

59871

TO: Board of Acquisition and Contract

FROM: Vincent F. Kopicki, P.E.
Commissioner of Public Works and Transportation

DATE: November 21, 2017

RE: Authorization to enter into Agreement No. DOTCAP02-17 with First Transit, Inc., to undertake Federal Transit Administration required quality assurance inspection services for acquisition of articulated low floor heavy duty hybrid transit buses.

Agreement Amount: \$85,221.24

Subcontractor(s): Global Innovations, U.S.A. (DBE)

Authority is requested to enter into an agreement with First Transit, Inc., a division of First Group America, Inc. to undertake Federal Transit Administration (“FTA”) required quality assurance inspection services for production of thirty five (35) buses plus one (1) possible future option of up to forty three (43) buses in an amount not to exceed \$85,221.24 (80% Federal; 10% State; 10% Local – Capital Project Account T001S) for the period December 15, 2017 to December 15, 2022.

On September 18, 2017, the Department of Public Works and Transportation issued an RFP for a “Quality Assurance Program for the Acquisition of Articulated Low Floor Heavy Duty Transit Buses”. The production-line quality assurance inspection service is required by the FTA as a prerequisite for Federal reimbursement of eighty percent (80%) of the capital cost of the articulated low floor heavy duty transit buses being built for the County of Westchester. Similarly, eighty percent (80%) of the inspection service expenses are reimbursed to Westchester County by the FTA. New York State provides an additional ten percent (10%) of this inspection expense. Thus, the County is responsible for only ten percent (10%) of the total cost of these services.

The RFP was advertised in the American Public Transit Association Magazine, *Passenger Transport* and on the County’s “Getting and Doing Business” website. Two (2) proposers submitted responses to the RFP.

An evaluation committee reviewed the proposals and completed a technical evaluation score sheet. First Transit, Inc., located at 600 Vine Street, Suite 1400, Cincinnati, Ohio 45202, was ranked first.

Prior experience with similar inspections and discussions with other transit agencies that are procuring buses from the same manufacturer as the County indicated that the total inspection hours estimated by First Transit, Inc. were close to the required hours for this inspection.

The following table shows the costs by proposer:

First Transit, Inc.	\$85,221.24
TRC Engineering Services, LLC	\$203,170.00

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As this service will be federally funded, Disadvantage Business Enterprise ("DBE") participation is required. First Transit, Inc.'s proposal includes approximately nine percent (9%) DBE participation in the amount of \$7,728.00, through a subcontract with Global Innovations, U.S.A., located at 3901 North Via De Cordoba, Tucson, Arizona 85749.

TRC Engineering Services, LLC, located at 220 Winter Springs Boulevard, Oviedo, Florida 32765, proposed DBE participation of approximately 3.5%, through a subcontract with Bernik Industries, LLC, located at 5703 Red Bug Lake Road, Winter Springs, Florida 32708.

Therefore, in the best interests of the County of Westchester, I recommend that the Board authorize approval of the attached resolution to enter into an agreement for Quality Assurance Services with First Transit, Inc., for an amount not to exceed \$85,221.24. As stated previously, this production line inspection is a FTA requirement, and cost to the County of Westchester in terms of matching funds will only be \$8,522.12, expended during a five (5) year period.

VFK/NK
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/14/2017 JUDITH COCCIARDI, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Public Works and Transportation, be it hereby:

RESOLVED, that the County of Westchester is authorized to enter into an agreement with First Transit, Inc., 600 Vine Street, Suite 1400, Cincinnati, Ohio 45202 for the provision of production line quality assurance services for articulated low floor heavy duty transit buses to be purchased from New Flyer; and be it further

RESOLVED, that payment will be made per monthly invoice for work completed and approved as per the rate schedule included in the RFP submittal up to a total amount not to exceed \$85,221.24; and be it further

RESOLVED, that the use of the following subcontractor also be approved: Global Innovations, U.S.A. (Buy America Audit), 3901 North Via De Cordoba, Tucson, Arizona 85749; and be it further

RESOLVED, that the term of the agreement shall be from December 15, 2017 to December 15, 2022; and be it further

RESOLVED, that this Agreement is subject to County appropriations; and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee is authorized to execute all documents necessary to implement the purpose of this resolution.

Agreement No. DOTCAP02-17

Account to be Charged/Credited			Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act No.	Dollars
	Fund	Dept.				
	365	44	T001S011	6120	BA # 21-2017	\$58,803.12
	365	44	T001S021	6120	BA #266-2016	\$26,418.12

Budget Funding Year(s) 2017-2022 Start Date December 15, 2017 End Date December 15, 2022
 (must match resolution)

Funding Source: Tax Dollars \$ 8,522.12
 State Aid \$ 8,522.12
\$85,221.24 Federal Aid \$68,177.00
 (must match resolution) Other _____