

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 210420-060

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) has been a national leader in supporting sustainable, reduced, or zero-emission revenue transit vehicles; and

WHEREAS, The SFMTA is launching a battery electric bus pilot program to evaluate the performance, reliability, maintainability, and operability of these buses in San Francisco's unique operating environment, to develop relationships with a large pool of bus manufacturers, and to increase competition for future mass bus procurements; and

WHEREAS, After a Request for Proposals (RFP) process initiated in November 2018, the SFMTA entered into three contracts in 2019, each for three low-floor, 40-foot battery electric buses, with the following manufacturers: New Flyer of America, Inc., BYD Coach & Bus LLC, and Proterra Inc.; and

WHEREAS, The SFMTA desires to procure three Buses from Nova Bus to expand the SFMTA's battery electric bus pilot program and take advantage of this opportunity to increase competition and qualify another manufacturer with the capacity and capabilities to produce at scale; and

WHEREAS, On April 15, 2019, Nova Bus, a Division of Prevostr Car (US) Inc. (Nova Bus), submitted a proposal for 40-foot low floor battery-powered transit buses (Buses) in response to the Virginia Procurement; DPS accepted the proposal and issued Notification of Contract Award to Nova Bus on or about July 1, 2019; and

WHEREAS, Under Section 21.16 of the San Francisco Administrative Code, the SFMTA may utilize the competitive procurement process of any other public agency to make purchases of commodities under the terms established in that agency's procurement process and as agreed upon by the City and the procuring agency, upon making a determination that the other agency's procurement process was competitive and the use of the other agency's procurement process would be in the City's best interests; and

WHEREAS, In 2019, the Commonwealth of Virginia, Division of Purchases and Supply (DPS), issued an Invitation for Bids for 12-year-type, low floor electric transit buses (the Virginia Procurement); the Virginia Procurement complies with the third party procurement requirements of the Federal Transit Administration and is available for interstate purchases from public entities; and

WHEREAS, Purchasing buses through the Virginia Procurement would allow the SFMTA to expedite the procurement of battery electric buses from Nova Bus in order to evaluate them concurrently with the other battery electric buses in the pilot program; and

WHEREAS, On December 21, 2020, the SFMTA, under authority delegated by the Planning Department, determined that the Nova Bus Contract for Procurement of 40-Ft Battery Electric Buses is not a “project” under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b); and

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference; and

WHEREAS, SFMTA staff has negotiated an agreement with Nova Bus to purchase three Buses and associated spare parts, training, manuals, and special tools and incorporate the SFMTA’s preferred technical specifications; now, therefore be it

RESOLVED, Based on the above, the San Francisco Municipal Transportation Agency Board of Directors finds the Virginia Procurement process was competitive, and that it is in the best interests of the City that the SFMTA procure the buses from Nova Bus through the Virginia Procurement; and be it further

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors authorizes the Director of Transportation to execute Contract No. SFMTA-2021-06 with Nova Bus, to procure three 40-foot low floor battery electric buses, along with associated spare parts, training, manuals, and special tools, in an amount not to exceed \$4,772,266, and for a term not to exceed five years.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of April 20, 2021.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency