



## AGENDA ITEM SUMMARY

**DATE OF MEETING:** December 13, 2023

**ITEM TITLE:** CONTRACT NO. 2023-81 STATE COOPERATIVE PURCHASE: NEW FLYER OF AMERICA, INC.

**PREPARED BY:** Eric Evers, Director of Fleet Management

**CHIEF OFFICER:** Cosette Rees, Chief Customer Experience Officer

**ACTION REQUESTED:** Adoption

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*PLEASE DISCLOSE ANY ACTUAL OR POTENTIAL CONFLICT OF INTEREST.*

**PURPOSE:** To authorize the general manager to execute a contract with New Flyer of America, Inc. for the purpose of purchasing up to eight (8) 60' Diesel Heavy Duty Bus to be used for our fixed route service.

**DESCRIPTION:** Federal Transit Administration (FTA) considers heavy-duty buses to have a minimum useful life at 12-years or 500,000 miles. All vehicles identified to be replaced have already exceeded their minimum life and allowing for this purchase will ensure that vehicles get replaced on schedule to continue to provide service.

**BACKGROUND:** Procurement has reviewed the current cooperative contracts, also previously successfully finding it meets the requirements and is in the best interest to utilize for this purchase.

The total contract value is up to \$7,200,000. This purchase was included in our Capital Investment Plan (CIP) as part of our State of Good Repair for our Ten-Year Fixed Route Fleet Replacement. This purchase has identified funding utilizing Statewide Transportation Improvement Funds and Urbanized Area Formula Funds (Section 5307).

**CONSIDERATIONS:** To provide continuing value, financially responsible, and trusted customer transportation through this purchase; timing is an important considering supply and market conditions as well as maximizing use of the funding prepared for this upcoming fiscal year.

**ALTERNATIVES:**

1. Deny the approval of the new contract and request team to solicit for these buses, not utilizing a cooperative. This would result in a delay of putting the bus into service and with the supply chain issues, it could also impact the delivery timeline substantially.
2. Deny the approval of the new contract and postpone the purchase of the bus to a later date.

**SUPPORTING DOCUMENTATION:**

- 1) Resolution No. 2023-12-13-046

**PROPOSED MOTION:** I move adoption of LTD Resolution No. 2023-12-13-046:

It is hereby resolved that the LTD Board of Directors approves Contract No. 2023-81 as presented [amended].



**RESOLUTION NO. 2023-12-13-046**

**AUTHORIZING THE GENERAL MANAGER TO ENTER INTO CONTRACT NO. 2023-81 WITH NEW FLYER OF AMERICA, INC. FOR THE PURPOSE OF PURCHASING BUSES**

**WHEREAS**, Lane Transit District (LTD) is authorized to enter into contractual agreements pursuant to ORS 267.200 (3)-(4);

**WHEREAS**, the Oregon Public Contracting Code and the LTD Procurement Policy require that all contracts for goods, services, or public improvement projects be based upon competitive bids or proposals, unless an exception applies;

**WHEREAS**, pursuant to LTD resolution No. 2021-09-15-048, the LTD Board of Directors is the LTD Contract Review Board and is required to authorize all contracts exceeding \$249,999;

**WHEREAS**, the Finance Committee reviewed the Agenda Item Summary and accompanying resolution regarding the proposed contract between LTD and New Flyer of America, Inc. on December 13, 2023, and recommended adoption;

**NOW, THEREFORE, BE IT RESOLVED** that the LTD Board of Directors, acting as the LTD Contract Review Board, passes a Resolution as follows:

- 1) The contract shall be in compliance with all applicable laws and regulations.
- 2) Once any protest period has passed and no protests being received and/or such protests being resolved in accordance with Oregon law and the LTD Procurement Policy, the General Manager, or designee, is hereby authorized to: (a) negotiate and enter into a contract with New Flyer of America, Inc. for the purpose of up to eight (8) 60' buses in an amount not to exceed \$7,200,000; and (b) as needed, execute amendments to the contract not to exceed a cumulative total of \$250,000.

ADOPTED BY THE LANE TRANSIT DISTRICT BOARD OF DIRECTORS ON THIS 13<sup>th</sup> DAY OF DECEMBER 2023.

*Gino Grimaldi*

Gino Grimaldi (Dec 27, 2023 09:52 PST)

Board President, Gino Grimaldi