

FILE NO. 040384

RESOLUTION NO. 313-04

1 [CONTRACT MODIFICATION]

2  
3 **Resolution authorizing the Municipal Transportation Agency to enter into Contract**  
4 **Modification No. 12 with ANSALDOBREDA S.p.a for (1) completion of the video**  
5 **surveillance retrofit on 87 light rail vehicles; (2) design, testing and installation of an**  
6 **emergency brake acceleration limiting device on 151 vehicles; (3) overhaul of the brake**  
7 **system on 23 vehicles, plus two options for up to 30 additional vehicles each; (4)**  
8 **funding for spare parts and repair of damaged vehicles; and (5) modification of the**  
9 **delivery schedule, payment schedule, warranty provisions, and other terms and**  
10 **conditions of the contract to address the new work; all in an amount not to exceed**  
11 **\$9,148,576, and for a total contract amount not to exceed \$407,155,455.**

12  
13 WHEREAS, After a competitive negotiated procurement in accordance with the  
14 Negotiated Procurement Procedure, the Board of Supervisors, in Resolution No. 984-91,  
15 authorized the Public Transportation Department (MUNI") to enter into a contract with Breda  
16 Costruzioni Ferroviarie S.p.A., now known as ANSALDOBREDA, S.p.a ("Breda") for the  
17 purchase of 35 light rail vehicles at a contract cost of \$82,087,695, with options to procure up  
18 to 20 additional vehicles; and

19 WHEREAS, Under Modifications Nos. 1-8 of the Agreement, the City acquired an  
20 additional 42 LRVs, for a total of 77 LRVs (the "LRV2 fleet"), as well as additional spare parts  
21 and equipment; and the parties negotiated design changes and extensions to the delivery  
22 schedule; and

23 WHEREAS, On October 19, 1998, the Board approved Resolution No. 877-98, which  
24 authorized the execution of Modification No. 9 to the Breda contract, for the purchase of 59  
25

Mayor

MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF SUPERVISORS

1 additional light rail vehicles, including spare parts, equipment, design modifications and  
2 options, at a cost of \$167,299,822, for a total contract cost not to exceed \$358,547,399; and

3 WHEREAS, On June 14, 1999, the Board of Supervisors approved Resolution No.  
4 581-99, which approved Modification No. 10 to the Breda contract, to purchase 15 additional  
5 light rail vehicles, at a cost of \$39,459,480, for a total contract amount not to exceed  
6 \$398,006,87; and

7 WHEREAS, Modification No. 11 to the Agreement, approved by the Municipal  
8 Transportation Agency Board of Directors, included design changes for improved  
9 components, associated spare parts and manuals, deferred completion of a portion of the  
10 video surveillance retrofit approved in Modification No. 9 until confirmation of additional  
11 funding, and extended the contract schedule by 60 days, all at no further cost to the contract;  
12 and

13 WHEREAS, On January 20, 2004, the Municipal Transportation Agency Board of  
14 Directors (MTA Board) adopted Resolution No. 04-015, which authorized the execution of  
15 Modification No. 12 to the Breda contract, for completion of the video surveillance retrofit,  
16 design and installation of an emergency brake acceleration limiting device, overhaul of the  
17 brake system on 23 vehicles, with two options to overhaul the brake system on up to 30  
18 additional vehicles per option, funding for spare parts, funding for as-needed repair of  
19 damaged vehicles, and modification of the delivery schedule, payment schedule, warranty  
20 provisions, and other terms and conditions of the Contract to address the new work; all for an  
21 amount not to exceed \$9,148,576, and for a total contract amount not to exceed  
22 \$407,155,455. A copy of Modification No. 12 is on file with the Clerk of the Board of  
23 Supervisors in File No. 040384, which is hereby declared to be a part of this resolution as if set  
24 forth fully herein; and,

1           WHEREAS, Also on January 20, 2004, the MTA Board adopted Resolution No. 04-016,  
2 which approved a request for a supplemental appropriation for \$12,275,000 in lease-  
3 leaseback revenues to fund the work in Modification No. 12; and

4           WHEREAS, The MTA Board conditioned approval of Modification No. 12 on approval  
5 of the supplemental appropriation; now, therefore, be it

6           RESOLVED, That this Board of Supervisors hereby approves Contract Modification  
7 No. 12 to Contract No. 309 with ANSALDOBREDA S.p.A in a form substantially as contained  
8 in Board File No. 040384, for (1) completion of the video surveillance retrofit on 87 light rail  
9 vehicles; (2) design, testing and installation of an emergency brake acceleration limiting  
10 device on 151 vehicles; (3) overhaul of the brake system on 23 vehicles, plus two options for  
11 up to 30 additional vehicles each; (4) funding for spare parts and repair of damaged vehicles;  
12 and (5) modification of the delivery schedule, payment schedule, warranty provisions, and  
13 other terms and conditions of the Contract to address the new work; all in an amount not to  
14 exceed \$9,148,576, and for a total contract amount not to exceed \$407,155,455; and, be it

15           FURTHER RESOLVED, That the Board of Supervisors' approval of Contract  
16 Modification No. 12 is subject to and contingent upon approval by the Board of Supervisors of  
17 a supplemental appropriation in the amount of ~~\$12,275,000~~ \$12,274,340 in revenues from the  
18 Breda lease-leaseback transaction.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Recommended:

Approved: \_\_\_\_\_

Mayor

See original for signatures

Department Head

Approved: \_\_\_\_\_

Controller



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails

### Resolution

---

**File Number:** 040384

**Date Passed:**

Resolution authorizing the Municipal Transportation Agency to enter into Contract Modification No. 12 with ANSALDOBREDA S.p.a for (1) completion of the video surveillance retrofit on 87 light rail vehicles; (2) design, testing and installation of an emergency brake acceleration limiting device on 151 vehicles; (3) overhaul of the brake system on 23 vehicles, plus two options for up to 30 additional vehicles each; (4) funding for spare parts and repair of damaged vehicles; and (5) modification of the delivery schedule, payment schedule, warranty provisions, and other terms and conditions of the contract to address the new work; all in an amount not to exceed \$9,148,576, and for a total contract amount not to exceed \$407,155,455.

---

May 11, 2004 Board of Supervisors — CONTINUED

Ayes: 8 - Alioto-Pier, Daly, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 2 - Gonzalez, Hall

Excused: 1 - Ammiano

May 18, 2004 Board of Supervisors — ADOPTED

Ayes: 8 - Alioto-Pier, Daly, Dufty, Hall, Ma, Maxwell, McGoldrick, Peskin

Noes: 3 - Ammiano, Gonzalez, Sandoval

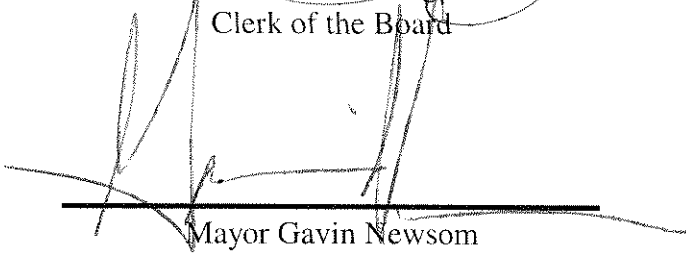
File No. 040384

I hereby certify that the foregoing Resolution  
was ADOPTED on May 18, 2004 by the  
Board of Supervisors of the City and County  
of San Francisco.

MAY 27 2004

\_\_\_\_\_  
Date Approved

  
\_\_\_\_\_  
Gloria L. Young  
Clerk of the Board

  
\_\_\_\_\_  
Mayor Gavin Newsom