

NYCT Committee
ACTIONS and PRESENTATIONS
SUMMARY for FEBRUARY 2023

| Responsible Department | Vendor Name | Total Amount | Summary of action |
|------------------------|-------------|--------------|---|
| NYCT/MTA Bus | Seon Design | \$7,234,190 | Modify existing contract to extend the term an additional 11 months to allow for ongoing maintenance of Bus Camera Security Systems |



New York City Transit Procurements

Louis Montanti, MTA Deputy Chief Procurement Officer – Procurement Operations

PROCUREMENTS

The Procurement Agenda this month includes 1 action for a proposed estimated expenditure of \$7.2M.

| | | | | | |
|--|-----------|-------------|-----------------|-------------|--------------|
| Subject Request for Authorization to Award Various Procurements | | | | | |
| Department MTA Procurement | | | | | |
| Department Head Name Kuvershen Ayer | | | | | |
| Department Head Signature <i>Kuvershen Ayer</i> | | | | | |
| Project Manager Name Rose Davis | | | | | |
| Board Action | | | | | |
| Order | To | Date | Approval | Info | Other |
| 1 | Committee | 2/21/23 | | | |
| 2 | Board | 2/23/23 | | | |
| | | | | | |

| | | | |
|----------------------------------|-----------------------|--|-----------------|
| February 13, 2023 | | | |
| Department | | | |
| Department Head Name | | | |
| Department Head Signature | | | |
| Internal Approvals | | | |
| | Approval | | Approval |
| <i>DD</i> | President NYCT | | |
| X | Law | | |
| <i>JA</i> | Pres. MTA Bus/SVP DOB | | |
| <i>QP</i> | Deputy CFO | | |

| | | | | | | | |
|-----------------------------------|-----------------|--------------|-----------------|--------------|-----------------|--------------|-----------------|
| Internal Approvals (cont.) | | | | | | | |
| Order | Approval | Order | Approval | Order | Approval | Order | Approval |
| | | | | | | | |

PURPOSE

To obtain approval of the Board to award various contracts and purchase orders, and to inform the NYC Transit Committee of these procurement actions.

DISCUSSION

NYC Transit proposes to award Noncompetitive procurements in the following categories:

| Procurements Requiring Majority Vote: | # of Actions | \$ Amount |
|--|--------------|-----------------|
| Schedule I: Modification to Purchase and Public Work Contracts | 1 | \$ 7.2 M |
| SUBTOTAL | 1 | \$ 7.2 M |

NYC Transit proposes to award Competitive procurements in the following categories: None

NYC Transit proposes to award Ratifications in the following categories: None

| | | |
|--------------|----------|-----------------|
| TOTAL | 1 | \$ 7.2 M |
|--------------|----------|-----------------|

COMPETITIVE BIDDING REQUIREMENTS: The procurement actions in Schedules A, B, C, and D are subject to the competitive bidding requirements of PAL 1209 or 1265-a relating to contracts for the purchase of goods or public work. Procurement actions in the remaining Schedules are not subject to these requirements.

BUDGET IMPACT: The purchases/contracts will result in obligating funds in the amounts listed. Funds are available in the current operating/capital budgets for this purpose.

RECOMMENDATION: That the purchases/contracts be approved as proposed. (Items are included in the resolution of approval at the beginning of the Procurement Section.)

BOARD RESOLUTION

WHEREAS, in accordance with Sections 1265-a and 1209 of the Public Authorities Law and the All-Agency General Contract Procurement Guidelines, the Board authorizes the award of certain noncompetitive purchase and public work contracts, and the solicitation and award of requests for proposals regarding purchase and public work contracts; and

WHEREAS, in accordance with the All-Agency Service Contract Procurement Guidelines and General Contract Procurement Guidelines the Board authorizes the award of certain noncompetitive miscellaneous service and miscellaneous procurement contracts, certain change orders to purchase, public work, and miscellaneous service and miscellaneous procurement contracts, and

WHEREAS, in accordance with Section 2879 of the Public Authorities Law and the All-Agency Service Contract Procurement Guidelines, the Board authorizes the award of certain service contracts and certain change orders to service contracts.

NOW, the Board resolves as follows:

1. As to each purchase and public work contract set forth in annexed Schedule A, the Board declares competitive bidding to be impractical or inappropriate for the reasons specified therein and authorizes the execution of each such contract.
2. As to each request for proposals (for purchase and public work contracts) set forth in Schedule B for which authorization to solicit proposals is requested, for the reasons specified therein, the Board declares competitive bidding to be impractical or inappropriate, declares it is in the public interest to solicit competitive request for proposals, and authorizes the solicitation of such proposals.
3. As to each request for proposals (for purchase and public work contracts) set forth in Schedule C for which a recommendation is made to award the contract, the Board authorizes the execution of said contract.
4. As to each action set forth in Schedule D, the Board declares competitive bidding impractical or inappropriate for the reasons specified therein and ratifies each action for which ratification is requested.
5. The Board authorizes the execution of each of the following for which Board authorization is required: (i) the miscellaneous procurement contracts set forth in Schedule E; (ii) the personal service contracts set forth in Schedule F; (iii) the miscellaneous service contracts set forth in Schedule G; (iv) the modifications to personal/miscellaneous service contracts set forth in Schedule H; (v) the contract modifications to purchase and public work contracts set forth in Schedule I; and (vi) the modifications to miscellaneous procurement contracts set forth in Schedule J.
6. The Board ratifies each action taken set forth in Schedule K for which ratification is requested.

FEBRUARY 2023

LIST OF NONCOMPETITIVE PROCUREMENTS FOR BOARD APPROVAL

Procurements Requiring Majority Vote:

I. Modifications to Purchase and Public Work Contracts

(Staff Summaries required for items estimated to be greater than \$1,000,000.)

1. Seon Design (USA) Corp \$7,234,190 **Staff Summary Attached**

12 years


Contract # C-52097A AWO 18

Modification to extend maintenance services for buses and depots equipped with Bus Camera Security Systems for an additional 11 months.

Schedule I: Modifications to Purchase and Public Work Contracts



Item Number: 1

| |
|--|
| Vendor Name (Location) Seon Design (USA) Corp (Bellingham, Washington) |
| Description Bus Camera Security System |
| Contract Term (including Options, if any) February 15, 2011–February 28, 2023 |
| Option(s) included in Total Amount? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> n/a |
| Procurement Type <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Noncompetitive |
| Solicitation Type <input type="checkbox"/> RFP <input type="checkbox"/> Bid <input checked="" type="checkbox"/> Other: Modification |
| Funding Source <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Capital <input type="checkbox"/> Federal <input type="checkbox"/> Other: |
| Requesting Department: Department of Buses, Frank Annicaro  |

| | |
|---|-------------------------|
| Contract Number C-52097A | AWO/Mod. # 20 |
| Original Amount: | \$ 9,748,256 |
| Option Amount: | \$ 22,642,618 |
| Total Amount: | \$ 32,390,873 |
| Prior Modifications: | \$ 15,736,662 |
| Prior Budgetary Increases: | \$ 678,475 |
| Current Amount: | \$ 48,806,011 |
| This Request: | \$ 7,234,190 |
| % of This Request to Current Amount: | 14.82% |
| % of Modifications (including This Request) to Total Amount: | 70.92% |

Discussion:

This modification is for the extension of maintenance services for buses and depots equipped with Bus Camera Security Systems (“BCSS”) for an additional 11 months in the estimated total amount of \$7,234,190. The BCSS allows video images to be captured on buses and then wirelessly uploaded along with a system health report from the buses to depot servers during the refueling process for use in managing data and ensuring proper operation of the onboard equipment.

Contract C52097 was awarded to UTC Fire & Security (“UTCF&S”) under an Immediate Operating Need (“ION”) for the provision and installation of its MobileView BCSS, consisting of cameras and mobile digital video recorders, on an estimated quantity of 426 buses as well as software and hardware for nine depots, with an option for an additional 1,150 buses and corresponding depots. A total of 1,612 buses and 28 depots have been retrofit with BCSS through this contract. As of January 2023, NYC Transit and MTA Bus Company have a total of 5,103 buses equipped with BCSS (5,050 from Seon Design [USA] Corp. [“Seon”] and 53 from Apollo Video Technology [“Apollo”]). Approximately 3,500 buses have been delivered with BCSS preinstalled at the factory. During new bus procurements, original equipment manufacturers have the option of offering preapproved BCSS systems from Seon and Apollo. The Department of Buses (“DOB”) reviews each proposal and chooses the option that provides the best value while meeting all current requirements.

The base contract was awarded using an informal competitive method under an ION, and three companies participated in tests to determine performance acceptability: NICE Systems, Inc. (“NICE”); UTCF&S; and March Networks (“March”). Negotiations with each commenced while the tests were underway. Technical ratings on the performance of the respective systems showed that UTCF&S’s performance far exceeded that of March and NICE. This process allowed the Authority to ultimately select a superior product at a competitive price from UTCF&S.

This contract was assigned to Seon after it officially acquired MobileView from UTCF&S on November 30, 2017; Contract C52097 was renamed C52097A as a result.

This modification will extend the contract through January 31, 2024; this extension will allow for the continued provision of maintenance services for all buses and depots currently equipped with MobileView BCSS as well as diagnostic and video data management services. The MTA will use this time to solicit a new replacement BCSS maintenance contract for these services through a competitive Request for Proposals. This modification will also provide for the replacement and/or upgrade of bus and depot-related BCSS components on an as-needed basis. Additional funding in the amount of \$7,234,190 will be added to the contract in order to cover the expenditures expected to be incurred over the 11-month period. These include \$3.67 million for maintenance services, \$2.85 million for video data managers and replacement of end of life and or damaged equipment, and \$715,000 for other requirements.

Seon’s initial proposal for this 11-month period was in the amount of \$12,636,456. Through negotiations, Procurement, DOB, and Seon were able to modify the Scope of Work and identify efficiencies resulting in a final price of \$7,234,190, which was 42.75 percent below Seon’s initial proposal. The final proposal was reviewed by NYC Transit’s Cost Price Analysis Unit and was determined to be fair and reasonable. Procurement and DOB concur with this determination.

Seon has certified pursuant to EO 16 that it does not do business in Russia.

This contract has been evaluated to determine the necessity and appropriate scope, if any, of cybersecurity requirements, including any requirements under federal, state, and local law and regulations. Any applicable cybersecurity requirements, to the extent required, have been included in the contract terms and conditions.

Schedule I: Modifications to Purchase and Public Work Contracts



Seon's initial proposal for this 11-month period was in the amount of \$12,636,456. Through negotiations, Procurement, DOB, and Seon were able to modify the Scope of Work and identify efficiencies resulting in a final price of \$7,234,190 which was 42.75 percent below Seon's initial proposal. The final proposal was reviewed by NYC Transit's Cost Price Analysis Unit and was determined to be fair and reasonable. Procurement and DOB concur with this determination.

Seon has certified pursuant to EO 16 that it does not do business in Russia.

The contract has been evaluated to determine the necessity and appropriate scope, if any, of cybersecurity requirements, including any requirements under federal, state, and local law and regulations. Any applicable cybersecurity requirements, to the extent required, have been included in the contract terms and conditions.

Impact on Funding

Total funding for this modification in the amount of \$7,234,190 is available in the Operating Budget.