



DEPARTMENT OF TRANSPORTATION

Fresno Area Express ♦ Fleet ♦ Handy Ride

DATE: February 1, 2021

TO: THOMAS ESQUEDA, City Manager
Office of the City Manager

THROUGH: GREGORY A. BARFIELD, Director
Department of Transportation

FROM: SUSAN ROGERS, IT Supervisor
Department of Transportation

SUBJECT: UNIQUELY QUALIFIED SERVICE CONTRACT TO GLOBAL TRAFFIC TECHNOLOGIES, LLC., IN THE AMOUNT OF \$60,259.25 FOR A 3-YEAR WITH TWO 1-YEAR OPTIONS ANNUAL SOFTWARE AND HARDWARE MAINTENANCE AGREEMENT

Executive Summary

Global Traffic Technologies, LLC., (GTT) is the sole-source manufacturer of Opticom traffic signal priority (TSP) software and equipment currently implemented at the Department of Transportation/Fresno Area Express (FAX). The TSP software and equipment is proprietary and only accessible to its original vendor GTT. Furthermore, GTT is the only company which provides customer support services for the TSP equipment installed at over 90 intersections throughout the City and on respective buses utilizing these corridors.

Through restricted data rights and patents, GTT is the only vendor uniquely capable and qualified of providing continued maintenance and support services for the TSP system, improving bus schedule adherence and transit operational efficiency by providing low traffic signal priority. The resulting action is defined by the Federal Transit Administration (FTA) as a sole-source non-competitive procurement.

In order to continue to receive support for the TSP software and equipment FAX seeks to extend its existing annual software and hardware maintenance service agreement with GTT by entering into a 3-year agreement with two 1-year options. This agreement would cover the 90 TSP controlled intersections and the 39 TSP controlled vehicles at a total cost of \$60,259.25. The resulting action is defined by the Federal Transit Administration (FTA) as a sole source non-competitive procurement. This finding is supported by GTT's unique capability to service the proprietary software and equipment through restricted data rights and patents.

Background

A CATALYST FOR INVESTMENT BY KEEPING COMMUNITIES SAFELY CONNECTED.

Fresno Area Express (FAX), a division of the Department of Transportation, has implemented a TSP solution at 90 intersections and onto 39 bus vehicles and is used to improve bus schedule adherence and transit operational efficiency.

The TSP intersection equipment provides priority TSP to transit vehicles and preemption to emergency vehicles by sending a priority/preemption request to the traffic signal controller via TSP technology

On January 3, 2019, FAX petitioned a Request for Information (RFI) (Bid File 3690) to solicit information from qualified vendors who manufacture and provide TSP equipment, which is natively compatible with the city's current on-board vehicle and existing intersection TSP technology. This technology is utilized by FAX buses, the existing traffic signal controllers utilized by both the City and Caltrans, and the present CMS. The RFI closed with one response. It was confirmed through review that the proposer, GTT, did meet the specifications of the RFI. At this time, FAX concluded that GTT was the only vendor that could supply the required equipment. GTT no longer distributes their equipment to third party resellers.

In May 2019, Counsel determined that the requested purchase of both the intersection and bus TSP equipment is only supplied and provided by one source and authorized the sole source procurement of the TSP equipment from GTT LLC., under the sole-source exception.

The Federal Transit Administration (FTA), requires that when "other than full and open competition" is used the City shall provide a sole source justification for that purchase. Chapter VI, page 18 of FTA C 4220.1F stipulates two criteria that a sole source must meet in order to justify a sole source procurement 1) the vendor or product must be "unique capability or availability" or 2) the procurement must be the result of a "single bid or proposal").

Due to the manufacturer's restrictive data rights and patents, FAX finds that GTT is both uniquely qualified and uniquely capable, therefore meeting the FTA's definition of a sole source procurement.

On June 13, 2019 City Council gave consent for a sole-source product purchase contract with GTT for the purchase of TSP equipment along with a one-year software maintenance agreement.

The annual software and hardware maintenance agreement purchased for the 59 intersections and 19 BRT vehicles running on the BRT corridors, expired on February 19, 2018. The annual software maintenance agreement purchased for the 31 intersection running along the Shaw Avenue corridor expired September 11, 2020.

This software and hardware agreement would give the City of Fresno's Traffic Operations Center (TOC) and Traffic Signal and Street Lights (TSSL) Departments access to security fixes, updates, service and feature releases and new software versions as they are released. Without an active agreement in place TOC and TSSL would not have access to these security fixes, updates and new version release additionally, if an issue arises

during the periods of inactive agreements, these departments would have to pay additional fees for technical assistance.

This Annual Software and Hardware Maintenance Service Agreement is integral for maintaining FAX’s TSP proprietary software and equipment and GTT is uniquely qualified to provide this maintenance services.

Analysis

Vendor	Product #	Description	Annual Cost	3-yr Contract
Kansas City, KS - GSA GS-35F521-AA	76-1000-1101-0	Central Management Software Maintenance Agreement 150-200 Intersections	\$2,895.00	\$8,685.00
Kansas City, KS - GSA GS-35F521-AA	76-1000-1308-0	Advanced System Management Software Maintenance Agreement Per Vehicle \$333.49 for 51 vehicles	\$17,008.03	\$51,024.09
King County, WA	76-1000-1101-0	Central Management Software Maintenance Agreement 150-200 Intersections	\$2,589.42	\$7,768.26
King County, WA	76-1000-1308-0	Advanced System Management Software Maintenance Agreement Per Vehicle \$367.17 for 61 vehicles	\$22,397.67	\$67,193.01
State of Maryland	76-1000-1101-0	Central Management Software Maintenance Agreement 150-200 Intersections	\$2,881.69	\$8,645.07
Department of Transportation/FAX	76-1000-1101-0	Central Management Software Maintenance Agreement 76-150 Intersections. FAX will pay true up fees of \$2,981.33 the first year	\$2,025.00	\$11,081.33
Department of Transportation/FAX	76-1000-1308-0	Advanced System Management Software Maintenance Agreement Per Vehicle \$397.50 for 19 vehicles. FAX will pay a true up of \$18,967.72 for the first year.	\$7,552.50	\$49,177.72

FAX has compared the vendor pricing with comparable procurements from other transit agencies. In 2013, Kansas City, KS implemented a 3-year General Service Administration contract. Kansas City purchase the Intersections Central Management Software and Hardware Maintenance Agreement for 150-200 intersections is \$2,895.00 annually for a total \$8,685 for a 3-year contract. At the same time, Kansas City purchased Advanced System Management Software Maintenance Agreement for 51 vehicles at \$333.49 per vehicle at an annual cost of \$17,008.03 for a total of \$51,024.09 for a 3-year extended contract.

In 2017 King County, WA. purchased annual Intersections Central Management Software Maintenance Agreement for 150-200 intersections at \$2,589.42 for a total \$7,768.26 for a 3-year contract. At the same time, Kings County purchased Advanced System Management Software Maintenance Agreement for 51 vehicles at \$367.17 per vehicle at an annual cost of \$22,397.67 for a total cost of \$67,193.01 for a 3-year extended contract.

In 2017 the State of Maryland implemented a 3-year annual software maintenance contract. The annual Intersections Central Management Software Maintenance Agreement for 150-200 intersections was purchased for \$2,881.69 for a total cost of \$8,645.07. The State of Maryland did not purchase the Central Management Software.

The analysis table shows that the proposed cost per intersection is, on average, 60.9% higher compared to that of the FAX quoted price. This could be due to the amount of intersections proposed. The table also shows that the proposed cost per vehicle is, on average, 27.1% higher that the FAX quoted price. This could be due to the amount of vehicles being purchased.

Based on this cost analysis, FAX concludes that the cost of this procurement is fair and reasonable based upon similar purchases by other external agencies.

Recommendation

FAX is requesting the City Manager's concurrence that Global Traffic Technologies, LLC., is uniquely qualified to perform the Software and Hardware Maintenance Service Agreement and concurrence that Global Traffic Technologies, LLC., through restricted data rights and patents, is the only vendor uniquely capable and qualified of providing continued maintenance and support services for the TSP system. The resulting action is defined by the Federal Transit Administration (FTA) as a sole-source non-competitive procurement.

FAX will seek Council award of a Services Agreement to Global Traffic Technologies, LLC. in the amount of \$60,259.25 for a three-year contract, with the option to pursue two one-year extensions.

Approved as to Form:



Kristi Costa
Deputy City Attorney

2/1/2021

Date

Concur with Request:

Do Not Concur with Request:



Thomas Esqueda, City Manager

2/8/2021

Date
