

**SAN JOAQUIN REGIONAL TRANSIT DISTRICT  
SPECIAL BOARD OF DIRECTORS MEETING – NOTICE AND AGENDA  
11:30 A.M. ON TUESDAY, AUGUST 30, 2022**

**PLEASE TAKE NOTICE** that the Chairman of the Board of Directors of the San Joaquin Regional Transit District (RTD) has called a Special Meeting of the Board of Directors for Tuesday, August 30, 2022 at 11:30 A.M. in the Boardroom of RTD’s Downtown Transit Center, 421 East Weber Avenue, Stockton, California. Chair Michael Restuccia will attend the meeting via videoconference at 259 N. Wilma Avenue, Ripon, CA 95366. Vice Chair Giovanetti will attend also attend via videoconference at 1511 Gondola Ct. Stockton, CA 95207. Director Singh will attend the meeting via videoconference at 3405 Tioga Drive, Stockton, CA 95209.

ACCESSIBLE PUBLIC MEETINGS: RTD is committed to ensuring that all meetings are accessible regardless of an individual’s ability or access method. RTD will make all reasonable accommodations for persons with disabilities to participate in this meeting. Upon request to the Chief Executive Office, RTD will provide agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. Please send a written request, including your name, mailing address, phone number, and a brief description of the requested materials and/or preferred alternative format or auxiliary aid. Requests should be sent to RTD by phone at (209) 467-6613, by fax at (209) 948-8516, or by e-mail to [BoardSupport@sjRTD.com](mailto:BoardSupport@sjRTD.com).

*For language assistance, interpreter services, please contact (209) 943-1111. Para información en Español, por favor llame al (209) 943-1111.*

1. CALL MEETING TO ORDER
2. MOMENT OF SILENCE/REFLECTION
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. ROLL CALL
5. PUBLIC COMMENT

Each person who addresses the Board shall not make slanderous or profane remarks to or about any member of the Board, staff, or general public. Any person who utters loud, threatening, personal, or abusive language, who is unduly repetitious or engages in extended discussion of irrelevancies, or who engages in any disorderly conduct which disrupts or impedes the orderly conduct of any Board meeting shall, at the discretion of the presiding officer or a majority of the Board, be barred from further audience before the Board during that

meeting. All public comments shall be limited to THREE MINUTES.

6. ACTION ITEMS

- A. RESOLUTION: AMENDING RESOLUTION NO. 6063 AUTHORIZING THE CEO TO ISSUE A PURCHASE ORDER TO NEW FLYER, INC. FOR THE PURCHASE OF UP TO FOUR (4) HYDROGEN FUEL CELL ELECTRIC BUSES FOR A TOTAL AMOUNT NOT TO EXCEED \$6,600,000  
Board authorization to amend the previously approved resolution.

7. QUESTIONS AND COMMENTS FROM DIRECTORS AND STAFF

8. ADJOURNMENT

**NOTE: THE NEXT REGULARLY SCHEDULED BOARD MEETING WILL BE HELD ON FRIDAY, SEPTEMBER 16, 2022 AT 10:00 A.M.**

DATE POSTED: AUGUST 29, 2022 at 11:15 a.m.



**LEAD STAFF:** Manny Caluya, Procurement Supervisor  
Brad Menil, Maintenance Superintendent

**I. RECOMMENDED ACTION:**

Amend resolution No. 6063 authorizing the CEO to issue a purchase order to New Flyer, Inc. for the purchase of up to four (4) hydrogen fuel cell electric buses (FCEB) to reflect usage of State of Washington contract not the State of California Department of General Services (DGS) contract.

**II. SUMMARY:**

- New Flyer, Inc., has not completed their negotiations on the Producer Price Index (PPI) increase with DGS.
- DGS PPI is expected to be considerably higher
- New Flyer and Washington State have finalized their contract renewal in April 2022 and settled the PPI increase at 11.78%
- It will be beneficial and more cost effective for RTD to use the State of Washington contract

**III. DISCUSSION/BACKGROUND**

On August 19, 2022, the San Joaquin Regional Transit District (RTD) Board of Directors approved a resolution for the issuance of a purchase order for up to four (4) hydrogen fuel cell electric buses (FCEB) by piggybacking on the State of California DGS contract.

Staff has since discovered that New Flyer, Inc., is still in negotiations with DGS and has not finalized the Producer Price Index (PPI). According to New Flyer, it is expecting the PPI increase with DGS to be higher than the State of WA and predicting that it can be up to 19%. The State of WA was already settled at 11.78%.

Furthermore, suppliers have been charging surcharges to the manufacturers due to the current supply economic situation. The State of Washington contract does not allow New Flyer, Inc. to pass its suppliers' surcharges. In addition, the contract includes pricing for 400+ optional features and spare parts. DGS only has 12 listed.

Staff recommends that the Board consider amending resolution No. 6063 authorizing the CEO to issue a purchase order to New Flyer, Inc. for the purchase of up to four FCEBs to reflect usage of State of Washington contract.

**IV. STRATEGIC PLAN PRIORITIES ALIGNMENT**

This report aligns with RTD's Strategic Priorities 3 and 4.

Strategic Priorities:

1. Employees
2. Customers
3. Financial Health
4. Operations Excellence
5. Community Relations
6. Innovation

**V. FINANCIAL CONSIDERATIONS/IMPACT**

- \$1,650,000 per bus
  - \$6,600,000 total
  - FY21 CMAQ, FY 22 State of Good Repair, up to 4 HVIP vouchers, and FY 16 Measure K BRT Capital
- The fourth bus will be purchased provided RTD qualifies for three or four vouchers from the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP), currently estimated at \$240,000 each, up to \$960,000.

**VI. CHANGES FROM COMMITTEE**

N/A

**VII. ALTERNATIVES CONSIDERED**

Do nothing. This may delay the process until the PPI negotiations with DGS are completed.

**VIII. ATTACHMENTS**

**Attachment A:** Resolution

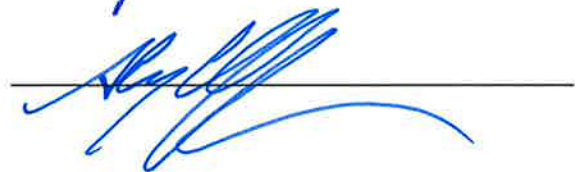
Prepared by: Manny Caluya, Procurement Supervisor

**IX. APPROVALS**

Financial Impact Approved:  
Robert Kyle, CFO



Alex Clifford, CEO





Attachment A

Cover Page

RESOLUTION NO. 6063  
DATED: AUGUST 30, 2022

AMEND RESOLUTION AUTHORIZING THE CEO TO ISSUE A PURCHASE ORDER TO NEW FLYER, INC. FOR THE PURCHASE OF UP TO FOUR (4) HYDROGEN FUEL CELL ELECTRIC BUSES FOR A TOTAL AMOUNT NOT TO EXCEED \$6,600,000

WHEREAS, in 2022 San Joaquin Regional Transit District (RTD) learned of a contract opportunity to piggy-back on the contract with the State of California Washington for the purchase of four hydrogen fuel cell electric buses to support RTD's goal of a zero emissions fleet; and

WHEREAS, New Flyer's July 20, 2022 quoted price for the four (4) 40-foot hydrogen fuel cell electric buses is \$1,341,437 each plus sales tax and any additional configuration.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of San Joaquin Regional Transit District, as follows:

- 1) That the CEO be, and hereby is authorized and directed to issue a purchase order to New Flyer, Inc. for the purchase of four 40-foot hydrogen fuel cell electric buses for a total contract amount not to exceed \$6,600,000.00.
- 2) That the Chair of the Board and the CEO, acting individually, are hereby authorized and directed to execute such other agreements and amendments to this agreement, and to take such other actions as may be necessary or appropriate to carry out the intent and purpose of this resolution.

RESOLUTION NO. 6063  
DATED: AUGUST 19, 2022

RESOLUTION AUTHORIZING THE CEO TO ISSUE A PURCHASE ORDER TO NEW FLYER, INC. FOR THE PURCHASE OF UP TO FOUR (4) HYDROGEN FUEL CELL ELECTRIC BUSES FOR A TOTAL AMOUNT NOT TO EXCEED \$6,600,000

WHEREAS, in 2022 San Joaquin Regional Transit District's (RTD) learned of a contract opportunity with the State of California for the purchase of four hydrogen fuel cell electric buses to support RTD's goal of a zero emissions fleet; and

WHEREAS, New Flyer's July 20, 2022 quoted price for four 40-foot hydrogen fuel cell electric buses is \$1,539,165.77 each; and

WHEREAS, this price reflects the reduction of 3.9375% (AB 784) in sales tax from New Flyer's quoted price on July 20, 2022.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of San Joaquin Regional Transit District, as follows:

- 1) That the CEO be, and hereby is authorized and directed to issue a purchase order to New Flyer, Inc. for the purchase of four 40-foot hydrogen fuel cell electric buses and for a total contract amount not to exceed \$6,600,000.00.
- 2) That the Chair of the Board and the CEO, acting individually, is hereby authorized and directed to execute such other agreements and amendments to this agreement, and to take such other actions as may be necessary or appropriate to carry out the intent and purpose of this resolution.

Alex Clifford, the duly appointed, qualified, and acting Secretary of the San Joaquin Regional Transit District, does hereby certify that the foregoing is true and exact copy of the Resolution passed and adopted at a regular meeting of the Board of Directors of said District held on August 19, 2022.

DATED: August 19, 2022

  
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ALEX CLIFFORD, SECRETARY