

## Written Procurement History

(# and Type of Vehicles)

Bids Advertised on \_\_\_ / \_\_\_ / \_\_\_.

### I. Background

#### Planning

**Statement of Need** - The agency has a fleet of 20 vehicles, consisting mostly of paratransit vans with a lifespan of five years or less, or 150,000 miles. 15 of the vehicles are six years old and have over 200,000 miles each. The agency is experiencing high maintenance costs and is forced to use its spare vehicles far too often. The agency needs new vehicles. The agency has evaluated the fleet in terms of replacement needs and has determined that the replacement vehicles should be small cutaway buses (type 2 vehicles). This vehicle will support the agency's current level of service.

**Independent Cost Estimate** - Before the agency went out for bids, the agency contacted two vendors to receive informal price estimates and customer lists, including names and phone numbers. The agency received an estimate of \$44,000 from vendor A, an estimate of \$42,000 from vendor B, and research from the vendor-supplied customer lists supported these estimates. The agency estimates a cost of \$43,000 per vehicle.

**Selection of Procurement Method & Contract Type** - The agency believes the IFB process is most appropriate because realistic specifications are available, there is adequate competition among vendors, and the bid can be awarded principally on price. The agency believes that a more competitive price per vehicle can be obtained by buying in bulk. The agency plans to enter into a two year contract with the selected vendor. This will include a firm fixed price contract for vehicles delivered in the first year with the option of negotiating a fair price for vehicles delivered in the second year. (Any justification for a price increase must be supported by the vendor through documented, drastic shifts in Consumer Price Indices related to transportation).

**Competition** - To secure the maximum buying power and raise industry interest in the procurement, the agency offered to serve as a lead agency in a group purchase. To achieve maximum participation, the agency sent out an invitation to bid letter to vendors on our vendor list in addition to advertising the bid as required by the Local Government Code. By contacting our DBE certifying agency through the Texas Unified Certification Program (<http://www.dot.state.tx.us/business/tucpinfo.htm>), the agency found one DBE vendor to participate in this procurement.

Name of Agency Rep.	Signature	Date

## II. Pre Award Audit

### a. Purchaser's Certification - 49 CFR 663, subpart B

The bidder has certified that the vehicle to be provided will be the same product as described in the advertised specification. (See attached consolidated certification form signed by the bidder, part III –A.) The agency contacted the people on the customer list provided by the vendor and discussed the vendor's performance. The agency certifies that the bidder/manufacturer is responsible and will provide a vehicle that will meet or exceed the specifications.

### b. Buy America - 49 CFR 663, subpart B

The total price of this purchase is less than the small purchase threshold of \$100,000 and is not subject to Buy America requirements.

or

The vehicles provided by the bidder (# of vehicles, make, and model) cannot comply with the Buy America requirements, but may qualify for an exception (see attached consolidated certification form signed by the bidder, part II-A).

or

The bidder has certified that the vehicles (# of vehicles, make, and model) will comply with the Buy America requirements. (See attached consolidated certification form signed by the bidder, part II-A.) The bidder has also completed the attached domestic content worksheet. (Or the bidder has provided a certificate from the manufacturer that lists the domestic content of each component, states that the vehicle is composed of at least 60% domestic content, describes construction activities, and gives the location of construction activities.)

and

The agency certifies that the vehicles provided will meet the Buy America requirements.

### c. Federal Motor Vehicle Safety Standards (FMVSS) - 49 CFR 663, subpart D

The bidder has certified that the vehicle complies with relevant FMVSS issued by the National Highway Traffic Safety Administration in 49 CFR Part 571 (see attached FMVSS certification form signed by the bidder). The agency certifies that the vehicles provided will meet FMVSS.

Name of Agency Rep.	Signature	Date

### III. Post Delivery Audit

#### a. Purchaser's Certification - 49 CFR 663, subpart C

After visually inspecting and road testing the contract buses, the agency certifies that the (# of vehicles, make, and model) meet the contract specifications.

*or, if more than ten vehicles were purchased:*

The agency's resident inspector monitored manufacturing and completed a report providing accurate records of all construction activities. The report addresses how the construction and operation of the vehicles fulfill the contract specifications. After reviewing the report, visually inspecting and road testing the contract buses, the agency certifies that the (# of vehicles, make, and model) meet the contract specifications.

#### b. Buy America - 49 CFR 663, subpart C

The total price of this purchase is less than the small purchase threshold of \$100,000 and is not subject to Buy America requirements.

or

The agency certifies that there is a letter from FTA, which grants a waiver to the vehicles provided by the vendor ( # of vehicles, make, and model) from the Buy America requirements, under Section 165 (b)(1), (b)(2), or (b)(4) of the Surface Transportation Assistance Act of 1982, as amended.

or

The agency certifies that it is satisfied that the (# of vehicles, make, and model) meet the requirements of Section 165 (b) (3). The agency has reviewed documentation provided by the manufacturer that lists the domestic content of each component, states that the vehicle is composed of at least 60% domestic content, describes construction activities, and gives the location of final construction activities.

#### c. Federal Motor Vehicle Safety Standards (FMVSS) - 49 CFR 663, subpart D

The vendor has certified that the vehicle complies with relevant FMVSS issued by the National Highway Traffic Safety Administration in 49 CFR Part 571 (see attached FMVSS certification form provided by the bidder upon vehicle delivery). The agency certifies that the vehicles provided meet FMVSS.

Name of Agency Rep.	Signature	Date