

RESOLUTION NO. 2019-113

AUTHORIZING CONTRACT NO. 2019-148 WITH LYTX, INC. TO PROVIDE DRIVER BEHAVIOR PERFORMANCE MONITORING SYSTEM SERVICES FOR BUS AND PARATRANSIT VEHICLES IN AN AMOUNT NTE \$601,761.60 FOR THE BASE THREE YEARS, AND IN AN AMOUNT NTE \$200,587.20 FOR EACH OPTION YEAR, FOR A TOTAL CONTRACT AMOUNT NTE \$1,002,936.00 FOR THE FIVE YEAR PERIOD (GENERAL FUND, TRAINING & EMPLOYEE DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Authority currently utilizes a driver behavior performance monitoring system for its bus and paratransit vehicles; and

WHEREAS, maintenance of this system including fleet tracking, subscription fees, licenses, and related services are required to maintain these services; and

WHEREAS, these services are available from Lytx, Inc., located at 9785 Towne Centre Drive, San Diego, CA 92121, the original installer and licensor of this system; and

WHEREAS, the Ohio Revised Code, Section 306.43 (H)(3) provides that competitive bidding is not required when the expenditure is for a renewal or renegotiation of a lease or license for telecommunications or electronic data processing equipment, services or systems, or for the upgrade of such equipment, services, or systems, or for the maintenance thereof as supplied by the original source or its successors or assigns; and

WHEREAS, Lytx, Inc. has offered to provide driver behavior performance monitoring system services for bus and paratransit, for a period of three years in an amount not to exceed \$601,761.60 for the base three years, and in an amount not to exceed \$200,587.20 for each option year, resulting in a total contract amount not to exceed \$1,002,936.00 for the five year period; and

WHEREAS, the General Manager, Chief Executive Officer, deems the negotiated offer of Lytx, Inc. to be in the best interest of the Authority and recommends acceptance thereof by the Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the offer from Lytx, Inc. to provide driver behavior performance monitoring system services for bus and paratransit vehicles, for a period of three years with two, one-year options, be and the same is hereby accepted.

Section 2. That the General Manager, Chief Executive Officer of the Authority be and she is hereby authorized to enter into a contract with Lytx, Inc. to provide driver behavior performance monitoring system services for bus and paratransit vehicles for a period of three years with two, one-year options.

Section 3. That the General Manager, Chief Executive Officer of the Authority be and she is hereby authorized to purchase upgraded 4G devices, installation and related services, if needed, by GM change order. In the event that the dollar amount of said purchase exceeds the GM change order authority, approval from the Board of Trustees will be requested.

Section 4. That said contract shall be payable from the General Fund, Training & Employee Development Department budget, in an amount not to exceed \$601,761.60 for the base three years, and in an amount not to exceed \$200,587.20 for each option year, for a total contract amount not to exceed \$1,002,936.00 for the five year period.

Section 5. That said contract shall be binding upon and an obligation of the Authority contingent upon future funding, compliance by the contractor to the Specifications and Addenda, if any; the Affirmative Action Plan adopted by the Board of Trustees in Resolution No. 2015-76; bonding and insurance requirements and all applicable laws relating to contractual obligations of the Authority.

Section 6. That the Greater Cleveland Regional Transit Authority's Board of Trustees expects that Lytx, Inc., will attempt to exceed the 0% minimum DBE goal assigned to this procurement.

Section 7. That this resolution shall become effective immediately upon its adoption.

Adopted: December 17, 2019



President

Attest: 

Interim Secretary-Treasurer



TITLE/DESCRIPTION: CONTRACT: DRIVER BEHAVIOR PERFORMANCE MONITORING SYSTEM SERVICES FOR BUS & PARATRANSIT VEHICLES, FOR A PERIOD OF THREE YEARS WITH TWO, ONE-YEAR OPTIONS VENDOR: LYTX, INC. AMOUNT: NTE \$601,761.60 FOR THE BASE THREE YEARS, AND IN AMOUNTS NTE \$200,587.20 FOR EACH OPTION YEAR, FOR A TOTAL CONTRACT AMOUNT NTE \$1,002,936.00 FOR THE FIVE YEAR PERIOD	Resolution No.: 2019-113
	Date: December 12, 2019
	Initiator: Training & Employee Development
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 **PURPOSE/SCOPE:** This action will allow the Authority to enter into a sole source contract for driver behavior performance monitoring system services including licenses, training and subscription fees for a period of three years with two, one-year options for renewal.
- 2.0 **DESCRIPTION/JUSTIFICATION:** On February 18, 2014, the Board of Trustees approved Resolution No. 2014-13 authorizing Contract No. 2013-190 for the purchase of a driver behavior performance monitoring system and services from Lytx, Inc. Since July 2014, Lytx, Inc. has provided a driver behavior performance monitoring system, including, fleet tracking, subscription fees, licenses, and related services to GCRTA. The "DriveCam" driver behavior performance monitoring system provides GCRTA staff with proactive measures to reduce operator-driving errors, eliminate risky behaviors that lead to accidents, and enhance fuel usage. In addition, the staff utilizes the driver behavior performance monitoring system to enhance training efforts and recognize positive operator behaviors. Through the use of this specialized DriveCam technology, GCRTA has experienced a 49% reduction in collisions since its implementation in July 2014.
- 3.0 **PROCUREMENT BACKGROUND:** The DriveCam technology is proprietary to Lytx, Inc., therefore they are the only source for support, equipment upgrades, modifications and training services. This expenditure is for the renewal of the driver behavior performance monitoring system services. This sole source procurement is exempt from competitive bidding as authorized under Section 306.43(H)(3) of the Ohio Revised Code. Through negotiations, Lytx, Inc. offered to continue to provide services and training for the system in annual amounts not to exceed \$200,587.20. The Training & Employee Development and Fleet Management Departments reviewed the offer for adherence to the technical requirements.

During negotiations, GCRTA was advised that the DriveCam technology, which currently uses a 3G network, will be obsolete in the next few years. Major carriers have been slowly phasing out older network architectures in the transition from the 3G to 4G Network by either not activating devices on 3G or planning to cease the 3G service. Once networks shut down their 3G service, devices operating on 3G technology will no longer be able to transmit data, and device owners will need to transition out their equipment with 4G equipment to maintain access to their data streams. Lytx, Inc.'s cellular provider has not set a date for the 3G shutdown, but in preparation for the 3G network shutdown by all cellular providers, Lytx, Inc. sunset the DC3P device 1-2 years ago and has been creating the new "SF device" which uses a 4G network. The GCRTA currently has 440 of the "old" DC3P devices in its bus and paratransit vehicles.

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In anticipation of a shutdown of the 3G network and eventual transition to 4G, the GCRTA proactively negotiated prices for upgraded devices, installation, hardware and related services and equipment that are on the 4G network. Upgraded devices are not needed at this time. The existing equipment still functions and should for the immediate future. When necessary, Procurement will initiate a change order. In the event that the amount exceeds the General Manager, Chief Executive Officer's change order authority, we will seek approval from the Board of Trustees.

A cost analysis was performed by the Procurement Department, and it has been determined that the price is fair and reasonable to the Authority.

- 4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: All Affirmative Action requirements have been met. A 0% DBE goal was established for this procurement because it is for the maintenance of proprietary software. This work is exclusive to the original software provider and/or installer.
- 5.0 POLICY IMPACT: Does not apply.
- 6.0 ECONOMIC IMPACT: This procurement shall be payable from the General Fund, Training & Employee Development Department budget, in an amount not to exceed \$601,761.60 for the base three years, and in an amount not to exceed \$200,587.20 for each option year, for a total contract amount not to exceed \$1,002,936.00 for the five year period. This pricing is approximately 1% below the estimate for this purchase.
- 7.0 ALTERNATIVES: Reject this offer. Rejection of this offer would leave the Authority without a critical training tool for its bus and paratransit operators.
- 8.0 RECOMMENDATION: It is recommended that the offer of Lytx, Inc. be accepted and the resolution passed authorizing the General Manager, Chief Executive Officer to enter into a contract.
- 9.0 ATTACHMENTS: None.

Recommended and certified as appropriate to the
availability of funds, legal form and conformance with the
Procurement requirements.



General Manager, Chief Executive Officer