

1 [Contract Amendment No. 3 - New Flyer of America, Inc. - Purchase of Low Floor Diesel-  
2 Hybrid Buses - Not to Exceed \$413,774,673]

3 **Resolution approving Amendment No. 3 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 revise the**  
5 **list of spare parts and special tools and to include the list of additional equipment added**  
6 **to the vehicles during the production phase of the Contract, for an additional amount of**  
7 **\$1,504,252 and a total contract amount not to exceed \$413,774,673 with no change to the**  
8 **term of the contract.**

9  
10 WHEREAS, Prior to the commencement of San Francisco Municipal Transportation  
11 Agency's (SFMTA) current contract with New Flyer of America Inc. (New Flyer) for the  
12 purchase of low floor diesel hybrid coaches, the SFMTA's rubber tire fleet included 56 40-foot  
13 (standard) Orion hybrid diesel coaches, 138 standard and 124 60-foot (articulated) Neoplan  
14 diesel coaches, and 24 inactive articulated New Flyer coaches that were due for replacement  
15 over the next two years because they had reached or will be reaching their expected useful  
16 lives of 12 years within the next two years; and

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

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

22 WHEREAS, The Contract included options to purchase an additional 200 standard and  
23 163 articulated low floor diesel hybrid coaches over the next six years should funding be  
24 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 48 additional standard and 50 articulated low floor diesel hybrid  
5 coaches, and associated spare parts, training, manuals, and special tools for an additional  
6 contract amount of \$99,382,133; and

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

10           WHEREAS, The SFMTA now wishes to amend the Contract to revise the list of spare  
11 parts and special tools and to include the list of additional equipment being added during the  
12 production phase of the Contract, for an additional contract amount of \$1,504,252; and

13           WHEREAS, The funding for Amendment No. 3 is available but the exact source(s) of  
14 funding are to be determined; the funding will come from a variety of sources including, but  
15 not limited to: Federal Transit Administration (FTA) Formula Funds, San Francisco County  
16 Transportation Authority (SFCTA) Proposition K Sales Tax, Proposition B General Fund,  
17 and/or AB664 Bridge Tolls; and

18           WHEREAS, On November 4, 2014, the Planning Department determined that the  
19 contract for the replacement and expansion of the existing bus fleet is not defined as a  
20 “project” under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the  
21 California Code of Regulations, Sections 15060(c) and 15378(b); and

22           WHEREAS, On August 15, 2017, the SFMTA Board of Directors adopted Resolution  
23 No. 170815-105, which authorized the Director of Transportation to execute Amendment No.  
24 3 to Contract No. CPT 713 with New Flyer of America Inc., to revise the list of spare parts and  
25 special tools in the Contract and include the list of additional equipment added to the vehicles

1 during the production phase of the Contract, for an additional amount of \$1,504,252 and a  
2 total contract amount not to exceed \$413,774,673, with no change to the term of the contract;  
3 now, therefore, be it

4 RESOLVED, That the Board of Supervisors approves Amendment No. 3 to Contract  
5 No. CPT 713 with New Flyer of America Inc., to revise the list of spare parts and special tools  
6 in the Contract and include the list of additional equipment added to the vehicles during the  
7 production phase of the Contract, for an additional amount of \$1,504,252 and a total contract  
8 amount not to exceed \$413,774,673, with no change to the term of the contract; and, be it

9 FURTHER RESOLVED, That within 30 days of Amendment No.3 to Contract No. CPT  
10 713 being fully executed by all parties, the final documents shall be provided to the Clerk of  
11 the Board for inclusion in the official file.

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