

RESOLUTION NO. RES-2024-065

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE PURCHASE OF SIX 40-FOOT BATTERY ELECTRIC BUSES AND SELECTED COMPONENTS FROM NEW FLYER OF AMERICA, INC. IN AN AMOUNT NOT-TO-EXCEED \$9,000,000 AND DELEGATION OF AUTHORITY TO THE DIRECTOR OF TRANSPORTATION AND PUBLIC WORKS AND PURCHASING AGENT

WHEREAS, the City of Santa Rosa desires to purchase six (6) 40-foot Battery Electric transit buses for use by the CityBus fixed route service to replace six (6) diesel buses that are past their federal listed useful life; and

WHEREAS, the City of Santa Rosa has identified the opportunity to purchase battery-electric buses through State of California Department of General Services (DGS) statewide contract number 1-19-23-17B; and

WHEREAS, the statewide contract is a State Cooperative Purchasing Contract (SCPC) under Section 3019 of the FAST Act and is compliant with Federal Transit Administration (FTA) procurement guidelines; and

WHEREAS, the State of California has contracted with New Flyer of America, Inc. (New Flyer) to provide Zero-Emission Transit Buses, options, spare parts, and support to multiple participants throughout the life of the contract; and

WHEREAS, the City of Santa Rosa (City) has evaluated available battery-electric bus options and determined that New Flyer provides a battery-electric bus meeting the City's requirements; and

WHEREAS, the SCPC incorporates FTA required clauses and certifications; and

WHEREAS, the Transportation and Public Works Department has determined it is in the City's best interest to participate in the SCPC as it results in a lower unit cost achieved through a large, cooperative purchase, is acceptable to the FTA, and includes 40-foot battery electric low-floor accessible buses; and

WHEREAS, the funding for this purchase is comprised of multiple federal, state, and regional awards that includes FTA Section 5339(b) grant funding that has all been approved by Council; and

WHEREAS, the majority of the grant funding was awarded specifically for replacing aged 40-foot diesel buses in CityBus' fleet with comparable 40-foot Battery Electric Buses; and

WHEREAS, the City's issuance of a purchase order to New Flyer will secure a build slot for the six (6) buses and the City will continue to negotiate additional terms and conditions with New Flyer in parallel to complete the purchase.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa approves the purchase of six (6) 40-foot low-floor Battery Electric Buses and selected components from New Flyer of America, Inc. using the California Department of General Services State Cooperative Purchasing Contract Solicitation 1-19-23-17B.

BE IT FURTHER RESOLVED that the Council authorizes the Purchasing Agent to issue a purchase order using the City’s standard purchase order terms and conditions, with any modifications approved as to form by the City Attorney to New Flyer of America, Inc. for the purchase of six (6) 40-foot low-floor battery electric buses and selected components in an amount not to exceed \$9,000,000.

BE IT FURTHER RESOLVED by the Council that the Director of Transportation and Public Works or his designee is authorized to execute all documents, including and necessary agreement(s), to affect the purchase, subject to the not-to-exceed amount of \$9,000,000 and subject to approval as to form by the City Attorney.

BE IT FURTHER RESOLVED that the Council authorizes the Chief Financial Officer to pay all proper claims for this purchase from Fund 1651 – Transit Capital, JL Key 45160.

IN COUNCIL DULY PASSED this 7th day of May, 2024.

AYES: (7) Mayor N. Rogers, Vice Mayor Stapp, Council Members Alvarez, Fleming, MacDonald, Okrepkie, C. Rogers

NOES: (0)

ABSENT: (0)

ABSTAIN/RECUSE: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney