

1 [Agreement - Creative Bus Sales, Inc. - Procurement of Low Floor Diesel-Hybrid Coaches -
2 Not to Exceed \$26,071,700]

3 **Resolution approving an agreement with Creative Bus Sales, Inc. to procure 30 32-foot,**
4 **low floor, diesel-hybrid buses and related tools, training, manuals, and spare parts**
5 **through a procurement by the State of Georgia, in an amount not to exceed \$26,071,700**
6 **and for a term not to exceed six years to commence following Board approval.**

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8 WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) currently
9 owns 30 32-foot Orion diesel-hybrid, which are the oldest vehicles in the fleet and past their
10 useful life; and

11 WHEREAS, The Orion vehicles are the smallest Muni vehicles and allow the SFMTA to
12 serve hilltop neighborhoods with tight turns; and

13 WHEREAS, Under Section 21.16 of the San Francisco Administrative Code, the
14 SFMTA may utilize the competitive procurement process of any other public agency to make
15 purchases of commodities under the terms established in that agency's procurement process
16 and as agreed upon by the City and the procuring agency, after making a determination that
17 the other agency's procurement process was competitive and the use of the other agency's
18 procurement process would be in the City's best interests; and

19 WHEREAS, In 2017, the State of Georgia, the Department of Administrative Services,
20 Purchasing Division (DOAS), issued a competitive request for proposals (RFP) for
21 supplemental Public Mass Transit & Transportation Vehicles and Related Equipment and
22 Accessories (the Georgia Procurement); the Georgia Procurement complies with the third
23 party procurement requirements of the Federal Transit Administration and is available for
24 interstate purchases from public entities; and

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1 WHEREAS, Creative Bus Sales, Inc. submitted a proposal in response to the Georgia
2 Procurement that was opened on December 14, 2017; DOAS accepted the proposal and
3 issued Notification of Contract Award to Creative Bus Sales, Inc. on or about July 1, 2018
4 (Georgia contract); and

5 WHEREAS, On November 8, 2018, DOAS has issued two amendments to the Georgia
6 contract to extend its term to June 30, 2021; and

7 WHEREAS, The SFMTA requires 30 32-foot low floor diesel-hybrid buses (the hybrid
8 buses) to replace Muni's fleet of 2007 Orion buses, which have reached the end of their useful
9 life and are ready to be retired; and

10 WHEREAS, Purchasing vehicles through a regular request for proposals process
11 would add cost and take much longer than procuring them through the Georgia Procurement;
12 therefore, SFMTA staff recommends using the Georgia contract to purchase the hybrid buses
13 from Creative Bus Sales Inc., in order to expedite the procurement of buses for the SFMTA;
14 and

15 WHEREAS, SFMTA staff has negotiated an agreement with Creative Bus Sales, Inc.,
16 to purchase 30 32-foot diesel-hybrid buses and related tools, training, manuals, and spare
17 parts; and

18 WHEREAS, On March 2, 2021, the SFMTA Board of Directors adopted Resolution No.
19 210302-028, authorizing the Director of Transportation of the SFMTA to execute Contract No.
20 SFMTA-2021-07 with Creative Bus Sales, Inc. to procure 30 32-foot, low floor, diesel-hybrid
21 buses and related tools, training, manuals, and spare parts through a procurement by the
22 State of Georgia, in an amount not to exceed \$26,071,700 and for a term not to exceed six
23 years; and

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1 WHEREAS, A copy of the said contract is on file with the Clerk of the Board of
2 Supervisors in File No. 210262, which is hereby declared to be a part of this resolution as if
3 set forth fully herein; now, therefore, be it

4 RESOLVED, Based on the above, the Board of Supervisors authorizes the SFMTA to
5 enter into a contract with Creative Bus Sales, Inc. to procure 30 32-foot, low floor, diesel-
6 hybrid buses and related tools, training, manuals, and spare parts, through a procurement by
7 the State of Georgia, in an amount not to exceed \$26,071,700 and for a term not to exceed
8 six years; and, be it

9 FURTHER RESOLVED, That within 30 days of Contract No. SFMTA-2021-07 being
10 fully executed by all parties, the SFMTA shall provide the final contract to the Clerk of the
11 Board for inclusion into the official file.