

1 [Contract Amendment - New Flyer of America Inc. - Purchase of Low Floor Diesel-Hybrid
2 Buses - Not to Exceed \$428,654,904]

3 **Resolution approving Amendment No. 4 to Contract No. CPT 713 (Procurement of 40-Ft
4 and 60-Ft Low Floor Diesel Hybrid Coaches) with New Flyer of America Inc., to change
5 68 coaches from parallel propulsion to series propulsion, amend the list of additional
6 equipment added during the production phase of the contract, and amend the
7 Schedule of Prices to reflect these changes, for an additional amount of \$14,880,231
8 and a total contract amount not to exceed \$428,654,904 with no change to the term of
9 the contract.**

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11 WHEREAS, Prior to the commencement in 2014 of the San Francisco Municipal
12 Transportation Agency's (SFMTA) current contract with New Flyer of America Inc. (New Flyer)
13 for the purchase of low floor diesel hybrid coaches, the SFMTA's rubber tire fleet included 56
14 40-foot (standard) Orion hybrid diesel coaches, 138 standard and 124 60-foot (articulated)
15 Neoplan diesel coaches, and 24 inactive articulated New Flyer coaches that were due for
16 replacement over the next five years because they had reached or would be reaching their
17 expected useful lives of 12 years within the next five years; and

18 WHEREAS, Service demands for the standard and the articulated coaches will require
19 the SFMTA to purchase buses to accommodate service expansion; and

20 WHEREAS, On December 30, 2014, the City entered into Contract No. CPT 713 with
21 New Flyer of America Inc. (the Contract) to purchase 61 articulated low floor diesel hybrid
22 buses and associated spare parts, training, manuals and special tools; and

23 WHEREAS, The Contract included options to purchase an additional 200 standard and
24 163 articulated low floor diesel hybrid buses over the next six years should funding be
25 identified; and

1 WHEREAS, On June 29, 2015, the City issued Contract Amendment No. 1 to change
2 the base order quantity of 61 articulated parallel propulsion coaches to a combination of 55
3 articulated parallel propulsion coaches and six articulated series propulsion coaches, and
4 exercise options to purchase 24 series propulsion standard coaches, 24 parallel propulsion
5 standard coaches, 25 series propulsion articulated coaches, 25 parallel propulsion articulated
6 coaches, and associated spare parts, training, manuals, and special tools for an additional
7 amount of \$99,382,133; and

8 WHEREAS, On January 15, 2016, the City issued Contract Amendment No. 2 to purchase
9 an additional 152 standard and 113 articulated low floor diesel hybrid buses, for an additional
10 amount of \$244,630,752; and

11 WHEREAS, On December 1, 2017, the City issued Contract Amendment No. 3 to revise
12 the list of spare parts and special tools and to include the list of additional equipment added to the
13 vehicles during the production phase of the Contract, for an additional amount of \$1,504,252; and

14 WHEREAS, The SFMTA now wishes to amend the Contract to change 68 coaches on
15 order from parallel propulsion to series propulsion and to amend the list of Schedule of Prices and
16 to include the list of additional equipment being added during the production phase to the
17 Contract; and

18 WHEREAS, Amendment No. 4 will be funded by a combination of Federal formula funds
19 and local Proposition K funds; and

20 WHEREAS, On March 30, 2018, the SFMTA, under authority delegated by the Planning
21 Department, determined that Amendment No. 4 to Contract No. CPT 713 is not defined as a
22 “project” under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the
23 California Code of Regulations, Sections 15060(c) and 15378(b); and

24 WHEREAS, On May 15, 2018, the SFMTA Board of Directors adopted Resolution
25 No. 180515-078, which authorized the Director of Transportation, subject to approval by the Board

1 of Supervisors, to execute Amendment No. 4 to Contract No. CPT 713 with New Flyer of America
2 Inc., to change 68 coaches from parallel propulsion to series propulsion and to amend the list of
3 Schedule of Prices and to include the list of additional equipment being added during the
4 production phase to the Contract, for an additional amount of \$14,880,231 and a total contract
5 amount not to exceed \$428,654,904, with no change to the term of the contract; now, therefore,
6 be it

7 RESOLVED, That the Board of Supervisors approves Amendment No. 4 to Contract
8 No. CPT 713 with New Flyer of America Inc., to change 68 coaches from parallel propulsion to
9 series propulsion and to amend the list of Schedule of Prices and to include the list of additional
10 equipment being added during the production phase to the Contract, for an additional amount of
11 \$14,880,231 and a total contract amount not to exceed \$428,654,904, with no change to the term
12 of the contract; and, be it

13 FURTHER RESOLVED, That within 30 days of Amendment No. 4 to Contract No.
14 CPT 713 being fully executed by all parties, the final documents shall be provided to the Clerk
15 of the Board for inclusion in the official file.

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