

# Memorandum



**Date:** April 7, 2020

**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Recommendation for Approval to Award Transit Buses, 40-Foot Compressed Natural Gas (CNG), and Authorizing the Use of Charter County Transportation Surtax Funds for Such Purpose

Agenda Item No. 8(F)(4)

## Recommendation

It is recommended that the Board of County Commissioners (Board) approve a competitive contract award, *Contract No. FB-01356, Transit Buses, 40-Foot CNG*, to New Flyer of America, Inc. for the Department of Transportation and Public Works (DTPW). The contract provides for the purchase of 140 low-floor heavy duty 40-foot Compressed Natural Gas (CNG) powered buses with accompanying parts, training and ancillary items. This item will replace 140 buses that have exceeded their recommended life cycle of 12 years or 500,000 miles.

This item is placed for Board review pursuant to Miami-Dade County Code Section 29-124(f). The Board may only consider this item if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration or 45 days have elapsed since the issuance of this recommendation. If CITT has not forwarded a recommendation and 45 days have not elapsed since the issuance of this recommendation, a withdrawal of this item will be requested.

## Background

At the December 4, 2018 Board meeting, through Resolution No. R-1262-18, DTPW was directed to replace 40-foot buses in the most expeditious way possible. After an attempt was made to access the Commonwealth of Virginia Contract No. *E194-75548*, which was rejected by the Board on July 10, 2019, an invitation to bid (ITB) was advertised on July 26, 2019. On September 11, 2019, three bids were received, including one "No Bid."

The ITB provided two options for award with a Notice to proceed (NTP) date of November 15, 2019. Bidders were advised, should the actual NTP date be later than November 15, 2019, the delivery date(s) will be changed accordingly. Bidders could bid on either the following options:

- Option 1: Award of 140 buses to the lowest priced Bidder who delivers all buses no later than August 31, 2020, when the total bid price of Option 1 is lower by \$1 million or more when compared to the lowest combined bid prices for Option 2.
- Option 2: Award of 140 buses to the lowest two Bidders (70 buses each Bidder) who deliver all buses no later than June 30, 2020.

This recommendation to award utilizes Option 1, as the bid price offered represents a savings of \$3,377,850 to the County when compared to the total price for Option 2. Further, the buses under this recommendation cost \$532,490.00 per bus, which is significantly less than the cost per bus under the Commonwealth of Virginia Contract No. *E194-75548* (Gillig: \$576,987 and New Flyer: \$578,589). The County is saving between \$6.2 million and \$6.4 million under Option 1 when compared to the Commonwealth of Virginia contract mentioned above.

The recommended contract offers the following new features to the County:

- 1,000 hours of training with the option to purchase additional training as needed;
- Up to three service representatives on-site at County facilities to perform warranty repairs and supply technical support for a minimum one-year period, beginning from the date of acceptance of the last bus of each lot of buses delivered, as follows: 1 to 50 buses, one technical service representative; 51 to 100 buses, two technical service representatives; and 101 to 140 buses, three technical service representatives;
- A linear heat detection line and an optical flame sensor (heat detector) located just above the AC compressor or adjacent to the AC compressor on each bus; and
- Body materials fabricated to reduce maintenance, extend durability and provide consistency of appearance throughout the service life of the bus. Body frame structure, bulkheads and equipment boxes shall be stainless steel or aluminum.

**Scope**

The scope of this item is countywide in nature.

**Fiscal Impact/Funding Source**

The fiscal impact for the five-year term is \$74,548,600. A portion of this purchase will be funded by Charter County Transportation Surtax funds.

Department	Allocation	Funding Source	Contract Manager
Transportation and Public Works	\$74,548,600	Charter County Transportation Surtax and Lease Financing Funds	Ana Rioseco
<b>Total:</b>	<b>\$74,548,600</b>		

**Track Record/Monitor**

Vanessa Stroman of the Internal Services Department is the Procurement Contracting Manager.

**Delegated Authority**

If this item is approved, the County Mayor or County Mayor’s designee will have the authority to exercise all provisions of the contract, including any cancellation or extension provisions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

**Vendor Recommended for Award**

An Invitation to Bid was issued under full and open competition. Three bids were received in response to the solicitation, including one “No Bid.”

Pursuant to Resolution No. R-477-18, the lowest bidder is recommended in accordance with the method of award per the solicitation and is non-local.

Vendor	Principal Address	Local Address*	Number of Employee Residents	Principal
			1) Miami-Dade 2) Percentage*	
New Flyer of America, Inc.	6200 Glenn Carlson Drive St Cloud, MN	None	0	Paul Soubry
			0%	

\*Provided pursuant to Resolution No. R-1011-15. Percentage of employee residents is the percentage of vendor’s employees who reside in Miami-Dade County as compared to the vendor’s total workforce.

**Vendors Not Recommended for Award**

<b>Vendor</b>	<b>Local Address</b>	<b>Reason for Not Recommending</b>
Gillig, LLC	None	Higher than lowest bid
Nova Bus	None	No Bid*

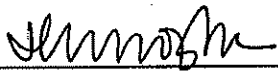
\*A "No Bid" means the vendor responded indicating that it will not be providing an offer.

**Due Diligence**

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine vendor responsibility, including verifying corporate status and that there are no performance and compliance issues. The lists that were referenced included convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to vendor responsibility.

**Applicable Ordinances and Contract Measures**

- The two percent User Access Program provision applies where permitted by the funding source.
- The Small Business Enterprise Bid Preference and Local Preference were applied where permitted by the funding source.
- The Living Wage does not apply.

  
\_\_\_\_\_  
Jennifer Moon  
Deputy Mayor



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** April 7, 2020

**FROM:** Anigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 8(F)(4)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(F)(4)  
4-7-20

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01356 TO NEW FLYER OF AMERICA, INC. FOR THE PURCHASE OF 140 LOW-FLOOR HEAVY DUTY 40-FOOT COMPRESSED NATURAL GAS BUSES FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS WITH AN AMOUNT NOT TO EXCEED \$74,548,600.00, FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR THIS PROJECT WHICH WAS IN THE ORIGINAL EXHIBIT 1 OF THE PEOPLE'S TRANSPORTATION PLAN

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that:

**Section 1.** This Board approves award of Contract No. FB-01356 to New Flyer of America, Inc. for the purchase of 140 low-floor heavy duty 40-foot compressed natural gas buses for the Department of Transportation and Public Works with an amount not to exceed \$74,548,600.00, for a five-year term; and authorizes the County Mayor or County Mayor's designee to give notice of this award, issue the appropriate purchase orders to give effect to same and exercise all provisions of the contract pursuant to section 2-8.1 of the Code of Miami-Dade

County, Florida and Implementing Order 3-38. A copy of the contract document is on file with and available upon request from the Internal Services Department, Strategic Procurement Division.

**Section 2.** This Board authorizes the use of Charter County Transportation Surtax Funds for this project which was in the original Exhibit 1 of the People's Transportation Plan.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman	
Rebeca Sosa, Vice Chairwoman	
Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared this resolution duly passed and adopted this 7<sup>th</sup> day of April, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

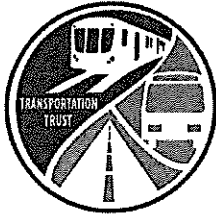
HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

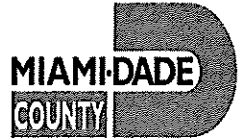
Approved by County Attorney as  
to form and legal sufficiency.




Bruce Libhaber  
Annery Pulgar Alfonso



## Memorandum



**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**From:** Javier A. Betancourt, Executive Director 

**Date:** March 2, 2020

**Re:** **CITT AGENDA ITEM 5A:**  
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST  
RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC) APPROVE  
AWARD OF CONTRACT NO. FB-01356 TO NEW FLYER OF AMERICA, INC. FOR THE  
PURCHASE OF 140 LOW-FLOOR HEAVY DUTY 40-FOOT COMPRESSED NATURAL  
GAS BUSES FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS  
WITH AN AMOUNT NOT TO EXCEED **\$74,548,600.00**, FOR A FIVE-YEAR TERM; AND  
AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE  
NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDERS TO  
GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT  
PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA  
AND IMPLEMENTING ORDER 3-38; AND AUTHORIZING THE USE OF CHARTER  
COUNTY TRANSPORTATION SURTAX FUNDS FOR THIS PROJECT WHICH WAS IN  
THE ORIGINAL EXHIBIT 1 OF THE PEOPLE'S TRANSPORTATION PLAN (**BCC  
Legislative File No. 200176**) **SURTAX FUNDS REQUESTED**

On February 27, 2020, the CITT voted (9-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 20-003. The vote was as follows:

Joseph Curbelo, Chairperson – Aye  
Alfred J. Holzman, 1<sup>st</sup> Vice Chairperson – Aye  
Oscar J. Braynon, 2<sup>nd</sup> Vice Chairperson – Aye

Glenn J. Downing, CFP® – Absent  
Prakash Kumar – Aye  
Jonathan Martinez – Absent  
Paul Schwiep, Esq. – Aye  
L. Elijah Stiers, Esq. – Aye

Jose Jimenez – Absent  
Hon. Anna E. Lightfoot-Ward, Ph.D. – Absent  
Miles E. Moss, P.E. – Aye  
Marilyn Smith – Aye  
Robert Wolfarth – Aye

c: Jennifer Moon, Deputy Mayor  
Bruce Libhaber, Assistant County Attorney