



Board Report

File #: 2015-1228, File Type: Contract

Agenda Number: 64.

REVISED
SYSTEM SAFETY, SECURITY AND OPERATIONS COMMITTEE
SEPTEMBER 17, 2015

SUBJECT: NEW FLYER BUSES

ACTION: APPROVE RETROFIT OF OPERATOR BARRIERS AND LIVE VIDEO MONITORS ON REMAINING NEW FLYER BUSES AND OPTION 1 PRICE ESCALATION

RECOMMENDATION

AUTHORIZING the Chief Executive Officer to:

- A. Increase the Life of Project (LOP) budget for the **900 bus buy project to include funding for Option 1 price escalation; retrofit of operator safety barriers; and Live Video Monitoring System (LVMS)** in the amount of \$3,617,152 from \$503,442,500 to \$507,059,652; and
- B. Approve Contract Modifications 9 and 10 for Contract OP33202869 to New Flyer of America, in the amount of \$6,043,492, for Option 1 price escalation and for retrofit of operator safety barriers and LVMS, increasing the total Contract value from \$498,652,341 to \$504,695,833.

ISSUE

Contract OP33202869 is a firm fixed price contract for the purchase of up to 900 forty-foot CNG transit buses. The Base Order Contract for 550 buses was executed on February 1, 2013. In February 2015, Metro's Board approved Contract Option 1 for 350 additional buses for a total of 900 buses. Base order buses purchased under this contract went into service in December 2013. Option 1 buses are currently being delivered to Metro at a rate of 5 buses per week with a delivery completion date of October 2016.

In response to increased operator assaults, Metro's CEO directed staff to retrofit all of Metro's bus fleet with protective operator barriers in order to provide additional protection to operators.

DISCUSSION

Operator Barriers & Live Video Monitoring System

In September 2014, New Flyer was directed to begin installation of LVMS during production on 618 buses. In February 2015, Metro directed New Flyer to begin installation of protective operator barriers on 473 buses during production.

The first phase of Metro CEO's directed fleet retrofit plan will include installation of operator barriers and LVMS on the base order New Flyer buses purchased under Contract OP33202869 that did not have this equipment installed during production. Currently, there are 427 New Flyer buses that do not have operator safety barriers installed, and there are 282 New Flyer buses that do not have the LVMS installed.

In the last couple years, several major U.S. transit operators are installing operator barriers to help reduce the number of bus operator assaults (Attachment D). The barriers are being installed as part of new bus procurements and continue to be in use. Metro will continue to monitor advancements in operator barriers and protective systems internally and within the transit industry. The information gathered from manufacturers and transit agencies only indicates who is using protective operator barriers, there is no current information available on their effectiveness against operator assaults.

Between April and August 2015 Metro conducted surveys and sent bus operators several pieces of communications to inform them and solicit their feedback regarding protective operator barriers and LVMS. The results of this survey found:

- 62% of operators surveyed expressed that they would use the barriers in the future
- 58% of operators surveyed felt that the barriers made their job easier or did not affect their job in a negative way
- 59% of operators surveyed reported that they felt safe or somewhat safe when operating a bus with a barrier
- 63% of operators surveyed felt safe or somewhat safe when operating a bus with the on-board video monitor

The total retrofit cost of the operator safety barriers is \$2,512,726 and LVMS is \$1,104,426. Once this project begins, it is estimated that barrier installations will be completed in 25 weeks, and video monitor installations will be completed in 15 weeks.

Escalation for 350 Bus Option

Option buses purchased under the Contract are subject to escalation based on the Producer Price Index (PPI) for bus and truck bodies. The Total Contract Value approved by the Board in February was based on projected escalation using the latest PPI figure (Dec '14) available at the time of board approval. Between January and March 2015, the PPI increased 1.33% or \$2,426,340, increasing the Total Contract value for the 350 Option buses from \$498,652,341 to \$501,078,681, inclusive of sales tax. Staff recommends an increase to the Total Contract Value for Option 1 buses in the amount of \$2,426,340 to cover the cost of escalation accrued between January and March 2015 for the 350 vehicle Option approved by the Board in February 2015.

DETERMINATION OF SAFETY IMPACT

Operator safety is at the forefront of Metro's priorities. The installation of protective barriers and

video monitors on the new fleet is expected to help reduce the rate of Operator assaults.

FINANCIAL IMPACT

Funding for this recommendation will be included in the FY16 capital program by an LOP increase to project 201056 550 40' Foot Bus Buy. Budget will be allocated to cost center 3320 in account 53105 - Vehicle Technology for \$3,617,152 in the FY16 budget. The balance of the project shall be funded in accordance with the cashflow plan found in Attachment C. Should additional funds be identified or become available throughout the life of this action, project management will coordinate with funding staff to accelerate the bus delivery. Since this is a multi-year action, the cost center manager and project manager will be responsible for budgeting in future fiscal years.

Impact to Budget

The recommended action will be funded with Federal 5307, Federal 5339 and Local TDA-4 funds which are eligible for Bus and Rail Operations.

ALTERNATIVES CONSIDERED

Operator Barriers & LVMS

Staff considered conducting a new procurement for barriers and monitors for all Metro buses fleet-wide. This option is not recommended for the New Flyer buses because it would delay the installation and will compromise fleet uniformity for the New Flyer fleet and create additional inventory and training costs. If outside vendors (other than New Flyer) were to do this work it may void the warranty coverage on these buses.

Escalation for Option 1

Staff considered purchasing slightly fewer than the full 350 buses to stay within previously approved contracting authority limits. This action is not recommended because funding is already programmed that covers the cost of this increase, and all of these New Flyer buses are needed to replace older CNG buses that are scheduled to be retired.

NEXT STEPS

If this action is approved, staff will issue Contract Modification No. 9, and Contract Modification No. 10 to direct New Flyer to immediately begin a retrofit program for all 5600 series buses that do not already have protective operator safety barriers and/or video monitors. New Flyer will begin retrofitting buses within 30 days of the Notice-to-Proceed. The estimated completion timeline is 25 weeks for operator safety barriers and 15 weeks for LVMS.

While the operator barriers meet all Federal Motor Vehicle Safety Standards, Operations understands that the barriers are new to our environment. As concerns are raised, staff will review and work with the equipment suppliers to rectify any operational and safety concerns.

Staff also plans to issue a new competitive solicitation for the installation of operator safety barriers on approximately 1,500 other buses in Metro's fleet that do not already have this equipment.

Staff will continue to evaluate the effectiveness of the operator barriers. Operations will provide the Board with the information gained internally through Metro's usage of the barriers, and through partnerships with our peer agencies that utilize operator barriers.

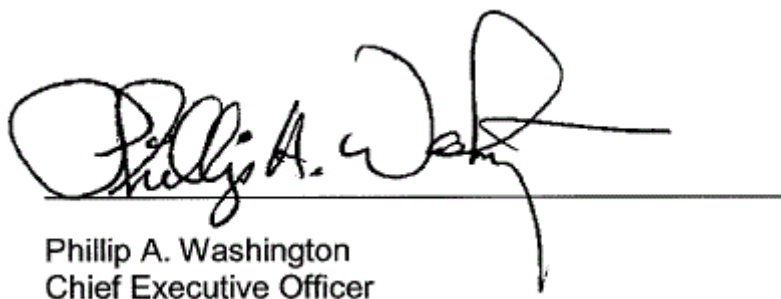
ATTACHMENTS

- Attachment A - Procurement Summary
- Attachment B - Contract Modification / Change Order Log
- Attachment C - Funding / Expenditure Plan
- Attachment D - Transit Agencies Using Operator Barriers

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