

From: City of Ocala - Contracting Officer
To: Tom Duncan; Shavafra J. Roberts; Daphne Robinson; Megan Dugan; Contracts; Eileen M. Marquez; Louis Joseph; Ashley Prestley; David C. Williams; Patricia Lewis
Subject: Your policy exception has been approved.
Date: Friday, June 6, 2025 12:04:54 PM

Your policy exception has been **approved**.

Approval Comments: drobinson@ocalafl.org

The department is approved to piggyback Pinellas Suncoast Transit Authority's contract with Gillig, LLC for the purchase of five 35' low floor plus battery electric buses. PSTA's contract with Gillig was awarded after a competitive solicitation (RFP 21-980369) where four firms (Gillig LLC, New Flyer of America, Proterra Operating Company, and BYD Coach and Bus) were evaluated and ranked with Gillig being ranked the highest. The resulting contract, Contract No. C-22-MT-002, was effective for an initial term of two years on October 27, 2021. Amendment 3 to the contract, effective November 19, 2024, extended the contract term through October 25, 2025. SunTran staff conducted the a price analysis as required by FTA regulations. BYD Coach and Bus was restricted for FTA use effective December 20, 2021 due to the National Defense Authorization Act and, as such, the City of Ocala is prohibited from utilizing them due to our use of grant funding. Proterra filed for bankruptcy in 2021. Of the two remaining options, Gillig represents best value when compared to New Flyer for the reasons set forth above. oth SunTran and Procurement staff have evaluated the contract documents and solicitation documents. The solicitation conducted by PSTA was conducted in compliance with 2 CFR 200. Gillig has agreed to extend the same pricing to the City of Ocala that was offered to PSTA under the contract. Based on the price analysis conducted, staff and Procurement have found this pricing to be fair and reasonable. PLEASE ESTABLISH A MUNIS CONTRACT NUMBER AND ISSUE A REQUISITION SO THAT A PURCHASE ORDER CONTAINING THE CITY AND FTA TERMS AND CONDITIONS CAN BE GENERATED. THE CONTRACT WILL NEED TO BE TAKEN TO COUNCIL FOR APPROVAL ONCE THE DEPARTMENT IS READY TO PROCEED. PLEASE ENSURE THIS EXCEPTION APPROVAL IS ATTACHED TO THE MUNIS CONTRACT, REQUISITION, AND AGENDA ITEM.

Procurement/Contract/P-Card Exception

Select exception type:

Procurement

Reason for procurement exception:

Piggyback Request in Lieu of Bid

Seeking approval to purchase five (5) 35' Gillig Electric bus.

Four manufacturers were initially awarded a contract by PTSA, however, two manufacturers are no longer eligible/available for purchases – Proterra filed for Chapter 11 bankruptcy protection in August 2023 and is not producing transit buses (https://www.sec.gov/Archives/edgar/data/1820630/000162828023028386/a2023q210-q.htm) and BYD became ineligible per the National Defense Authorization Act for Fiscal Year 2020, after December 20, 2021 (https://en.byd.com/news/federal-transit-administration-clarifies-limits-on-sale-of-byd-buses/#:~:text=for%20FTA%20funding,-After%20Dec,ineligible%20for%20FTA%20grant%20funding.&text=FTA%20will%20follow%20current%20policies,executed%20on%20or%20before%20Dec)

Enter a brief description of your exception request:

SunTran evaluated the base bus prices from the two remaining vendors (Gillig and New Flyer) on the PTSA Contract. This approach was used because peripheral components such as Avail and TSI cameras were not consistently listed under the contracted items for all vendors. After careful consideration, SunTran has selected the Gillig 35' Battery Electric Bus as the vehicle that best meets our operational needs. While the base price plus PMI adjustments (per the contract) of the Gillig vehicle is \$241,247 higher than that of New Flyer, it includes a significantly larger battery capacity—686 kWh compared to 440 kWh—representing a 44% increase. Given that these buses are projected to operate 15 to 16 hours per day, the increased battery storage is essential to ensure reliable all-day service without requiring mid-day charging, thereby reducing operational disruptions and supporting long-term efficiency.

Both SunTran and Procurement staff have evaluated the contract documents and solicitation documents. The solicitation conducted by the state of Florida was conducted in compliance with 2 CFR 200. The resulting contract is for a term of two (2) years beginning on or about December 2, 2021 and ending December 01, 2023 with three (3) one-year renewals. Gillig has agreed to extend the same pricing to any City, County, or State Government agency within and outside of the State of Florida under Contract No. C-22-MT-001. Based on the price analysis conducted, staff and Procurement have found this pricing to be fair and reasonable.

Attach all documents related to the exception that can assist the Contracting Officer's decision.

[Price Analysis.pdf](#)
[RE - \[EXTERNAL\] PSTA Electric Transit Buses with Charging Equipment.pdf](#)
[CITY OF OCALA, FL - OFF RFP 21-980369 \(State of FL Electric\)\(5\) 35' EBUS WITH 7 PACKS PLUG IN 4-23-2025 REV 1.pdf](#)
[CITY OF OCALA, FL 35' LF PLUS BATTERY ELECTRIC OFF PSTA STATE OF FLORIDA RFP_21-980369 PRICE QUOTE 4-23-2025 REV 1.pdf](#)
[Contract Modification 3 - Gillig - Executed.pdf](#)
[agreement-with-gillig-signed.pdf](#)
[award-analysis-electric-bus.pdf](#)
[FTA Clarifies Limits on Sale of BYD Buses_ BYD USA.pdf](#)
[federal-certifications.pdf](#)
[gillig-price-proposal.pdf](#)
[notice-of-award-gillig.pdf](#)
[new-flyer-pricing.pdf](#)
[Proterra Chapter 11 Bankruptcy.pdf](#)

Department

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Who authorized requesting this exception?

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