

POTOMAC AND RAPPAHANNOCK
TRANSPORTATION COMMISSION

RESOLUTION

MOTION: _____

RESOLUTION NO. 08-07-_____
OFFICIAL COMMISSION MEETING
JULY 17, 2008

SECOND: _____

RE: AUTHORIZATION FOR THE EXECUTIVE DIRECTOR TO CONTRACT WITH CUBIC TRANSPORTATION SYSTEMS FOR THE PURCHASE OF AS MANY AS EIGHT (8) ELECTRONIC FAREBOXES

WHEREAS, the Commission, under separate action at this month's meeting, authorized procurement of as many as eight (8) new buses, four that are funded in PRTC's adopted budgets ("the funded buses") and four that are envisioned to be funded solely at the state's expense for a new bus route to Tysons; and

WHEREAS, all buses operated in PRTC's fleet, including contingency vehicles, require the same electronic farebox; and

WHEREAS, sole source procurement of fareboxes from Cubic Transportation Systems was previously found to be permissible under the Virginia Public Procurement Act ("the Act") and PRTC's adopted purchasing policy; and

WHEREAS, requirements for public notification of sole source award have been met; and

WHEREAS, the grant funding for the fareboxes associated with the four funded buses is available as residuals in prior year grants; and

WHEREAS, in addition to the funded fareboxes, four more fareboxes are envisioned for purchase solely at the state's expense for a bus route linking Tysons Corner and eastern Prince William County, at such time as the Potomac and Rappahannock Transportation Commission provisionally authorizes the execution of an agreement with the state for this bus route ("the Tysons service agreement", providing for state funding of the farebox purchase and the subsidy of the route) and the agreement in its final form is deemed acceptable for execution by the Commission's Legal Counsel; and

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WHEREAS, the total cost for the four fareboxes PRTC management proposes to purchase is \$57,822 (including a contingency allowance of \$7,542); and

WHEREAS, the total cost for the four fareboxes associated with the prospective Tysons Corner route would be funded solely by the state.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby authorize the Executive Director to execute a purchase order to purchase the four funded Cubic Transportation Systems fareboxes via a sole source procurement.

BE IT FURTHER RESOLVED that the Potomac and Rappahannock Transportation Commission also provisionally authorizes the Executive Director to purchase the four "Tysons Corner route" fareboxes via sole source procurement, subject to:

- The Commission also provisionally authorizing the execution of the "Tysons service agreement"; and
- The "Tysons service agreement" in its final form being deemed acceptable for execution by the PRTC Legal Counsel.

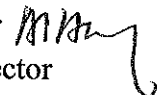


Potomac and Rappahannock
Transportation Commission

14700 Potomac Mills Road
Woodbridge, VA 22192

July 17, 2008

TO: Chairman Jones and Commissioners

FROM: Alfred H. Harf 
Executive Director

RE: Authorization for the Executive Director to Contract with Cubic
Transportation Systems for the Purchase of as Many as
Eight (8) Electronic Fareboxes

Recommendation:

Authorize the Executive Director to contract with Cubic Transportation Systems for the purchase of as many as eight (8) electronic fareboxes.

Background:

This resolution is linked to the resolution elsewhere in the July Board package for the purchase of as many as eight 45 foot MCI buses inasmuch as operation of those vehicles require electronic fareboxes as are installed on all other PRTC vehicles. PRTC management seeks the Commission's authorization to award a sole-source contract to Cubic Transportation Systems for as many as eight fareboxes costing \$12,570¹ apiece. Four of the eight fareboxes are required for the four buses being ordered to replace retirement-age buses that have been pressed into service to ease overcrowding. While the four retirement-age buses would under "normal" circumstances be moved to the contingency fleet right after the new buses are delivered and placed into service, given the continuing rapid ridership growth, there is a high likelihood that these retirement-age buses will not remain in the contingency fleet for long if at all. Since procurement of electronic fareboxes takes on the order of twenty (20) weeks, management believes the prudent approach is to retain fareboxes in the slated-for-replacement" retirement-age buses to minimize the lag time needed to place these vehicles back into regular service.

¹ PRTC has not yet received confirmation that the price of \$12,570 per farebox paid for the most recent units (ordered November 2007) will remain the same for those that are the subject of this resolution. Therefore, we have included a higher-than-typically-requested contingency allowance of fifteen (15) percent to insure that the authorized amount is sufficient.

As with the last award to purchase fareboxes, a sole-source award is justified because Cubic Transportation Systems is the only source practicably available, and such a procurement is allowable under the Virginia Public Procurement Act ("the Act") and PRTC's adopted purchasing policy based on such a finding.

In accordance with the Act, PRTC's adopted purchasing policy, and the advice of PRTC Legal Counsel, a blanket public notification for the on-going sole source procurement of fareboxes from Cubic Transportation Systems has been posted. Unless and until factual changes arise that invalidate the reasons for on-going sole source procurement of fareboxes from Cubic, a blanket public notification is apt.

In addition to the four funded fareboxes, four more fareboxes are envisioned for purchase solely at the state's expense for use on a new route linking eastern Prince William County and Tysons Corner. This prospective new route is an element of a traffic mitigation plan (TMP) that the Virginia Department of Transportation (VDOT) and the Virginia Department of Rail and Public Transportation (VDRPT) have jointly developed in cooperation with the region's transit operators and TDM agencies to ease traffic problems on the beltway during the course of the beltway HOT lanes construction. An agreement providing for the purchase of these "Tysons route" buses and fareboxes and the subsidization of the route appears elsewhere on this month's agenda as a proposed action item – the Commission is being asked to provisionally authorize the execution of that agreement (hereinafter referred to as "the Tysons service agreement" or "the agreement") in substantially the form presented, subject to a finding by PRTC's Legal Counsel that the agreement in its final form is acceptable for execution.

The authorization sought here – to contract with Cubic Transportation Systems for as many as eight fareboxes – would also be provisional insofar as the four fareboxes associated with the Tysons service agreement. That is, management would contract with Cubic Transportation Systems for the four "Tysons route" fareboxes only if the Commission provisionally authorizes the execution of the "Tysons service agreement" and PRTC Legal Counsel concludes thereafter that the agreement in its final form is acceptable for execution.

Fiscal Impact:

Funding for the four new funded fareboxes, in the amount of \$57,822 (including contingency of \$7,542) is available as grant balances in prior year federal grants.

Funding for the four "Tysons route" buses would be borne by the state.