

# REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
3	10/7/19	Open	Action	9/30/19

Subject: Approving the Fourth Amendment to the Contract for Purchase of Vehicles Through the CalACT/MBTA Joint Procurement with Creative Bus Sales, Inc.

## ISSUE

Whether or not to approve the Fourth Amendment to the Contract for Purchase of Vehicles through the CalACT/MBTA Joint Procurement with Creative Bus Sales, Inc.

## RECOMMENDED ACTION

Adopt Resolution 19-10-\_\_\_\_, Approving the Fourth Amendment to the Contract for Purchase of Vehicles Through the CalACT/MBTA Joint Procurement with Creative Bus Sales, Inc.

## FISCAL IMPACT

Budgeted:	Yes	This FY:	\$	3,440,812.80
Budget Source:	Capital	Next FY:	\$	0
Funding Source:	PTMISEA	Annualized:	\$	N/A
Cost Cntr/GL Acct(s) or Capital Project #:	910700 (vehicles) 910800 (admin) P009	Total Amount:	\$	3,440,812.80
Total Budget:	\$ 3,440,812.80, includes applicable sales tax, fees and admin costs*			

## DISCUSSION

SacRT has received funding under the California Proposition 1B Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) for the purchase of replacement paratransit buses. In accordance with Federal Transit Administration (FTA) guidelines and SacRT Standard Operating Procedures, the 102 existing buses currently used for complementary paratransit service are nearing the end of their service life of 5 years or 150,000 miles.

In May 2018, the Board approved the acquisition of 40 paratransit replacement buses from Creative Bus Sales using the California Association for Coordinated Transportation/Morongo Basin Transit Authority (CalACT/MBTA) Cooperative Purchasing Schedule, a joint procurement effort in which MBTA served as the lead agency for multiple transit agencies. In 2015, CalACT/MBTA released Request for Proposals (RFP) Number 15-03 for Accessible Transit/Paratransit Vehicles. This was a competitive, multiple-award procurement based on bidders meeting the bid specifications and falling within a predetermined competitive price range established by the cooperative. The RFP included both Federal and State provisions. This cooperative purchasing schedule enables SacRT to select from a menu of choices from different vendors and manufacturers that best suited SacRT's needs, rather than the limitations of an

Approved:

Presented:

Final 10/02/19

General Manager/CEO

VP, Operations

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award based solely on the price of the vehicles. In addition to the prior acquisition of paratransit buses, the Contract with Creative Bus has also been used for acquisition of other small buses.

Staff is seeking to amend the current contract with Creative Bus Sales for the purchase of 40 additional paratransit replacement buses. For the current procurement, the class C Ford E450 Starcraft gasoline bus best suits SacRT’s needs. SacRT is opting to go forward with a gasoline engine at this time for several reasons. In January 1, 2018, the California Air Resource Board (CARB) decertified the Ford F550, 6.7 liter engine and Ford opted not to pursue California Air Resources Board (CARB) certification renewal. This precludes SacRT from purchasing a vehicle like the 11 CNG vehicles procured in 2016 for ADA paratransit service and the 4 purchased for Community Bus Service (CBS) in 2017. Further, due to concerns with the reduced/limited range of a smaller CNG vehicle in ADA demand response paratransit service, combined with significant maintenance issues that SacRT has encountered with CNG vehicles operated in the CBS fleet, purchase of gasoline vehicles is the best option at this time.

Staff recommends moving forward at this time with the purchase of 40 more gasoline buses to ensure ADA fleet needs are met and in an attempt to balance current critical time-sensitive need to start SacRT-operated paratransit service on April 1, 2020.

SacRT staff continues to monitor the state of the industry related to alternative fuels for light and medium duty buses and remains committed to preparing the region for the next alternative fuel platform for a vehicle of this size. SacRT looks forward to transitioning to zero emission buses for its small bus fleet, including both ADA paratransit and CBS. Staff will keep the Board updated on its progress and will report back with the next steps in working toward a zero emission fleet of ADA paratransit vehicles.

Staff requests that the Board approve the Fourth Amendment to the Contract for Purchase of Vehicles through the CalACT/MBTA Joint Procurement with Creative Bus Sales, Inc. to purchase an additional 40 Class C gasoline-powered buses to support ADA paratransit service.

RESOLUTION NO. 19-10-\_\_\_\_\_

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

October 7, 2019

**APPROVING THE FOURTH AMENDMENT TO THE CONTRACT FOR PURCHASE OF VEHICLES THROUGH THE CALACT/MBTA JOINT PROCUREMENT WITH CREATIVE BUS SALES, INC.**

WHEREAS, the Sacramento Regional Transit District (SacRT) received Public Transportation Modernization, Improvement and Service Enhancement Account Program (PTMISEA) funds for the replacement of paratransit vehicles; and

WHEREAS, the Morongo Basin Transit Authority (MBTA) served as the lead agency for the California Association for Coordinated Transportation (CalACT) Cooperative Purchasing Schedule (Cooperative) and, under Request for Proposal Number 15-03, conducted a negotiated procurement for paratransit/accessible buses, accepting proposers offering vehicles that met its specifications and whose prices fell within a competitive price range established by the Cooperative; and

WHEREAS, pursuant to RFP Number 15-03, MBTA entered into a Contract with Creative Bus Sales, Inc. for the purchase of paratransit buses; and

WHEREAS, on March 20, 2018, SacRT and Creative Bus Sales, Inc. entered into an Agreement for the purchase of 8 El Dorado KS Class E Ford F550 vehicles and subsequently amended that agreement to include the purchase of additional 12 El Dorado KS Class E Ford F550 vehicles and 40 Starcraft Class C vehicles ("Principal Agreement"); and

WHEREAS, MBTA has assigned to SacRT the right to acquire an additional 40 Starcraft Class C vehicles through the CalACT/MBTA Joint Procurement from Creative Bus Sales, Inc. under the terms and conditions of the MBTA Contract; and

WHEREAS, the parties desire to amend the Principal Agreement to include the 40 additional buses.

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, Fourth Amendment to the Contract for Purchase of Buses through the CalACT/MBTA Joint Procurement, between SacRT and Creative Bus Sales, Inc. therein referred to as "Contractor," whereby Contractor agrees to sell and SacRT agrees to purchase forty Class C Ford E450 Starcraft buses and the total consideration is increased by \$3,168,082.40, plus applicable sales taxes and fees, from \$5,422,325 to \$8,590,407.40, plus applicable sales taxes and fees, is hereby approved.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to execute said Fourth Amendment to the Contract for Purchase of Vehicles through the CalACT/MBTA Joint Procurement with Creative Bus Sales, Inc.

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PATRICK KENNEDY, Chair

A T T E S T:

HENRY LI, Secretary

By: \_\_\_\_\_  
Cindy Brooks, Assistant Secretary