

PROCUREMENT SUMMARY
SIXTY FIVE 60' ARTICULATED CNG TRANSIT BUS / OP28367-003 (Group B)

1.	Contract Number: OP28367-003	
2.	Recommended Vendor: New Flyer of America, Inc.	
3.	Type of Procurement (check one): <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E <input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order	
4.	Procurement Dates:	
	A. Issued: 07/29/16	
	B. Advertised/Publicized: 08/04/16; 08/08/16; 08/12/16; 08/15/16	
	C. Pre-Proposal Conference: 08/30/16	
	D. Proposals Due: 05/19/17	
	E. Pre-Qualification Completed: 06/05/17	
	F. Conflict of Interest Form Submitted to Ethics: 07/14/17	
	G. Protest Period End Date: 07/28/17	
5.	Solicitations Picked up/Downloaded: 63	Bids/Proposals Received: 1
6.	Contract Administrator: Elizabeth Hernandez	Telephone Number: (213) 922-7334
7.	Project Manager: John Drayton	Telephone Number: (213) 617-6285

A. Procurement Background

This Board Action is to approve Contract No. OP28367-003 issued in support of Metro's bus fleet replacement plan to procure new buses for replacement of 60' CNG buses that will reach the end of their useful life. Group B – 60' CNG bus buy base order consists of 65 buses, and option orders of up to 335 additional buses for a total of 400 Sixty Foot CNG buses. Board approval of contract awards are subject to resolution of any properly submitted protest.

The RFP was issued in accordance with Metro's Acquisition Policy and the contract type is a firm fixed unit price.

Twenty seven (27) amendments were issued during the solicitation phase of this RFP:

- Amendment No. 1, issued on 08.03.16, updated the required certifications;
- Amendment No. 2, issued on 08.08.16, provided revised Pre-Proposal Conference date and venue;
- Amendment No. 3, issued on 08.11.16, updated due dates for requests for approved equals and clarifications;
- Amendment No. 4, issued on 08.26.16, edited the submittal forms and Technical Specifications;
- Amendment No. 5, issued on 09.07.16, extended the proposal and clarifications requests due dates, edited submittal forms and technical specifications, and established a project data repository for plan holder access to RFP documents;

- Amendment No. 6, issued on 09.16.16, extended the proposal and clarifications requests due dates, edited submittal forms and technical specifications, and scheduled on site bus inspections for proposers;
- Amendment No. 7, issued on 09.30.16, edited pricing forms, technical specifications, and commercial terms and conditions;
- Amendment No. 8, issued on 10.14.16, edited pricing and clarification request forms, technical specifications, and commercial terms and conditions;
- Amendment No. 9, issued on 11.02.16, edited pricing forms, technical specifications, and commercial terms and conditions;
- Amendment No. 10, issued on 11.07.16, edited pricing forms, technical specifications, and commercial terms and conditions;
- Amendment No. 11, issued on 11.10.16, extended the due dates for Groups A and B, 40' and 60' CNG proposals, and edited commercial terms and conditions;
- Amendment No. 12, issued on 11.22.16, edited pricing and submittal forms.
- Amendment No. 13, issued on 12.12.16, extended the due dates for Groups C and D 40' and 60' zero emission bus proposals;
- Amendment No. 14, issued on 01.12.17, edited commercial terms and conditions for Group A;
- Amendment No. 15, issued on 01.13.17, extended the due dates for Groups C and D, 40' and 60' zero emission bus proposals;
- Amendment No. 16, issued on 01.26.17, extended the due dates for Groups C and D, 40' and 60' zero emission bus proposals;
- Amendment No. 17, issued on 01.31.17, edited pricing forms and technical specifications for Groups C and D, 40' and 60' zero emission bus proposals;
- Amendment No. 18, issued on 02.06.17, edited pricing forms for Groups C and D, 40' and 60' zero emission bus proposals;
- Amendment No. 19, issued on 02.10.17, solicited best and final offers (BAFO) from Group A proposers;
- Amendment No. 20, issued on 02.24.17, edited documents for Group A;
- Amendment No. 21, issued on 02.28.17, edited documents for Group A;
- Amendment No. 22, issued on 03.30.17, solicited best and final offers (BAFO) from Group A proposers;
- Amendment No. 23, issued on 05.05.17, solicited BAFO from Group D proposers;
- Amendment No. 24, issued on 05.05.17, edited documents for Group B proposers;
- Amendment No. 25, issued on 05.09.17, solicited conforming offer for Group B proposers;
- Amendment No. 26, issued on 05.10.17, edited documents for BAFO from Group D proposers;
- Amendment No. 27, issued on 05.11.17, extended the due date for Group B proposals;

A pre-proposal conference was held on August 30, 2016. On-site bus inspections were scheduled on October 4, 5 and 6, 2016. One proposal was received on November 28, 2016.

Questions received throughout the solicitation process and Metro's responses to those questions were made accessible to the RFP plan holders by posting them on Metro's project data repository. Nine sets of Questions and Answers were issued for a total of 754 questions and answers uploaded to the repository from August 12, 2016 to December 30, 2016. Proposers for Group A and Group B, 40' and 60' CNG buses requested, and Metro granted, several extensions changing the proposal due date from the initial date of September 30, 2016 to November 28, 2016.

The technical evaluation of the single proposal was completed on May 4, 2017, and included review of the written proposal, clarification requests and responses, and conference call discussions. This level of technical evaluation was necessary to assess and determine the proposers' compliance with the technical specifications at an acceptable price.

B. Evaluation of Proposals

In the absence of competition, the proposal was evaluated for technical compliance to Metro's requirements. A technical evaluation of the proposal was conducted by the Project Manager who utilized the Proposal Evaluation Team (PET) members as technical advisors, to determine technical acceptance. The RFP evaluation criteria were used as the basis for this technical evaluation in the areas of Technical Compliance, Project Management Experience, and Experience and Past Performance.

The Local Employment Program (LEP) is a FTA approved pilot for Metro's Rolling Stock procurements. The LEP allows for geographical preferences to be applied as part of Metro's evaluation scoring. For this Group B, the single proposer elected to participate in the voluntary LEP.

The initial proposal required clarifications resulting from the technical evaluation. Through discussions, satisfactory responses were obtained and a conformed specification and commercial terms were developed. On May 9, 2017, a conforming offer was requested, and on May 19, 2017, the offer was received. The Project Manager conducted a final technical evaluation and confirmed that the proposal met all technical requirements.

Qualifications Summary of the Firm:

New Flyer of America, Inc. (NFA)

NFA is a North Dakota corporation organized in October 1989 and is a wholly owned subsidiary of Transit Holdings, a holding company that owns New Flyer of America, Inc. and New Flyer Industries Canada ULC.

NFA proposed to build LACMTA bus orders in its St. Cloud, Minnesota and Ontario, California facilities. The St. Cloud plant is a production and finishing facility. The Ontario, California facility houses production, service and aftermarket parts.

NFA has delivered 60' CNG buses to transit agencies such as Orange County Transportation Authority (OCTA), New York MTA, and Omnitrans.

C. Cost/Price Analysis

A cost analysis is currently underway utilizing an audit completed by Metro’s MASD on June 30, 2017. The audit findings are being used as the basis for negotiations to arrive at a fair and reasonable price. In addition to the audit performed by MASD, Metro’s negotiation with the proposed Contractor will factor in a Technical Evaluation performed by Metro’s project management team and Metro’s Independent Cost estimate (ICE). The recommended Contractor’s proposed price of \$408,580,279 will be used as the not-to-exceed cap for these negotiations. The final negotiated Contract for Base and Option vehicles will be based on Firm Fixed Unit Rate prices. The Optional Vehicle Features will also be based on Firm Fixed Prices for total Base Buy and Option Buy quantities.

Proposer Name	Proposal Amount	Base Buy (65)	Option Buy (335)	Optional Features for Base and Options Buys	Negotiated or NTE amount
Metro ICE*		\$58,582,745	\$301,926,455		Not Applicable
NFA	\$408,580,279	\$64,428,454	\$331,132,073	\$13,019,752**	TBD

*Note: Metro’s estimated per unit cost of the vehicle is based upon a bus configuration that did not include the design requirement for electronically driven accessories. Metro is the first transit agency to require electronically driven accessories in a CNG bus configuration. **The recommended value for the Base Optional Features is \$3,260,156.

Local Employment Program

NFA has elected to participate in Metro’s voluntary Local Employment Program (LEP). In the absence of competition, this participation did not result in distribution of any incentive points to NFA based on their proposed wages, benefits, and training of new employees hired in California. The table below describes the commitment level for NFA for new local jobs. This value is currently under negotiations.

Proposers:	NFA
Total Local Employment, Facility and Training Investment	\$3,100,668

D. Background on Recommended Contractor

The recommended firm, New Flyer of America Inc. (NFA), is a corporation organized in North Dakota, and is a wholly owned subsidiary of Transit Holdings. NFA is the US operating company in the New Flyer group of companies, and manufactures and sells New Flyer transit buses to U.S. customers.

NFA proposes to support the Metro project with new and existing workforce in production, manufacturing, engineering, quality assurance and warranty services from its locations in Winnipeg, Canada, St. Cloud, Minnesota and Ontario, California. NFA will build Metro buses from the St. Cloud and Ontario facilities. The 380,000 square foot St. Cloud facility opened in 1999 and has two production lines for full production and finishing processes. The 100,000 square foot service center Ontario facility will include a production team for finishing and delivery of the buses, field service support for warranty and retrofit activities, and a team for aftermarket parts and materials. NFA recently completed delivery of the 900 40' CNG bus buy to Metro.

NFA's proposed a dedicated Customer Project Manager and primary point of contact for this project who previously worked with Metro staff for the 900 bus buy. NFA's proposed project team has combined extensive years of experience in the transit/bus industry for engineering, manufacturing, quality control, production, testing, systems integration, and field/warranty support delivering buses to major transit agencies such as Boston, New York, Washington, D.C. and Dallas.