



ADA VEHICLE PROCUREMENT

VEHICLE PURCHASES FEDERAL REQUIREMENTS

- Use of federal funds require meeting standards such as:
 - ❖ Altoona testing bus report received
 - ❖ Verifying Disadvantaged Business Enterprise (DBE) compliance
 - ❖ Federal Motor Vehicle Safety Standards (FMVSS) certification
 - ❖ Verify Debarment and Suspension certification
 - ❖ Pre-Award & Post-Delivery inspection

VEHICLE PURCHASES FEDERAL REQUIREMENTS



Buy America (49 U.S.C. § 5323(j); 49 C.F.R. Part)

- Requires all rolling stock (buses) final assembly must occur in the U.S. and
- Requires components and subcomponents produced in the U.S. must be more than:
 - 60% for FY 2016 and FY 2017
 - 65% for FY2018 and FY 2019
 - 70% for FY2020 and beyond

VEHICLE PURCHASES RFQ



- Your grant has been awarded, Now What??
 - You worked with your Regional Transit Coordinator (RTC) to select the right size of vehicle
 - This information in your grant agreement
- How do you purchase a bus?
 - Agencies must use State price agreements to acquire vehicles unless pre-approved by RPTD
 - Oregon Cooperative Procurement Program (ORCPP) membership is required to use State Price Agreements
- Have you been to the Public Transit Website, Provider Handbook, Vehicle Procurement?
 - Located in the Vehicle Procurement section are all of the required documents you will need and the guidance for them.

<http://www.oregon.gov/ODOT/PT/Pages/resources/guidance-library.aspx>

VEHICLE PURCHASES PUBLIC TRANSIT WEBSITE



The screenshot shows a web browser window displaying the Oregon Department of Transportation website. The page title is "Vehicle Procurement" under the "Vehicle Procurement" section. The main content area includes an introductory paragraph about funding for capital vehicles, a list of documents for buying and selling vehicles, and a table of buying documents with descriptions.

Vehicle Procurement

ODOT Public Transit Division helps public transportation providers obtain funding for capital vehicle, equipment, and facility assets. The division most commonly provides funds for projects that replace transit vehicles which meet or exceed the useful life standards established by the division. The division also provides funds for capitalized preventive maintenance and for vehicle purchases to expand public transportation services in Oregon. This funding assistance allows public transportation providers to maintain vehicle fleets that are safe, in good condition, and appropriately designed for the designated routes. In addition, the division provides funds for purchase and construction of facilities and equipment to support public transportation service in Oregon.

The documents located in the first in this section pertain to transit agencies that receive funds via ODOT Public Transit Division to purchase or maintain vehicles:

Use the links below to help determine fair market value for selling a vehicle. If the value is over \$5,000, you must follow appropriate disposal procedures. Following the proper public process is important for disposing of any ODOT Public Transit Division grant-funded vehicle. Private nonprofit agencies may not be allowed to sell a vehicle without assistance from a local public agency or the statewide surplus system through Department of Administrative Services (DAS) Surplus Property. Vehicles may be sold via online services such as e-Bay rather than transporting them to the Salem lot.

Buying ↓ Selling ↓

Buying Document	Description
Altoona Bus Testing	Providing information on the FTA's new model bus testing program
Oregon Vehicle Description and Useful Life Standards	Lists PTD transit vehicle categories
Vehicle Useful Life - ORPIN Contract Crosswalk	Cross-reference of PTD and ORPIN transit vehicle categories and reference list of available vehicles and contracted vendors
Buying Vehicles with ODOT PTD Grant Funds	Tips, agency responsibilities, and other resources
ODOT PTD Vehicle Piggybacking Task List	Useful specifically when accessing another agency's contract rather than accessing the state price agreement contract
Vehicle Purchase Order Instructions	Guidance document for purchasing ADA accessible vehicles using federal funds
Vehicle Purchase Order Form	
Certification of Equivalent Service	Required form for Non-ADA accessible vehicle purchases (not fillable)
Vehicle Procurement Presentation	

VEHICLE PURCHASES RFQ



REQUEST FOR TRANSIT VEHICLE PRICE QUOTE (RFQ)

This is (check appropriate):

- Initial Request for Quote** (from Requesting Agency to Vendors)
Due Date: _____
 - Response to RFQ** (from Responding Vendor back to Requesting Agency)
 - Grant Funded Purchase**
-

VENDOR (Business Name): _____

Vendor Contact Person: _____ **Phone:** _____

Email Address: _____ **Alt Phone:** _____

- Meets Buy America Standards (49 USC § 5323(j); 49 CFR part 661)**
-

VEHICLE PURCHASES RFQ



B. VEHICLE REQUIRED SPECIFICATIONS	
<p><i>Requesting Agency completes Description column</i></p> <p><i>Vendor completes "Vendor Response" columns</i></p>	VENDOR RESPONSE
<p><i>Requesting Agency's Required Specifications Description</i></p>	<p><i>Vendor Suggestions (related to vehicle specs)</i></p>
<p>Altoona Test Executive Summary</p>	

VEHICLE PURCHASES ALTOONA SUMMARY

ALTOONA EXECUTIVE SUMMARY

Eldorado National submitted a model 240 Aerotech, diesel powered 17 seat bus, for a Partial STURAA Test in the 7yr/200,000 mile category. The Federal Transit Administration determined that the following tests would be performed:

- 1.2 Servicing, Preventive Maintenance, Repair & Maintenance; 2. Reliability and 5.7 Structural Durability Test.

The odometer reading at the time of delivery was 1,196 miles. Testing started on August 1, 2000 and was completed on October 6, 2000. The Check-In section of the report provides a description of the bus and specifies its major components.

- The primary part of this partial test was the **Structural Durability Test**, which also provides the information for the Maintainability and Reliability results. The Structural Durability Test was started on August 7, 2000 and was completed on September 26, 2000.
- The first segment of the Structural Durability Test was performed with the bus loaded to a GVW of 14,000lbs. The number of standing passengers was reduced from 17 standees and one wheelchair position, to 5 standees and one wheelchair position (600 lb per. wheelchair position). The reduction in passenger weight was necessary to avoid exceeding the GAWR (9,450 lbs.) of the rear axle. The middle segment was performed at a SLW of 13,275 lbs. The final segment was performed at a curb weight of 10,150 lbs. Durability driving resulted in no unscheduled maintenance failures.
- The Reliability Section compiles failures that occurred during Structural Durability Testing. Breakdowns are classified according to subsystems. **The data in this section are arranged so that those subsystems with more frequent problems are apparent. Problems also are listed by class as defined in Section 2. The test bus encountered no failures during the Structural Durability Test.**

VEHICLE PURCHASES RFQ

The RFQ has two specific fields:

Need

- **Required specifications:** this is a pass/fail, providers should not consider any further items listed if any required spec cannot be provided

Want

- **Preferred specifications:** the provider can consider these for tie-breakers, etc., but if these specs are not met, providers can still select that vehicle.

VEHICLE PURCHASES RFQ

Specifications for your RFQ

- When creating Vehicle Specifications, ask the experts
 - Other Transit Managers
 - The Capital Program Coordinator
 - Has previous bus procurements, look at what was ordered last time, it may be similar
 - The Vendors – be careful!
 - When doing, “**Market Research**” you may call or email **all** of the vendors and ask generalized questions

VEHICLE PURCHASES RFQ

More Specifications for your RFQ

- Do you need an heavy-duty transmission? List it on your RFQ
- How many seats, ADA stations (2 ADA stations are required on buses over 22ft), high-floor or low-floor
- Will you need chains or snow tires
- Not sure what size air conditioner you'll need & forgot to ask during Market Research?
 - The New RFQ form has a vendor suggestion column, just for that purpose
- If you're worried about the performance of a vendor, ask for references
- Include all preferred options that you may choose to included on your vehicle

VEHICLE PURCHASES RFQ

The RFQ is finally done, Now What?

- The RFQ must be approved prior to release
- Email the RFQ to the Capital Program Coordinator for approval to release it to the vendors
 - The Capital Program Coordinator will email you suggested or required changes
- Once the RFQ is approved, send it to all of the vendors on the contract
 - If a vendor does not have the vehicle they will let you know and you need to document a “no bid” from the vendor

VEHICLE PURCHASES OTHER PROCESSES

Buying a non-ADA Mini-Van or vehicle is a little different

- Providers may call, fax, or email local dealerships and receive at least **3** informal quotes, you must document the quotes: who, for what, when, and your signature.
- Providers must verify DBE compliance
- Providers will use the same review and approval process, **with one difference:**
 - **A Certification of Equivalent Service must be filled out. This is a required form for Non-ADA accessible vehicle purchases** <http://www.oregon.gov/ODOT/PT/resources/guidance-library/certification-of-equivalent-service.pdf>

VEHICLE PURCHASES

CERTIFICATION OF EQUIVALENT SERVICE



Rail & Public Transit Division

Certification of Equivalent Service

_____ (name of agency) certifies that its demand responsive service offered to individuals with disabilities (as defined in 49 CFR 37.3), including individuals who use wheelchairs, is equivalent to the level and quality of service offered to individuals without disabilities. Such service, when viewed in its entirety, is provided in the most integrated setting feasible and is equivalent with respect to:

- 1) Response time;
- 2) Fares;
- 3) Geographic service area;
- 4) Hours and days of service;
- 5) Restrictions or priorities based on trip purpose;
- 6) Availability of information and reservation capability; and,
- 7) Constraints on capacity or service availability.

Public Demand Responsive Agencies: In accordance with 49 CFR 37.77, public funded entities operating demand responsive systems for the general public which receive financial assistance under section 18 of the Federal Transit Act must file this certification with the appropriate state program office before procuring any inaccessible vehicle. Public entities receiving FTA funds under any other section of the FTA Act must file the certification with the appropriate FTA regional office. **This certification is valid for no longer than one year from its date of filing.**

All Other Grant Recipients: ODOT Public Transit Division requires all participants to certify equivalent service when requesting to purchase non-ADA accessible vehicles. By signing this certification, the above-named agency is certifying that it has a mechanism in place to provide rides to individuals with disabilities. The ride must be provided in a manner equivalent to the service provided by the above-named agency to individuals without disabilities.

All Agencies: Attach a description of how you provide rides to individuals with disabilities.

VEHICLE PURCHASES OTHER PROCESSES



Rail & Public Transit Division

- If approved to do your own procurement, the provider must conduct an open competitive bid process, usually via a Request for Proposal (RFP)
- Agencies follow locally adopted purchasing policies and must meet state procurement laws when not in conflict with federal (e.g., cannot include geographic preference, must receive three bids)
- If a provider is allowed to conduct its own RFP, this must be approved by RPTD **prior** to release. The final purchase order must be approved by RPTD prior to submittal (RPTD signs the provider's Purchase Order & releases it)

VEHICLE PURCHASES OTHER PROCESSES

- With prior approval, agencies may piggyback on another contract
 - Must be approved by RPTD prior to accessing
 - Once the piggyback is approved, providers must follow that state or agency contracting rules
- Reciprocity agreement with Washington - transit agencies may purchase from this price agreement, but the provider must follow Washington State contract rules

VEHICLE PURCHASES

THE BIDS ARE IN!



Rail & Public Transit Division

- Fill out the vehicle price comparison analysis; documenting the vendor selection from price quotes:
 - List all evaluation criteria: vehicle models/vendors; special options; prices quoted; other criteria <http://www.oregon.gov/ODOT/PT/resources/guidance-library/vehicle-price-comparison-analysis-examples.pdf>
- Select your winning vendor
 - Justify if lowest priced vehicle is not selected (e.g., heavy-duty transmission not available on lowest price vehicle)
 - Altoona test and references come in handy here

VEHICLE PURCHASES

THE BIDS ARE IN!



Rail & Public Transit Division

Fill out the vehicle price comparison analysis:

**ODOT Public Transit Division
Vehicle Procurement**

EXAMPLE A - BASIC VEHICLE PURCHASE				
VEHICLE PURCHASE: PRICE COMPARISON FORM				
ODOT PTD Category D: Medium Size, Light Duty Bus, 20-25 ft. length				
Engine/Fuel Type: 5.4 to 5.6 liter gasoline engine				
Vehicle Capacity: Total 14 passengers, 10 passengers with both ADA stations deployed; 2 ADA Stations				
Required Options: heavy-duty transmission; paratransit flat floor; two double foldaway seats; upgraded securement systems for the 2 ADA stations.				
NOTE: The information in this document is provided for transit agencies as examples for documenting procurement decisions only. The information is not intended to represent actual vehicle options, vendors or pricing for the vehicles shown in this example. When using forms, enter actual vendor and product names.				
Scoring Criteria:		All mandatory specifications will be ranked as equal. Low price will be used to determine selection if all bids are otherwise equal.		
Requested Bids	Vendor A	Vendor B	Vendor C	Vendor D
Required Specifications:				
Vehicle Base Price:	\$18,200	\$17,600	\$17,800	\$18,900
Length as bid:	22-ft	22-ft	22.5 ft	22-ft
Engine - 5.4 to 5.6 liter	5.6 Standard	5.4 Standard	5.5 Standard	5.0 Standard
Notes: Upgrade to 5.5 Liter				\$875
Fuel Type	Gasoline	Gasoline	Gasoline	Gasoline
Heavy-Duty Transmission	\$925	\$605	Not Available	\$550
Flat floor with step-up entry	\$1,325	\$1,475	\$1,295	\$1,440
Add two double fold away passenger seats	\$1,260	\$1,450	\$1,530	\$1,370
Upgrade securement devices	\$350	\$925	\$650	\$870
Total Prices Quoted:	\$51,760	\$52,255	\$51,275	\$52,005

VEHICLE PURCHASES

THE BIDS ARE IN!



Rail & Public Transit Division

- Fill out your agencies purchase order
- Or you may choose to use ODOT's purchase order
<http://www.oregon.gov/ODOT/PT/resources/guidance-library/vehicle-purchase-order-form.pdf>
 - Directions are on the RPTD Website

Email your winning RFQ, price comparison, and purchase order to the Capital Program Coordinator

VEHICLE PURCHASES THE VEHICLE IS HERE



Several months later when your vehicle is delivered you will want to request reimbursement

- These documents will be required for reimbursement and must be kept in your vehicle procurement file
 - Certification forms: Pre-Award & Post-Delivery
<http://www.oregon.gov/ODOT/PT/resources/guidance-library/vehicle-purchase-reimbursement-instructions.pdf>

There are several other steps for reimbursements and several more documents required, Please contact your RTC for the reimbursement process, or visit the RPTD Website.

Important Information on Rebates and Discounts: Grant agreement recipients must either deduct or declare any rebates, discounts, or pricing reductions from the total costs submitted for reimbursement. If received after the vehicle is delivered and paid for, contact ODOT Rail and Public Transit Division.

VEHICLE PURCHASES PRE-AWARD



Rail & Public Transit Division

ODOT – PTD Pre-Award Vehicle Purchase Certification Form

By the signature of its authorized representative, the organization identified below certifies the following (initial all items that apply to this purchase):

A. PRE-AWARD PURCHASER'S REQUIREMENTS CERTIFICATION (all purchases over \$5,000)

As required by Title 49 CFR, Part 663 Subpart B, the vehicle(s) listed below is/are the same product(s) described in the recipient's solicitation specifications, and that the proposed manufacturer is a responsible manufacturer with the capability to produce a vehicle that meets the specifications.

____ Purchaser's required documentation is complete and is part of the procurement file.

B. PRE-AWARD BUS TESTING (all vehicle purchases except sedans, vans and mini-vans)

The vehicle obtained in this procurement complies with 49USC 5318(e) and 49 CFR Part 665.

I understand that misrepresenting the testing status of a vehicle acquired with federal financial assistance may subject my organization to civil penalties (49 CFR Part 31) and that FTA may also suspend or debar a manufacturer under the procedures in 49 CFR Part 29.

____ Altoona/STURAA bus test report was received for each vehicle and is in this agency's procurement file.

C. FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS) CERTIFICATION (all vehicles)

The vehicle described below meets all Federal Motor Vehicle Safety Standards which are applicable to this type of vehicle. Any modifications to the vehicle have not violated the integrity of the structure, design, or systems that have been tested to conform to the FMVSS for this vehicle.

____ Transit Vehicle Manufacturer's FMVSS certification is attached.

D. PRE-AWARD BUY AMERICA COMPLIANCE CERTIFICATION (all purchases over \$100,000)

As required by Title 49 CFR Part 663 Subpart B, the vehicle and equipment to be purchased by this agency meets the requirements of Section 165(b)(3) of the Surface Transportation Assistance Act of 1982 as amended. The recipient signing below has reviewed the documentation provided by the manufacturer which lists the following: (1) the proposed component and sub-component parts of the vehicle and equipment identified by the manufacturer, country of origin and cost; and (2) the proposed location of the final assembly point for the vehicle and equipment, including a description of the activities that took place at the final assembly point and the cost of final assembly.

____ Transit Vehicle Manufacturer's Buy America certification was received and is attached.

E. DISADVANTAGED BUSINESS ENTERPRISE COMPLIANCE (DBE) (purchases with FTA funds)

As required by Title 49 CFR I have obtained a copy of the vehicle manufacturer's DBE certification (verified at this FTA website: http://www.fta.dot.gov/12326_5626.html) that this transit vehicle manufacturer has obtained 49 C.F.R § 26.49 DBE certification; has listed its current home office address; and has established a DBE goal reflecting the guidance in 49 CFR Part 26.45, and is therefore an eligible manufacturer.

____ Transit Vehicle Manufacturer's DBE certification was received and is attached

VEHICLE PURCHASES COMMON PROBLEMS



Rail & Public Transit Division

- Not receiving RPTD approval prior to releasing a “best value determination” RFQ (*this is required*)
- “best value determination” is not a reference check
- “lowest cost” is the life of the vehicle, not today’s purchase price.
- Using brand names – you must use generic descriptions, or add the words “or equivalent”
- Providers don’t list evaluation/selection criteria in the price quote document
- Request for quotes must be sent to **at least 3** vendors with contracts for that size/category of vehicle, but sending to all vendors is preferred

VEHICLE WARRANTY

- Utilize the vehicle warranty prior to using preventive maintenance funds
- When having vehicle issues, always call the vendor first
 - Remember to document any communication on the warranty claim tracking spreadsheet
<http://www.oregon.gov/ODOT/PT/Pages/resources/guidance-library.aspx> (under the Asset Maintenance tab)
- Vehicles covered under warranty may not be taken to a third party shop
- If you are having issues resolving warranty claims, call the Capital Program Coordinator or DAS Fleet and Transportation section
 - We are here to help resolve contract issues

VEHICLE PURCHASES RESOURCES



Rail & Public Transit Division

RPTD Website: State Management Plan;
Transit Provider Handbook, Vehicle Procurement

FTA Website: Best Practices Procurement
Manual; Grant Management Guidelines;
OMB Circulars such as 4220.1F - Third-Party
Contracting;
ADA Accessibilities Guidelines (ADAAG);
CFR 49 Parts 27, 37, and 38; “Common Rule”:
Circular 5010.1D; CFR 49 Parts 18 and 19;
and others.