

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 210803-097

WHEREAS, In 2014, the SFMTA Board of Directors approved Contract No. 2013-19 with Siemens Industry, Inc. (Siemens) to provide up to 260 Light Rail Vehicles (LRVs or Vehicles), including two options for expansion LRVs (the Contract), all for an amount not to exceed \$1,192,651,577, and a term not to exceed 15 years; and,

WHEREAS, The Contract included the replacement of the SFMTA's 151 Breda LRVs, as replacing these older and less reliable vehicles is an established need in the Agency's Capital Plan; and,

WHEREAS, On March 31, 2015, the SFMTA Board approved Modification No. 1 to the contract to exercise Option 1 for 40 additional LRVs to be delivered after the Phase 1 delivery of 24 Vehicles; and,

WHEREAS, On October 30, 2015, the Director of Transportation, approved Modification No. 2 to the Contract to update the list of approved major suppliers, and clarify contract language; and,

WHEREAS, On August 16, 2016, the SFMTA Board approved Modification No. 3 to the Contract, which added design changes to provide enhancements to passengers, enable full systems integration, and reduce the life-cycle costs of the LRVs, in the amount of \$19,596,728, with no increase in the total Contract price; and,

WHEREAS, On June 17, 2017, the SFMTA Board authorized the Director of Transportation to execute Modification No. 4 to the Contract, to provide four additional Vehicles (funded by the Golden State Warriors) to serve the Chase Center, for an amount not to exceed \$15,875,000, with no increase in the total Contract price and no increase in the overall term of the Contract; and,

WHEREAS, On November 28, 2018, the Director of Transportation approved the assignment of the Contract from Siemens Industry, Inc., to Siemens Mobility, Inc.; and,

WHEREAS, On October 22, 2019, the Director of Transportation, under his delegated authority, executed Contract Modification No. 5 to expedite the design and pilot installation of track brakes to the power trucks as a method to reduce frequency of flat spots on wheels caused by activation of the push button emergency brake in the amount of \$466,505, with no increase in the total Contract price; and,

WHEREAS, On November 19, 2019, the SFMTA Board approved Contract Modification No. 6, to enhance the Vehicle design with passenger comforts, updated operator cab features, and engineering refinements that improve fleet performance; and to advance Phase 2 long-lead activities to accelerate fleet replacement, for an amount not to exceed \$9,799,688, with no

increase in the total Contract price, achieved through a decrease in the escalation allowance, and no increase in the term of the Contract; and,

WHEREAS, On March 27, 2020, the parties entered into Modification No. 7 to complete Phase 2 long-lead activities, implement interior configuration and seating changes based on the approved re-design, complete installation of the track brakes, and provide for other equipment updates and Vehicle enhancements; and,

WHEREAS, On October 30, 2020, the Director of Transportation executed Contract Modification No. 8 to the Agreement to further modify the Vehicles, including adding larger cab monitors and a second sensitive edge to the middle doors, deleting fareboxes for 141 of the Vehicles, and expediting work to avoid Phase 2 production delays; and,

WHEREAS, On August 3, 2021, the SFMTA Board approved Contract Modification No. 9, to update Vehicle equipment including center door sensing capabilities, enhancements of cameras, changes to the operator cab and controls, and scope changes in preparation for next generation Clipper; and,

WHEREAS, Contract Modification No. 9 also resolved an issue between Siemens and the SFMTA regarding the proper method for calculating escalation costs for the 151 Phase 2 replacement Vehicles; and,

WHEREAS, Under Contract Modification No. 10, the SFMTA will exercise Option 2 to procure 30 additional LRVs to be delivered after completion of Phase 2, with cancellation provisions through June 2025; and,

WHEREAS, On June 19, 2014, the San Francisco Planning Department determined (Case Number 2014.0929E) that the Procurement of New Light Rail Vehicles is statutorily exempt from California Environmental Quality Act (CEQA) as defined in Title 14 of the California Code of Regulations Section 15275(a), which provides an exemption from environmental review for the institution or increase of passenger or commuter service on rail lines already in use; and,

WHEREAS, The Vehicles to be used for the Central Subway Project are within the scope of the Central Subway Final Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report (Central Subway SEIS/SEIR), Case No. 1996.281E; and,

WHEREAS, The Vehicles to be used to provide enhanced Muni service to the Golden State Warriors Event Center Project are within the scope of the Golden State Warriors Event Center and Mixed Use Development at Mission Bay Blocks 29-32 Final Subsequent Environmental Impact Report (Event Center FSEIR), Case No. 2014.1441E; and

WHEREAS, The changes in the current Contract Modification are within the scope of the environmental review discussed above; no new significant effects have been identified, there is no substantial increase in significant effects already identified, and no new mitigation is required; and,

WHEREAS, Copies of the CEQA determinations are on file with the Secretary to the SFMTA Board of Directors, and may be found in the records of the Planning Department at <https://sfplanning.org/> and 49 South Van Ness Avenue, Suite 1400, San Francisco, and is incorporated herein by reference; now, therefore, be it

RESOLVED, That the SFMTA Board of Directors has subsequently reviewed the Central Subway SEIS/SEIR and the Event Center FSEIR and finds that since the certification of the two documents, no changes have occurred in the proposed project or in the circumstances under which the project would be implemented that would cause new significant impacts or a substantial increase in the severity of impacts identified and analyzed in those documents, and that no new information has emerged that would materially change the analysis or conclusions set forth in the two documents; the actions approved herein would not necessitate implementation of additional or considerably different mitigation measures that those identified in those documents; and be it further

RESOLVED, That the SFMTA Board of Directors authorizes the Director of Transportation to execute Contract Modification No. 10 to SFMTA Contract No. 2013-19: Procurement of New Light Rail Vehicles, with Siemens Mobility, Inc., to exercise an option to procure 30 additional new light rail vehicles in the amount of \$130,409,780, plus additional escalation, with cancellation provisions through June 2025, and with no increase in the total Contract price or in the term of the Contract.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of August 3, 2021.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency