

## PROCUREMENT SUMMARY

NEW FLYER BUSES - UP TO 900 CNG BUS CONTRACT/  
MODIFICATION NO. 9 & 10

1.	<b>Contract Number:</b> OP33202869		
2.	<b>Contractor:</b> New Flyer of America, Inc.		
3.	<b>Mod. Work Description:</b> Retrofit installation of Operator Barriers and Live Video Monitors, Option 1 escalation		
4.	<b>Contract Work Description:</b> Up to 900 Bus Buy		
5.	<b>The following data is current as of:</b> 8/7/15		
6.	<b>Contract Completion Status</b>		<b>Financial Status</b>
	<b>Contract Awarded:</b>	2/1/13	<b>Contract Award Amount:</b> \$302,094,178
	<b>Notice to Proceed (NTP):</b>	2/1/13	<b>Total of Modifications Approved:</b> \$196,558,163
	<b>Original Complete Date:</b>	7/31/15	<b>Pending Modifications (including this action):</b> \$6,043,492
	<b>Current Est. Complete Date (with this action):</b>	10/30/16	<b>Current Contract Value (with this action):</b> \$504,695,833
7.	<b>Contract Administrator:</b> Joe Marzano		<b>Telephone Number:</b> (213) 922-7014
8.	<b>Project Manager:</b> John Drayton		<b>Telephone Number:</b> (213) 922-5882

**A. Procurement Background**

This Board Action is to approve contract modification no. 10 for \$3,617,152 issued to New Flyer in support of a retrofit installation of a Live Video Monitoring System (LVMS) on 282 New Flyer buses and operator barriers on 427 New Flyer buses. This Board Action also includes approval of contract modification no. 9 for escalation accrued between January and March 2015 for Option 1 buses in the amount of \$2,426,340. The total value for contract modification no. 9 and 10 is \$6,043,492.

This contract modification will be processed in accordance with Metro's Acquisition Policy and the contract type is a Firm Fixed Price.

On January 24, 2013, Metro's Board of Directors approved board agenda item no. 54, to New Flyer of America, Inc., in the amount of \$302,094,178, for manufacturing and delivery of 550 forty-foot CNG transit buses exclusive of contract options for up to 350 additional buses for a total of 900 buses. On February 26, 2015, Metro's Board of Directors approved board agenda item no. 23 in the amount of \$193,979,571 to exercise Option 1 for 350 additional forty-foot CNG buses. Approval of this Board

recommendation item will increase the total value of the option purchase to \$196,405,911.

On October 23, 2014, Metro’s Board of Directors approved board agenda item no. 10 for the installation of a LVMS on the 128 production buses. On January 20, 2015, staff executed contract modification no. 8 for the installation of operator barriers on 123 production buses. The recommended contract modification no. 10 is to retrofit operator barriers and LVMS on the remaining New Flyer fleet that currently does not have this equipment installed. The value of the contract modification is for a firm fixed amount of \$3,617,152 including, tax and delivery.

Attachment B shows that eight modifications have been issued to date for vehicle configuration changes, non-taxable ADA equipment tax adjustments, and corrections to Diagnostic Test Equipment pricing.

**B. Cost/Price Analysis**

Live Video Monitoring System & Operator Barriers

The recommended price for the LVMS and operator barriers has been determined to be fair and reasonable based upon an independent cost estimate, audit, cost analysis technical evaluation, fact finding and negotiations.

<b>Item</b>	<b>Proposed Amount</b>	<b>Metro Independent Cost Estimate</b>	<b>Negotiated Amount</b>
Live Video Monitoring System	\$1,262,125	\$1,258,961	\$1,104,426
Operator Barriers	\$2,781,358	\$2,902,347	\$2,512,726
<b>Total</b>	<b>\$4,043,483</b>	<b>\$4,161,308</b>	<b>\$3,617,152</b>

Escalation for Option 1

The total contract value for Option 1 approved by the Board in February 2015 was based on projected escalation using the latest PPI figure (Dec ‘14) available at the time of board approval. The actual escalation costs for Option 1 are based on the March 2015 Producer Price Index for Truck and Bus Bodies, Series No. 1413. Between January and March 2015, the PPI increased 1.33% or \$2,426,340. The firm fixed price for Option 1 is \$196,405,911, including escalation, is determined to be fair and reasonable for the 350 option buses based upon adequate price competition for the base and option quantities, and a price analysis that included both base and option prices, including escalation prior to contract award.

**C. Small Business Participation**

The Diversity and Economic Opportunity Department did not recommend a Disadvantaged Business Enterprise (DBE) participation goal for this rolling stock procurement. Transit Vehicle Manufacturers (TVM), as a condition of authorization to

bid or propose on FTA-assisted transit vehicle procurements, must certify that it has complied with the requirements of 49 Code of Federal Regulations (CFR) Part 26.49(a). Only those transit vehicle manufacturers listed on FTA's certified list of Transit Vehicle Manufacturers at the time of solicitation are eligible to bid. In compliance with 49 CFR Part 26.49, TVMs report direct to FTA.

**D. Living Wage Service Contract Worker Policy**

The Living Wage and Service Contract Worker Retention Policy is not applicable to this contract.

**E. Prevailing Wage Applicability**

Prevailing wage is not applicable to this contract.