Description	Status (approved or pending)	Date	\$ Amount
1	Add 5 option buses to the base buy from 35 to 40 vehicles; and increase opportunity and depot charging equipment	Approved	03/22/18	\$7,371,287
2	Pilot buses battery capacity upgrade from 250kWh to 320 kWh	Approved	08/30/18	\$226,384
3	Production buses battery upgrade from 250kWh to 320 kWh	Approved	10/25/18	\$2,792,074
4	Optional Bus Configurations	Approved	11/13/18	\$485,933
5	Update Special Provision-38 Terms	Approved	01/09/19	\$0
6	Training Aids and E-Learning Modules	Approved	08/13/19	\$1,514,419
7	Modify bus configurations	Approved	10/23/19	(\$30,107)
8	Modify project delivery terms	Approved	10/29/19	\$0
9	Modify contract payment terms	Approved	02/25/20	\$0
10	Depot charging equipment changes	Approved	02/27/20	\$26,017
11	Upgrade of 4 on-route charging equipment	Approved	06/1/20	\$ 853,869
12	Update changes on Pricing Forms	Approved	06/23/20	\$0
13	Modify project delivery terms	Approved	07/13/20	\$0
14	Procure 8 additional units of depot charging equipment	Pending	TBD	\$1,138,133
	<b>Modification Total:</b>			<b>\$14,378,009</b>
	<b>Original Contract:</b>			<b>\$60,050,097</b>
	<b>Total:</b>			<b>\$74,428,106</b>