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Title: Actions pertaining to the purchase of twelve 40' CNG buses approved by Council on September 14, 2023:
 1. Authorize the Purchasing Manager to execute a participating cooperative agreement with the Washington State Department of Enterprise Services for contract #06719-01
 2. Authorize the Purchasing Manager to execute a Cooperative Purchase Agreement with Gillig LLC

Sponsors: Department of Transportation, General Services Department

Indexes:

Code sections:

Attachments: 1. Gillig Cooperative Purchase Agreement, 2. Gillig LLC Contract#06719-01, 3. Gillig LLC Contract Amendment, 4. Washington State Transit Bus Cooperative Agreement, 5. Original RFP

Date	Ver.	Action By	Action	Result
12/14/2023	1	City Council	ADOPTED	Pass

REPORT TO THE CITY COUNCIL

FROM: BRIAN BARR, Director
General Services Department

BY: MELISSA PERALES, Purchasing Manager
General Services Department, Purchasing Division

SUBJECT

Actions pertaining to the purchase of twelve 40' CNG buses approved by Council on September 14, 2023:
 1. Authorize the Purchasing Manager to execute a participating cooperative agreement with the Washington State Department of Enterprise Services for contract #06719-01
 2. Authorize the Purchasing Manager to execute a Cooperative Purchase Agreement with Gillig LLC

RECOMMENDATION

Staff recommends Council authorize the Purchasing Manager to execute a participating cooperative agreement with the Washington State Department of Enterprise Services and a Cooperative Purchase Agreement with Gillig LLC.

EXECUTIVE SUMMARY

On September 14, 2023, Council approved the purchase of twelve 40' Low Floor CNG buses in the amount of \$11,020,284, for the Department of Transportation, Fresno Area Express (FAX). To complete these acquisitions, General Services and FAX now seek approval to execute the associated bridging documents for the cooperative purchase. The General Services Purchasing Division is recommending authorization for the Purchasing Manager to execute both required cooperative agreements. The first cooperative agreement is between the City of Fresno and the Washington State Department of Enterprise Services authorizing the City to use Washington's purchase contract# 06719-01 for this acquisition. The second cooperative agreement is between the City of Fresno and Gillig LLC enabling the purchase of the twelve buses and incorporates the City's insurance requirements.

No additional spending authority is being requested to complete these purchases.

BACKGROUND

On September 14, 2023, Council approved the purchase twelve 40' Low Floor CNG buses in the amount of \$11,020,284, however, additional authorization is required to execute two cooperative agreements for this purchase. The Purchasing Division, on behalf of FAX, is recommending authorization for the Purchasing Manager to execute both required cooperative agreements. The first cooperative agreement is between the City of Fresno and the Washington State Department of Enterprise Services authorizing the City to use Washington's purchase contract# 06719-01. The second cooperative agreement is between the City of Fresno and Gillig LLC for the purchase of the twelve buses and incorporates the City's insurance requirements.

CARB issued the Innovative Clean Transit (ICT) regulation, effective October 1, 2019, requiring all transit agencies to gradually transition all bus and paratransit vehicles to a 100 percent zero-emission fleet by 2040. To meet this goal, FAX developed an ICT Transition Plan, which was approved by Council on June 18, 2020. Per the schedule detailed in the ICT Transition Plan, FAX must procure a mix of compressed natural gas (CNG) buses, battery electric buses, and hydrogen fuel cell electric buses to meet service requirements. The CNG buses from this cooperative purchase will replace aging CNG rolling stock deemed past its useful life.

FAX sought competitively bid cooperative agreements for CNG buses at a discounted rate in April of 2023. FAX evaluated Gillig's proposal and determined the contents of the cooperative purchase met both City and Federal procurement requirements. Staff also conducted a price analysis, and determined the CNG bus cost is found to be fair and reasonable. The cooperative purchase agreement also conforms to the requirements of FTA C 4220. 1F, Chapter IV, 2(14)(i), which dictates that rolling stock agreements must not exceed the five-year limit.

ENVIRONMENTAL FINDINGS

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378, this grant application or subsequent fare subsidy does not constitute a project for the purposes of CEQA

LOCAL PREFERENCE

Local preference was not implemented as the use of federal funds precludes the use of local preference.

FISCAL IMPACT

There is no fiscal impact to the General Fund from this action. As approved by Council on September 14, 2023, purchases from this contract shall be funded primarily through FTA Program 5339(c) funds. FAX enterprise funds will make up the required local match. Appropriations were included and are available in the FAX FY2024 budget.

Attachments:

Gillig LLC Cooperative Purchase Agreement

Gillig LLC Contract#06719-01

Gillig LLC Contract Amendment

Washington State Transit Bus Cooperative Agreement

Original RFP