

STAFF REPORT

SUBJECT: Extension of SAV Operations and Maintenance Contract

FROM: Toan Tran, Director of Operations and Innovation

DATE: April 5, 2021

Action Requested

Authorize Executive Director to extend the agreement with Transdev for the operations and maintenance of the Shared Autonomous Vehicle (SAV) project through July 31, 2021.

Background/Discussion

LAVTA entered into an agreement with Transdev North America, Inc. on August 30, 2019 for the operations and maintenance of the Shared Autonomous Vehicle project. The original contract term was from August 30, 2019 to January 31, 2021.

With the impact of the COVID-19 pandemic and the National Highway Traffic Safety Administration's (NHTSA) temporary suspension of operations last year (due to an issue involving an EasyMile vehicle in another part of the country), several key milestones of the project were delayed. These milestones included: route mapping, vehicle testing, and passenger service. Due to these delays, a contract extension is necessary in order for Transdev to complete the original project scope. Based on the revised project schedule, the proposed extension is from February 1 to July 31, 2021.

Fiscal Impact

The contract extension includes a fixed cost not to exceed \$58,345 and a variable cost of not to exceed \$175,419.

With these considerations, the estimated budget for this extension still falls under the original approved budget for the project.

Recommendation

The Finance and Administration Committee recommends the Board of Directors authorize the Executive Director to extend the agreement with Transdev for the operations and maintenance of the Shared Autonomous Vehicle project through July 31, 2021.

Attachments:

1. Modification 1 to Agreement with Transdev

Approved: _____

**MODIFICATION NO. 1 TO AGREEMENT BETWEEN LIVERMORE
AMADOR VALLEY TRANSIT AUTHORITY AND TRANSDEV
NORTH AMERICA, INC.**

THIS MODIFICATION ("Modification") to the Agreement dated August 30, 2019, by and between the LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY, a joint exercise of powers agency established pursuant to California law, hereinafter referred to as "LAVTA," and Transdev North America, Inc., hereinafter referred to as "Transdev" is made and entered into as of February 1, 2021.

WITNESSETH

WHEREAS, on August 30, 2019, LAVTA and Transdev entered into an Agreement (#921) (the "Agreement") for Transdev to procure and maintain a Shared Autonomous Vehicle (SAV), to manage and operate the SAV during the testing period, and to operate the SAV in revenue service; and

WHEREAS, with the impact of the COVID-19 pandemic and the National Highway Traffic Safety Administration (NHTSA) suspending operations involving an EasyMile vehicle, several key milestones of the project were delayed; and

WHEREAS, due to these delays, a contract extension is necessary in order for Transdev to complete the original project scope; and

WHEREAS, Transdev has submitted a proposal, dated January 13, 2021, a copy of which is attached to this Modification, extend the Agreement for the period from February 1, 2021 to July 31, 2021 and to add additional services.

NOW THEREFORE, LAVTA and Transdev agree as follows:

1. Section 2, Scope of Services, of the Agreement is modified by adding the following language at the end of the provision:

"During the Extension Term, as defined in Section 3, Contractor shall provide the service as described in Exhibit C, on the top of Page 3 (the Base Case) subject to the prior written direction of LAVTA to perform each, all or none of the Modifications 1 through 7 in Exhibit C."

2. Section 3, Time for Performance, is modified by replacing the date "January 31st, 2021" with "July 31, 2021" and the following sentence is added at the end of the section: "The period from February 1, 2021 to July 31, 2021 shall be called the "Extension Term."

3. Section 4, Compensation and Method of Payment, is modified by adding the following language following the first sentence:

"Compensation to be paid to the Contractor during the Extension Term shall be according to Exhibit C, attached hereto and incorporated herein by this reference, with a sum not to

exceed \$175,419 for the service hours to be requested by LAVTA pursuant to the base proposal or Modifications 1 through 3, if requested by LAVTA. LAVTA shall compensate Contractor for the consulting services of Neal Hemenover at \$8,335/month for a sum not to exceed \$ 58,345 (Modification 7).

In addition, LAVTA may add the following additional modifications:

- a. Additional vehicle as a cost of \$14,804 per month (Modification 4)
- b. Route extension at \$108.38 per hour (Modification 5).
- c. Use cases at \$162.52 per hour (Modification 6).

4. The proposal attached to this Modification shall be added to the Agreement as Exhibit C.

IN WITNESS WHEREOF, the parties hereto have caused this Modification to the Agreement to be executed by and through their respective officers on the day written below.

BY LAVTA this _____ day of _____, 2021

BY Transdev this _____ day of _____, 2021

Transdev:

LAVTA:

By: _____

By: _____

W.C. Pihl, Senior VP of Business
Development

Michael Tree, Executive Director