

AIRPORT COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION NO. 18-0321

APPROVAL OF MODIFICATION NO. 5 TO CONTRACT NO. 8838 WITH BOMBARDIER TRANSPORTATION (HOLDINGS) USA, INC. (BT USA) FOR AIRTRAIN OPERATIONS AND MAINTENANCE SERVICES, EXTENDING THE TERM FOUR MONTHS TO JUNE 30, 2019 AND INCREASING THE CONTRACT AMOUNT BY \$5,143,268, FOR A NEW TOTAL NOT-TO-EXCEED CONTRACT AMOUNT OF \$135,442,464.

WHEREAS, on September 16, 2008, this Commission approved Resolution No. 08-0173, awarding Contract No. 8838 AirTrain Operations and Maintenance (O&M) to BT USA for a five-year Contract, with one 3-year option, and two 1-year options to extend the term, in the amount of \$56,500,000, and approved a one-year contingency budget of \$500,000 for payment of incentive bonuses and other changes, subject to the Board of Supervisors (BOS) approval of the agreement and award of this Contract; and

WHEREAS, on November 18, 2008, the BOS passed Ordinance No. 080942, which granted the Airport Commission a waiver of the competitive bidding requirements, and adopted Resolution No. 266-08 for award of Contract No. 8838 to BT USA for a five-year term in the amount of \$56,500,000 and approved the contingency budget of \$500,000 for payment of incentive bonuses and other changes during Year One of the new contract; and

WHEREAS, on July 23, 2013, this Commission adopted Resolution No. 13-0156, approving Modification No. 1 to exercise the three-year Contract extension (March 1, 2014 through February 28, 2017) and to increase the Contract amount by \$42,200,000, including \$3,200,000 to cover a shortfall over the initial Contract term; and

WHEREAS, on December 10, 2013, the BOS adopted Resolution No. 429-13, approving Modification No. 1 to the Contract; and

WHEREAS, on May 19, 2014 this Commission adopted Resolution No. 14-0104, approving Modification No. 2 to Contract No. 8838, increasing the contract amount by \$1,848,174 to cover the replacement cost of obsolete or worn out AirTrain equipment, and providing funding for the replacement of any additional materials, tools and equipment that may become obsolete or worn beyond repair over the three-year Contract term, for a new not-to-exceed total contract amount of \$100,548,174; and,

WHEREAS, on September 19, 2014, the BOS adopted Resolution No. 328-14, approving Modification No. 2, but reduced the not-to-exceed amount by \$4,340, for a revised not-to-exceed amount of \$100,543,834; and

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WHEREAS, on November 1, 2016, this Commission adopted Resolution No. 16-0277, approving Modification No. 3 exercising the first of two 1-year extensions and increasing the Contract amount by \$14,901,134, for a new total Contract amount not to exceed \$115,444,968; and

WHEREAS, on February 14, 2017, the BOS adopted Resolution No. 44-17, approving Modification No. 3 to the contract; and

WHEREAS, on November 7, 2017, this Commission adopted Resolution No. 17-0280, approving Modification No. 4, exercising the second of two 1-year extensions and increasing the Contract amount by \$14,854,228, for a new total Contract amount not to exceed \$130,299,196; and

WHEREAS, on February 27, 2018, the BOS adopted Resolution No. 50-18 approving Modification No. 4 to the Contract; and

WHEREAS, Staff proposes to extend the term four months and to increase the contract amount by \$5,143,268; and

WHEREAS, the four-month extension will align this Contract with the Airport's fiscal year and allow Airport staff to negotiate a new contract with BT USA, to be presented to the Airport Commission for approval during the first quarter of 2019; and

WHEREAS, funding for this project will be provided from the Airport's Operating funds; now, therefore, be it

RESOLVED, that this Commission hereby approves Modification No. 5 to Contract No. 8838, AirTrain Operations and Maintenance, with BT USA, extending the term four months to June 30, 2019 and increasing the contract amount by \$5,143,268, for a new total contract amount not to exceed \$135,442,464; and, be it further

RESOLVED, that this Commission hereby directs the Commission Secretary to forward Modification No. 5 to Contract No. 8838 to the Board of Supervisors for approval pursuant to San Francisco Charter Section 9.118(b).

*I hereby certify that the foregoing resolution was adopted by the Airport Commission
at its meeting of*

 OCT 02 2018


Secretary