

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION

Pennsylvania State Management Plan

Federal Programs: 5310, 5311, 5339, 5316 & 5317

Bureau of Public Transportation
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Introduction

The United States Department of Transportation Federal Transit Administration (FTA) requires that each state adopt policies and procedures to be used in administering the FTA Sections 5310, 5311, 5339, 5316 and 5317 grant programs. The Pennsylvania Department of Transportation (PENNDOT) has been designated by the Governor of the Commonwealth of Pennsylvania as the applicant for, and recipient of Sections 5310, 5311, and 5339 funds apportioned to Pennsylvania. PENNDOT is also the designated recipient of Section 5316 and 5317 funding for small and non-urbanized areas of Pennsylvania. Within PENNDOT, the Bureau of Public Transportation (BPT) is directly responsible for administering the Section 5310, 5311, 5339, 5316, and 5317 Programs. The BPT has adopted this combined state management plan as the policies and procedures for administering the FTA programs.

The BPT has primary responsibility for the development, improvement and promotion of public transportation in Pennsylvania. In meeting its responsibilities, BPT provides technical and financial assistance in support of urban public transit systems, rural public transportation services, intercity bus and rail passenger operations, and private nonprofit operators who provide mobility services for senior citizens and persons with disabilities. In addition to administering existing programs, BPT formulates recommendations for new or revised public transportation policies, programs, and legislation necessary to respond to the changing needs of the users and providers of these services. In the conduct of its responsibilities, BPT is involved in all aspects of grant and program administration including planning, programming, auditing, legal, statistical functions, and oversight.

A. Program Goals and Objectives

5310

The goal of the Section 5310 Program is to improve mobility for seniors and individuals with disabilities by removing barriers to transportation services and expanding the transportation mobility options available. The Section 5310 Program is designed to supplement the Federal Transit Administration's other capital assistance programs by funding transportation projects for seniors and persons with disabilities in all areas – large urbanized, small urbanized, and rural. The program seeks to enhance coordination of federally assisted programs and services in order to encourage the most efficient use of federal resources and achieve the national goal of improved mobility for seniors and persons with disabilities.

To be eligible for funding, Section 5310 projects in urbanized areas are to be included in the Metropolitan Transportation Plan (MTP) prepared and approved by the Metropolitan Planning Organization (MPO), the Transportation Improvement Program (TIP) approved jointly by the MPO and the Governor, and the Statewide Transportation Improvement Program (STIP) developed by the State and jointly approved by FTA and the Federal Highway Administration (FHWA). Projects outside urbanized areas are to be included in or be consistent with the Statewide Long-Range Transportation Plan, as developed by the State, and must be included in the STIP.

5311

With respect to rural public transportation, it is the goal of BPT to support the continuation of existing services and the development of new services which are essential for a coordinated, efficient and environmentally acceptable system of public transportation services throughout rural Pennsylvania.

Some specific objectives established to achieve this goal are:

1. Focus on meeting the rural public transportation needs by planning for capacity and frequency of rural transit services through more efficient utilization of existing resources and commitment of additional resources where appropriate.
2. Improve service quality (reliability, comfort, public information, etc.)
3. Implement service improvements and public information programs designed to increase ridership and revenue.
4. Facilitate the development of cooperative working relationships among private transit companies, community organizations, local project sponsors, and funding agencies.
5. Promote the improvement of operating and financial performance of the transit systems through monitoring of transit systems, providing on-site technical assistance, and sponsoring technical studies.
6. Coordinate existing services in rural areas.

5339

The purpose of the new 5339 program is to assist eligible recipients with replacing, rehabilitating, and purchasing buses and related equipment; and to construct bus-related facilities, thus allowing grantees to address replacement and capital expansion needs.

5316 and 5317

The Job Access Reverse Commute (JARC) Program provides financial assistance for projects benefiting low-income individuals to access work and work-related opportunities and to transport residents of urbanized areas and non-urbanized areas, regardless of income, to suburban employment opportunities. Transit services that were previously funded by the JARC Program are eligible to be funded with 5311 funding.

Objectives of the Job Access Reverse Commute program are:

- Provide connectivity for low-income persons to jobs and other support services such as day care and continuing education.
- Target existing or expanded transportation services such as shuttles, vanpools, new bus routes, connector services to public transit, and guaranteed ride home programs for welfare recipients and low-income persons.

The New Freedom Program provides new public transportation services to overcome existing barriers facing Americans with disabilities seeking integration into the workforce and

full participation into society. Transit services that were previously funded by the New Freedom Program are eligible to be funded with 5310 funding.

Objectives of the New Freedom program are:

- Ensure that a lack of adequate transportation is not a primary barrier to work for individuals with disabilities.
- Expand the transportation mobility options available to persons with disabilities beyond requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101, et seq.).

In addition to developing program goals and objectives for JARC and New Freedom, Pennsylvania has for many years identified and addressed the long-term transportation needs of low-income individuals and persons with disabilities. When Pennsylvania initiated its Welfare Reform activities in 1997, transportation was identified as one of the major barriers to employment for low-income residents. In order to connect recipients of Temporary Assistance for Needy Families (TANF) and other low-income persons with jobs that are often located in suburban areas with minimal public transportation from urban and rural areas, the Departments of Public Welfare and Transportation (PENNDOT) established the welfare to work (w2w) Transportation Program to increase transportation availability and access to jobs. This program is currently funded through the BPT. Also, in 2001 BPT began a pilot program to provide advance reservation, door-to-door transportation for persons with disabilities at a reduced cost. The Rural Transportation Program for Persons with Disabilities (PwD) has been expanded to cover 66 of Pennsylvania's 67 counties. Philadelphia is excluded due to its extensive and comprehensive fixed route and ADA Complementary Paratransit service.

B. Roles and Responsibilities

The Rural and Intercity Division performs the Section 5311 program management functions and the Urban Division performs the Section 5310, 5339, 5316, and 5317 management functions. See Appendix C for BPT Organizational chart.

C. Coordination

BPT works closely with a number of other State and local agencies to develop specific projects and provide for general coordination.

Examples of coordination efforts to date are:

- Continuous work with the Department of Aging and Department of Public Welfare to enhance the mobility of seniors and persons with disabilities through Pennsylvania's free and reduced fare programs for senior citizen transportation and its Reduced Fare Program for Persons with Disabilities
- The Section 5310 Interdepartmental Task Force which reviews applications submitted for Section 5310 funding

- Requirement of a single agency, within a county, to coordinate transportation services being provided under the State's Senior Citizens Shared-Ride program and the Reduced Fare Program for Persons with Disabilities
- Human Service Transportation Coordination Study with the Departments of Aging, Public Welfare, and the Office of the Budget.
- The Section 5310 application requires every applicant to describe coordination efforts with the shared-ride provider in that county. The 5310 evaluation process prioritizes applicants demonstrating transportation coordination within their service areas.

SAFETEA-LU requires that Section 5310, 5316 and 5317 projects selected for funding must be derived from a locally developed, coordinated public transit-human services transportation plan. These plans have been developed throughout Pennsylvania in the urbanized and non-urbanized areas. Locally developed coordinated plans can identify both the transportation needs and issues of a particular area and the transportation services available to meet these needs. The plan can help reduce or eliminate many of the problems and issues identified, such as duplication of services and underutilization of resources, and help extend or expand service to meet unmet transportation needs.

Under MAP-21 Section 5310 projects selected for funding must be included in a locally developed, coordinated public transit-human services transportation plan. These projects may be identified as strategies, activities, and/or specific projects addressing an identified service gap or transportation coordination objective articulated and prioritized within the plan.

The local planning organization is responsible for certifying to PennDOT that each plan was developed through a process that included participation by seniors, individuals with disabilities, other members of the public, and representatives of public, private, nonprofit, and human service transportation providers.

In addition, BPT is in continuous contact with its Section 5310, 5311, 5339, 5316 and 5317 projects through the efforts of staff Program Coordinators. A Program Coordinator is the initial point of contact for questions, problems, updates, and information regarding the full scope of a project's activities. The annual Pennsylvania Public Transportation Association (PPTA) transit conference provides opportunities to speak not only with sub-recipients, but also with other State and Federal officials regarding a broad range of issues, including Section 5310, 5311 5316 and 5317 funding.

D. Eligible Sub-Recipients

5310

PennDOT has traditionally provided for public transportation capital and operating projects that are planned, designed and carried out to meet the specific needs of seniors and

individuals with disabilities. At least 55 percent of Section 5310 funds are provided to eligible recipients for these type of traditional projects. Eligible sub-recipients for traditional 5310 projects include: State or local government authorities, private non-profit organizations; or operators of public transportation.. In addition to the traditional 5310 projects, PennDOT is allowed to distribute up to 45 percent of the available funds for Non Traditional 5310 projects which may be utilized to: exceed the ADA minimum requirements, improve access to fixed route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service; or provide alternatives that assist seniors and individuals with disabilities with transportation. Eligible recipients for Non Traditional 5310 projects include: state or local government authorities, private non-profit organizations; or operators of public transportation.

BPT has not established a procedure that allows public bodies to certify to the Governor that no non-profit corporations or associations are readily available in an area to provide the service since only those public bodies designated as described above may receive these funds. State eligibility is not more restrictive than Federal eligibility and BPT does not conduct itself as the primary recipient for any projects.

5311

Only public agencies are eligible as direct recipients of funds. Applicants typically are either political subdivisions of the Commonwealth (i.e., county, city, borough, township, etc.) or public transit authorities incorporated under the Pennsylvania Municipal Authorities Act of 1945. Private for-profit and private non-profit agencies participate in the program through subcontracts with public agencies or with public sponsorship for capital projects.

In addition, under Section 5311(f), the state directly provides to intercity bus carriers, both operating assistance grants, and capital assistance grants to pay for lifts and mobile seating devices, in order to assist carriers with meeting their ADA obligations. Also, activities eligible under the former Job Access and Reverse Commute (JARC) program, which provided services to low-income individuals to access jobs, are now eligible under the Rural Area Formula program.

5339

Eligible sub-recipients are public agencies or private nonprofit organizations engaged in public transportation, including those providing services open to a segment of the general public, as defined by age, disability, or low income. Sub-recipients must demonstrate compliance with state and federal rules and regulations and have local match available. Sub-recipients' services must be part of advertised and scheduled fixed route or demand response service open to the general public.

E. Eligible Services and Service Areas (only applicable to 5311 and 5339)

5311

In Pennsylvania the Section 5311 Program was established to provide “public transportation” in rural areas, and the funds were not made available to subsidize human service transportation by replacing those funding sources with Section 5311 funding. The guidelines that are in place maintain the general public element of services that are funded. To be eligible for Section 5311/Act 44 assistance, the service must be offered to the general public and be advertised as such. The intent of this definition is to ensure that the systems are designed and function as a public service rather than for the benefit of any one group. In addition, consistent with Federal directives, this standard is intended to discourage the substitution of Section 5311 funding for social service/human service program funding. Services which do not meet the standard are generally handled on a contract basis with a sponsoring agency paying the full cost (usually through other federal and state funding sources) of transporting its clients. Service areas are generally determined by the geographic boundaries of the municipality applying for funding. Similarly, transit authorities have clearly delineated service areas. Also, under MAP-21 activities that were eligible under the former Job Access and Reverse Commute (JARC) program, which provided services to low-income individuals to access jobs, are now eligible under the Rural Area Formula program. In addition, the formula now includes the number of low-income individuals as a factor.

5339

Eligible capital projects include replacing, rebuilding, or purchasing buses and related equipment; and construction of bus-related facilities. These include but are not limited to:

1. Acquisition of buses for fleet and service expansion.
2. Bus maintenance and administrative facilities
3. Transfer facilities
4. Bus malls
5. Transportation Centers
6. Intermodal terminals
7. Park-and-ride stations
8. Acquisition of replacement vehicles
9. Bus rebuilds
10. Passenger amenities such as passenger shelters and bus stop signs
11. Accessory and miscellaneous equipment such as: mobile radio units, supervisory vehicles, fare boxes, computers, and shop and garage equipment
12. Clean fuels projects: passenger vehicles used to provide public transportation and powered by compressed natural gas (CNG), liquefied natural gas (LNG), biodiesel fuels, batteries, alcohol-based fuels, hybrid electric, fuel cell, clean diesel, or other low or zero

emissions technology.

13. Introduction of new technology: transit related technology, such as innovative and improved products that provide benefits to transit, including Intelligent Transportation Systems (ITS)
14. Bicycle facilities
15. Introduction of new technology

F. Eligible Assistance Categories (only applicable to 5311)

The Department has funded and will continue to fund operating, capital, and technical assistance for eligible grantees contingent upon apportionment levels. BPT funds sub-recipients' administrative expenses as part of their operations budget, i.e., at up to 50% of the project deficit.

G. Local Share and Local Funding Requirements

5310

The Federal share of eligible capital expenses cannot exceed eighty (80%) percent of a project's expenses. The local share can be no less than twenty (20%) percent of the expenses. The Federal share of eligible operating costs cannot exceed fifty (50%) percent of the net operating costs of activity. The local share can be no less than fifty (50%) percent of the net operating costs. All of the local share must be provided from sources other than Federal funds except where specific legislative language of a Federal program permits its funds to be used to match other Federal funds. For human service transportation providers designated as County Coordinators of shared-ride service, the State may provide Community Transportation Capital (CTC) State funds for the 20% local share. Private non-profit entities are responsible for providing the 20% local share.

5311

State matching funds for the Section 5311 Operating Assistance Program come from Act 44 Section 1513 Operating Assistance and local sources. Pennsylvania State law requires a cash match from local sources equal to 15% of the transit system's Act 44 operating assistance allocation. Since local match prior to Act 44 was less than 15%, Act 44 includes a "grow up" provision that requires an agency to obtain 5% more local funding every year until local funding equals 15% of the system's Act 44 allocation.

The funding ratio typically used for capital projects and technical studies when Federal Section 5311 funds are used is:

Capital

Federal	80%
State	19.355%
Local	0.645%

Technical Studies

Federal	80%
State	19.355%
Local	0.645%

5339

The 5339 required local and/or state share for capital assistance is 20 percent of eligible expenses. The 20 percent match requirement may be met using a combination of local funds and eligible state funds.

The funding ratio typically used for capital projects when Federal Section 5339 funds are used is:

Federal	80%
State	19.355%
Local	0.645%

5316 and 5317

JARC and New Freedom programs provide funds for capital, planning, and operating assistance to support all eligible activities. The Federal share of eligible operating expenses cannot exceed fifty (50%) percent. The Federal share of eligible capital expenses will not exceed eighty (80%) percent. Through Act 44 of 2007, Section 1516, BPT is authorized to give high priority to providing state financial assistance as match for federal funding to support JARC and New Freedom programs. The state matches up to 50 percent for operating expenses and up to 20 percent for capital and planning activities. In addition, required local match is one of the options the Department is considering for JARC and New Freedom projects to make sure that there is local project oversight and ownership.

H. Project Selection Criteria and Method of Distributing Funds

5310

The availability of funding is advertised through the Pennsylvania Bulletin, and a notice is also sent out to all past applicants. In addition, detailed program guidelines, application forms, and instructions are annually updated and available on our share point site, as well as placed on the PennDOT website under the Doing Business/Transit tab.

MAP-21 and FAST Act funds are now apportioned by designated large urbanized areas, small urbanized areas, and rural areas within the state of Pennsylvania.

BPT divides organizations eligible for Section 5310 funding into two categories for

project selection purposes:

Category 1: Organizations eligible for state matching funds. PennDOT provides state matching funds for capital and operating assistance to organizations participating in the Senior Citizens Shared-Ride and Persons with Disabilities Programs. These programs provide reduced fares for senior citizens and persons with disabilities throughout Pennsylvania. The rider or an approved third-party sponsor pays 15% of the fare and the state fund pays the remaining 85% on local shared-ride door-to-door advance reservation transportation service. Eligible participants are private non-profit organizations, state or local governmental authorities; and operators of public transportation services, including private operators of public transportation service.

Category 2: Organizations not eligible for state matching funds. This category includes any other private non-profit organizations that transport senior citizens and/or persons with disabilities on a regular basis.

The reason for this process is to allow Senior Citizen Shared-Ride Program agencies to submit one application for both state funds and Section 5310 funds, rather than two applications. It is important to note that while the criteria for determining whether an applicant falls under Category 1 or Category 2 are different, the eligibility requirements for participation in the Section 5310 Program are the same.

Evaluation of Category 1 Section 5310 applications is done by BPT staff and evaluation of Category 2 Section 5310 applications is done by an Interdepartmental Task Force consisting of representatives from the Pennsylvania Departments of Aging, Labor and Industry, and Transportation. The evaluation of Category 1 and Category 2 Section 5310 applications is based on the following criteria. Those applicants who show the greatest justification on these points are funded.

- Eligible applicant and eligible project type.
- Project need and justification.
- Positive Mobility Improvements.
- Local and Regional Coordination.
- Technical and maintenance capability to provide transportation.
- Organizational, financial, and grant administration capacity.
- Matching Funds

In addition, PennDOT requires each Transportation Planning Organization (TPO) within Pennsylvania to develop and adopt a local coordinated public transit-human services

transportation plan which is forwarded to PennDOT. PennDOT requires all planning organizations to certify that the local coordinated plan was developed and approved in cooperation with transportation providers and stakeholders, including individuals with disabilities and seniors utilizing transportation services.

Funds for the Section 5310 Program are available for capital and operating expenses to support the provision of transportation services to meet the special needs of seniors and persons with disabilities.

The following types of expenses are eligible:

- Acquisition of expansion or replacement buses or vans, and related procurement, testing, inspection, and acceptance costs
- Extended warranties that do not exceed the industry standard
- Radios and communication equipment
- Wheelchair lifts, restraints, and ramps
- Purchase and installation of benches, shelters, and other passenger amenities
- Lease of equipment when a lease is more cost effective than a purchase
- Acquisition of transportation services under a contract, lease, or other arrangement.
- Vehicle rehabilitation or overhaul
- Computer hardware/software
- Dispatch systems
- Fare collection systems
- Transit-related intelligent transportation systems (ITS)
- Preventive maintenance
- Support for mobility management and coordination programs among public transportation providers and other human service agencies providing transportation
- Capital activities to support ADA-complementary paratransit service

Under MAP-21 Section 5310 Program funds are available for expenses other than the above capital expenses traditionally funded by the program. Up to 45 percent of a rural, small urbanized or large urbanized area's annual apportionment may be utilized for the following other expenses:

- Public transportation projects (capital only) planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;
- Public transportation projects (capital and operating) that exceed the requirements of ADA;
- Public Transportation projects (capital and operating) that improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service; or
- Alternatives to public transportation (capital and operating) that assist seniors and individuals with disabilities with transportation.

5311

On an annual basis, BPT distributes instructions via email to all prospective applicants, detailing both changes from the previous year and how to access applications for funding through PennDOT's electronic Grants Management System, dotGrants.

The BPT does not apportion 5311 funds based on geographic areas. Rather, the BPT uses two separate methods of project selection:

The first method is to continue funding projects for those sub-recipients that receive state operating assistance as a result of State Act 44 of 2007. The second method involves responding to locally initiated requests for financial assistance. This includes operating assistance for demonstration or service expansion projects, capital grants and technical studies which are all awarded on a discretionary basis.

Factors determining grant awards for operating, capital and technical assistance include:

1. The demonstrated need for services,
2. Evidence of support (including commitment of local matching funds) by local elected officials,
3. Evidence of coordination of existing transportation programs,
4. Availability of funds under other programs,
5. Evidence that the organization possesses adequate technical, administrative and managerial personnel and skills to properly administer the program, sustain the operation, or maintain the capital investment,
6. Ability to comply with applicable State and Federal regulations, and
7. Social and economic benefits to residents of the non-urbanized area.

Number five (5) specifically is accomplished by several progressive steps: (a) documentation presented, (b) BPT experience with the sub-recipient (either through rural or other BPT programs) relative to timeliness and accuracy of reporting, etc., (c) results of compliance reviews and follow-up, and (d) technical assistance including on-site technical assistance visits.

Any prospective rural project that meets the general public and local sponsorship program criteria will be considered for funding. In such cases, State Act 44 funds are used to supplement Federal funding during the demonstration period.

Operating Assistance

All project applications and grant administration, both State-wide and on a sub-grant basis, must follow the State fiscal year (July 1 - June 30). The following schedule is presented to illustrate the sequence of events that would occur for one funding cycle:

September – BPT budget request is submitted to the Governor’s Budget Office

Spring – BPT submits the program of projects to FTA,

April – Sub-recipients submit detailed project applications to BPT, and each prospective applicant submits to BPT a signed 5333(b) Labor Warranty Certification through the application

July 1 – Funding eligibility becomes effective for the new state fiscal year.

Following (a) FTA approval of the program of projects, (b) BPT approval of a project application, grant agreements are executed between BPT and each sub-recipient. The grant agreements include all applicable terms and conditions as required by U.S. DOT.

Each project submits a quarterly financial statement and report of operations that form the basis for release of Federal and State funds.

At the completion of each fiscal year, sub-recipients are required to submit financial statements in accordance with BPT’s [Audit Requirements](#). The statements are reviewed by the Commonwealth to assure compliance with Federal and State requirements. A final reconciliation of payments vs. justified funding is completed and the project is then closed out.

Capital Assistance

Capital project funding is awarded and administered in accordance with FTA Circular 4220.1F and the Department’s competitive procurement procedures (see Appendix A-1). Project justification, specifications, bidding and procurement will be handled at the State level.

FTA will receive periodic progress reports submitted for all active capital projects under the Section 5311 Program not less than annually through the milestones reporting process.

The Department will continue to monitor capital projects in the following manner:

1. require detailed application and Department approval prior to grant agreement execution,
2. provide to all projects written guidance regarding procurement, maintenance and disposition procedures and related requirements,
3. project coordinators and a staff engineer conduct reviews of specifications, bids and quotes prior to acceptance,

4. sub-recipients complete and submit to BPT vehicle inspection and acceptance forms prior to payment initiation,
5. project coordinators compare invoices/reports of progress to project schedule,
6. project coordinators conduct site visits,
7. staff engineers conduct interim inspections of major projects, and final inspections of major construction projects,
8. continue to include as a major component of our annual rural workshop a review and update of the capital program,
9. the Department will attempt to resolve any appeals or disputes which arise as a result of Department-approved procurement activities, and
10. require all projects to be on the approved state transit TIP.

5339

On an annual basis, BPT distributes instructions via email to all prospective applicants, detailing both changes from the previous year and how to access applications for funding through PennDOT's electronic Grants Management System, dotGrants. All agencies complete a grant application and must demonstrate that they are eligible to receive funding. Criteria for selection include a defined need for capital projects; high state and local priority; and availability of match. Criteria for bus or facility expansion are established in consultation with stakeholder advisory committees to meet statewide and local goals.

Vehicles proposed for replacement are evaluated based on the total vehicle condition using three criteria. Criteria assessed for total vehicle condition are age, mileage, and the physical condition of the vehicle.

Facility projects are evaluated for project feasibility including timeline, funding, area needs, improvement to Pennsylvania's transportation system efficiency and safety.

Projects within metropolitan boundaries must be included in the MPO TIP. Projects not within metropolitan planning boundaries are required only to be in the STIP. Each project in the TIP/STIP must include sufficient descriptive material to identify the project or phase of the project.

I. Intercity Bus Transportation – Section 5311

Intercity Bus operating assistance is needed to maintain intercity connections on many routes in the state, both to serve rural areas and to provide links for more direct travel.

The program is discretionary and awards are made on the basis of the service's importance in maintaining an essential network of intercity public transportation services throughout the Commonwealth, and on the basis of financial and non-financial performance factors for the service(s). Factors include adherence to program requirements.

The continuation of existing services that would otherwise be threatened with discontinuance or a major reduction in frequency, especially in areas with no other intercity bus

service alternatives are priorities of the intercity bus program.

Proposals for new services would include increasing the level of service in a corridor or to test new markets.

Federal and state funding is disbursed based on the deficit with no more than 50% federal funding and an equal share of state funding and intercity bus company local match funding the remainder of the deficit.

Available capital funding may also be provided for intercity bus/intermodal terminals, vehicles and equipment (including accessibility equipment). Capital funding is 80% federal, 10% state and 10% local.

J. Annual Program of Projects Development and Approval Process

5310

Applications for Section 5310 assistance are due from potential sub-recipients early in the calendar year for funding in the following State fiscal year, which begins on July 1. BPT completes its review of applications by August. The State's Section 5310 Program of Projects for the current State fiscal year is submitted to U.S. DOT by September. This submission is based on the needs of the County Coordinators of shared-ride service and the recommendations of the Interdepartmental Task Force for private non-profit transportation providers. Approval from U.S. DOT is generally received, along with contracts for Departmental execution, by the end of September.

5311

Applications for Section 5311 operating assistance are due from prospective grantees in April for funding in the following State fiscal year, which begins on July 1. It is BPT's goal to have applications approved and grant agreements in place by the start of each fiscal year. The BPT opens the application for capital funding by February 1 and requires all requests for Section 5311 capital funding to be submitted no later than April 1. BPT distributes instructions via email, detailing how to access applications for funding through BPT's electronic Grants Management System, dotGrants. The email is sent to all prospective applicants and details any changes to the application from the previous year. A question and answer session is conducted during April in conjunction with the Pennsylvania Public Transportation Association's annual meeting. During this workshop, all active and prospective recipients are invited to discuss the application, changes to state or federal guidelines and any other aspects of the program.

The State's Section 5311 Program of Projects for each State fiscal year is submitted to FTA once all requests for funding have been reviewed. This submission is based on Department estimates of funding needed for known or projected applicants and reflects appropriate adjustments of previous funding levels. Also included are requests for State administration, Rural Transit Assistance Program (RTAP), and miscellaneous item funding.

BPT reviews applications for completeness and accuracy. If any documentation is missing or if any information needs amplification, BPT contacts the applicant and returns the application for modification. For complete applications which have been approved by the division chief and bureau director, BPT staff prepares and sends to the applicant an approval letter and grant agreement. BPT uses an electronic signature in conjunction with its dotGrants system. All of the required signatures are obtained using this process. Once all signatures are obtained, the grant agreement is awarded. Monthly payments are made in conjunction with the submittal of quarterly progress reports.

5339

Applications for Section 5339 capital assistance are due from prospective grantees in March for funding in the following State fiscal year, which begins on July 1. It is BPT's goal to have applications approved and grant agreements in place by the start of each fiscal year. The BPT opens the application for capital funding by February 1 and requires all requests for Section 5339 Capital funding to be submitted no later than March. BPT distributes instructions via email, detailing how to access applications for funding through BPT's electronic Grants Management System, dotGrants.

K. Funds Transfers

Since all available Section 5310, 5311, 5339, funds are committed on an annual basis; no formal procedures now exist to effect transfers of funds among other FTA program areas. When the opportunity arises, transfers will be made in accordance with FTA regulations.

L. State Administration and Technical Assistance

BPT does not use Section 5310, 5311, 5339, funds for administration. However, BPT supports training to develop knowledgeable transit management staff and improve the effectiveness of transit operations in a variety of areas including funding, vehicle and equipment procurement, vehicle maintenance, and training programs. Technical assistance offered directly by BPT includes consultation with sub-recipients on their regulatory obligations, both state and federal, on financial management of their programs, and on other issues as needed.

M. State RTAP

The Pennsylvania Transportation Resource and Information Network (PennTRAIN) was established in 1989 as part of the Pennsylvania Rural Transportation Assistance Program (RTAP) and is administered by the Pennsylvania Public Transportation Association (PPTA). The PennTRAIN program enables BPT to provide technical assistance, high quality training, and other support activities to transit operations and services in Pennsylvania's rural areas. Intercity Bus grantees are also eligible to receive training under RTAP.

N. Private Sector Participation

By Federal statute, the public is required to be involved in the transportation planning process. Specifically, private providers must be consulted in developing transportation plans and programs in both urbanized and rural areas. To this end, Metropolitan and Rural Planning Organizations are strongly encouraged to establish a local Transportation Advisory Committee (TAC) with private provider participation that would afford an opportunity to these providers for input into plan and project development. Planning organizations must encourage every possible transportation provider, including private-for-profit providers, to participate in the project. It is the goal of the Section 5310, 5339, 5316 and 5317 Programs to promote greater reliance on the private sector in the provision of transportation services where those services can be provided more efficiently by the private sector.

As a basic requirement of every 5311 application, prospective sub-recipients must address how private enterprise has been involved in the grant application process. This information must include such items as private operators who are subcontracted to the grantee as service providers, public meetings during which input from private entities and individuals was solicited as part of the planning process for the service, and methods of review concerning whether the service could be more efficiently provided by the private sector.

O. Civil Rights

BPT details how it meets Federal Civil Rights requirements in the approved Title VI, EEO and DBE plans. As part of annual grant applications, BPT requires that each prospective sub-recipient assure its compliance to Civil Rights requirements. BPT ensures sub-recipient compliance with Civil Rights through the compliance review process. Title VI, DBE and EEO are reviewed at least once every three years.

Title VI

Title VI of the Civil Rights Act of 1964 requires that the direct grant recipients and sub recipients provide all services and benefits without regard to race, color or national origin. The Pennsylvania Department of Transportation has a current Title VI Nondiscrimination Plan on file with the Federal Transit Administration (FTA). This document outlines and describes efforts taken and adhered to by BPT to be in compliance with the requirements of the federal nondiscrimination legislation. A copy of the PENNDOT Title VI Policy for BPT is maintained by the Bureau of Equal Opportunity of the Pennsylvania Department of Transportation.

Equal Employment Opportunity

It is the policy of PennDOT to ensure that all sub-recipients and their subcontractors conducting business with the Department do not discriminate against applicants and employees on the basis of race, color, religious creed, ancestry, national origin, age, sex, sexual orientation, or persons with disabilities.

Disadvantaged Business Enterprise

The Pennsylvania Department of Transportation has established a Disadvantaged Business Enterprise Program in accordance with the regulations of the U.S. DOT, 49 CFR part 26. The Department receives Federal financial assistance from DOT, and as a condition of receiving this assistance, the Department has signed an assurance that it will comply with Part 26. This assurance is included in the Department's DBE Program document, submitted to US DOT in December of 2015. The Department's DBE program is maintained by the Bureau of Equal Opportunity (BEO).

Every year BPT submits to BEO an estimate of how much federal funding should be expended in order for BEO to determine the Department's overall goal for contracting opportunities with DBEs during the upcoming fiscal year. BPT annually reviews the overall goal for DBE participation. The BPT makes every effort to meet this goal and requires sub-recipients to do likewise or demonstrate a good faith effort to do so. To encourage the use of DBEs, each grantee is provided with the Pennsylvania Unified Certification Program (PAUCP) website address that identifies the Commonwealth-certified DBE's and their various products and services.

P. Maintenance (only applicable to 5311-Maintenance for other programs is covered under Section U)

Each Section 5311 grantee is required to establish and adhere to a preventive maintenance program covering all assets financed with federal funds. Preventive maintenance schedules, are submitted in the application and monitored for adherence during compliance reviews. Detailed vehicle inventories are maintained in the Department's Capital Planning Tool.

BPT will review grantee vehicle preventative maintenance records for the preceding 12 months from a random sample. The records are compared to the grantee's approved maintenance plan and held to an on-time performance of no later than 10% or 500 miles, whichever is greater. ADA accessible vehicles and equipment are reviewed using the same procedure as vehicle preventative maintenance.

BPT will examine the grantee maintenance plan to ensure that all other federally funded assets are identified and maintenance is performed as described in the grantee's approved maintenance plan.

Grantees found not in compliance are required to submit a corrective action plan to BPT addressing resolution and prevention of future maintenance deficiencies. When BPT has determined the corrective action has rectified the finding, it is closed. If the grantee continues to be non-compliant, BPT may impose actions to restrict future funding.

Q. Charter Rule

5310, 5316 and 5317

PennDOT has adopted a policy that strictly disallows charter service using vehicles funded with Section 5310, 5316, and 5317 funding. To further insure compliance with this policy, the 5310 oversight program has been expanded to include charter bus compliance during site visits.

5311

FTA's charter regulations, as outlined in 49 CFR part 604, are the governing regulations for establishing a sub-recipient's ability to provide charter service. The Department requires all 5311 sub-recipients to assure its compliance to this regulation through the annual FTA Certifications and Assurances. The Department insures sub-recipient's compliance to this regulation through its compliance review process (#15). Additionally, the Department requires sub-recipients to submit the "FTA Charter Service Quarterly Exceptions Report". Any charter service provided under one of the FTA defined exceptions is reviewed by the 5311 Program Coordinator to ensure the service qualifies as an exception. When charter service is provided under one or more of the exceptions under this regulation, the sub-recipient is required to maintain notices and records in an electronic format for a period of at least three years from the date of service. This documentation is reviewed during annual compliance reviews.

R. Section 504 and ADA Reporting

Sub-recipients are monitored for compliance with Section 504 and ADA requirements through review of reports and information submitted as part of the application and BPT conducted compliance reviews. BPT reviews and approves all specifications used by sub-recipients to procure vehicles to insure compliance with all ADA-mandated accessibility specifications. In addition, all sub-recipients that receive Section 5311 funds and provide fixed route service are required to have an approved and implemented ADA plan.

S. Program Measures

5310

The following program measures will be collected for traditional Section 5310 Projects:

1. Gaps in Service Filled. The annual Vehicle Report, which is completed by each sub-recipient, requires the sub-recipient to provide to BPT the annual number of clients who were eligible to receive transportation services. An aggregate number can then be reported to FTA.
2. Ridership. The estimated annual total of one-way passenger trips provided by all Section 5310 funded vehicles is now provided by each sub-recipient on their annual Vehicle Report which is submitted to BPT. An aggregate number can then be reported to FTA.

The Department will collect the following program measures for recipients of Section 5310 funds for other projects:

1. Service Improvements: related to geographic coverage, service quality, and/or service

times that impact availability of transportation services for seniors and individuals with disabilities as a result of other Section 5310 projects implemented in the current reporting year.

2. Physical Improvements: Additions or changes to environmental infrastructure (e.g., transportation facilities, sidewalks, etc.), technology, and vehicles that impact availability of transportation services for seniors and individuals with disabilities as a result of other section 5310 projects implemented in the current reporting year.
3. Ridership: Actual or estimated number of rides (as measured by one-way trips) provided annually for seniors or individuals with disabilities on Section 5310 supported vehicles and services as a result of other Section 5310 projects implemented in the current reporting year.

T. NTD Reporting (only applicable to 5311 and 5339)

5311

As mandated by 49 U.S.C. 5335 (b), BPT collects and reports data elements to NTD annually. BPT compiles all necessary financial and statistical information from its dotGrants reporting system as well as agency inquiries as necessary. BPT inputs the data on NTD's reporting website. After all information has been input, NTD form RU-30 is generated. NTD form RU-30 summarizes key information statewide. After reviewing all information, BPT submits the report to NTD via their reporting website, www.ntdprogram.gov.

5339

Subrecipients who receive financial assistance through 5339 are required to submit annual data to the NTD as a condition of grant award. Specific reporting requirements are included in the NTD reporting instructions manual issued each year. PennDOT is responsible for collecting and compiling data and reporting them to the NTD. BPT uses the Capital Planning Tool to meet NTD reporting requirements.

U. State Program Management

Procurement/Construction Management

All procurements which are undertaken by Section 5310, 5311, 5339, 5316 and 5317 sub-recipients are reviewed by program management personnel and BPT engineering staff for compliance with applicable Federal and State regulations. This review includes adherence to competitive bid requirements, specification content and bid solicitation procedures, bid evaluation and award process, DBE requirements, and Buy America requirements. Appendix A-1 contains the Mandatory Competitive Sealed Bidding Procedure that is used by Section 5310, 5311, 5339, 5316 and 5317 sub-recipients in all procurements. Also, if a vehicle is purchased off of PENNDOT's DGS state vehicle contract, it must follow specific procurement procedures outlined in the DGS Contract Procurement Checklist (See Appendix A-4).

Before proposing capital projects for fixed facilities, the sub-recipient must justify the need for the project in a Facility Planning Study, and the proposed project cannot entail

significant impacts on the environment. Either BPT or the sub-recipient will arrange a Class III Environmental Assessment to determine the appropriate environmental document required in accordance with FTA/FHWA environmental regulations (23 CFR part 771). In addition, an independent appraisal must be performed to determine the fair market value of any land to be purchased as part of the project. All approved projects seeking to construct or renovate facilities are required to prepare and submit for approval to BPT a Request for Proposal (RFP) for the required Engineering and Architectural services in accordance with “Procedures for Acquiring Professional Services” (See Appendix A-1). This document provides detailed procedures for acquiring contractual services, beginning with RFP preparation and continuing through proposal evaluation and selection. Projects are required to follow a standard procedure for evaluating proposals and must submit their recommendation for contract or selection to BPT for approval.

Final design concepts, drawings, specifications, and bidding results are reviewed and approved by the BPT’s engineering staff. For construction projects, sub-recipients are required to provide professional oversight of the project through such means as hiring a construction manager to oversee and certify that all work is being done according to specifications and contracts. In addition, BPT program and engineering staff monitor construction activities by attending project meetings and making site visits.

Projects are required to submit program invoices with all necessary backup vendor/contractor billing data in support of payments of project expenses as they are incurred.

Financial Management/Accounting System/Audit and Closeouts

BPT has procedures in place to ensure that sub-recipients have the fiscal capability to carry out the Section 5310, 5311, 5339, 5316 and 5317 Programs and receive and disburse federal funds. BPT also requires applicants for federal funding to indicate the sources and amounts of their local match.

BPT also has appropriate procedures in place for requesting and disbursing Section 5310, 5311, 5339, 5316 and 5317 funds. Sub-recipients send payment requests to BPT. BPT reviews the payment requests and sends them to the Comptroller’s Office. The Comptroller’s Office enters the payment requests into the SAP accounting system and, within a few weeks, pays the payment requests with state funds. Approximately twice a month the Comptroller’s Office prints a report of accumulated costs, and prepares an ECHO request for federal funds. The federal funds then replace the appropriate portion of state funds that have already been paid to the sub-recipient.

PENNDOT’S financial management system, SAP, enables BPT to track grant balances accurately. BPT reconciles SAP before and after each ECHO drawdown, so there are no discrepancies in BPT’s records.

Concerning audits and closeouts, sub-recipients are responsible for ensuring that audits are performed pursuant to the requirements as implemented in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR part 200). BPT also initiates program of projects closeouts with FTA within 90 days after all work activities for a particular program of projects have been completed.

Vehicle Use

To the extent that sub-recipients purchase vehicles using Section 5310, 5311, 5339, 5316 and 5317 programs, vehicles must be maintained and used for the intended purpose under which they are purchased. Method for compliance is part of the BPT on-site compliance review. Maximum use of vehicles is encouraged, first for program related purposes, then other federal programs and project purposes. BPT is responsible for ensuring that the sub-recipient is maintaining continuing control over vehicles and that the vehicles are being utilized for eligible public transit purposes. If any vehicles are to be removed from service prior to the end of their useful life, the sub-recipient must notify BPT prior to doing so. BPT will maintain an inventory list of all vehicles purchased under federal programs. BPT will require all 5310, 5316 and 5317 sub-recipients to submit annual vehicle use reports to ensure that vehicles are used in accordance with program requirements.

Maintenance and Disposition

BPT requires all sub-recipients to have preventative maintenance plans for all state and federally funded assets. As part of the monitoring process, BPT is dedicated to ensuring sub-recipient's compliance with preventative maintenance policies. Sub-recipients are required to follow BPT's disposition procedures when disposing of any state or federally funded vehicles. BPT's disposition procedures can be found in Appendix A-2.

Sub-Recipient Monitoring

5310

Section 5310 sub-recipients must annually perform an inventory on all Federal Section 5310 non-expendable property and report to BPT on their findings. The report to BPT must certify the existence, current use, and continued need for all equipment purchased with Section 5310 funds. Information must also be given on the number of one-way passenger trips provided and the number of clients that were eligible to receive transportation services. Also, all shared ride coordinators that receive capital equipment funded through the 5310 program, must update their current inventory data annually in the Departments Asset Management Tool (Capital Planning Tool). Additionally, BPT requires Section 5310 sub-recipients to annually submit a Civil Rights Report, which documents any civil rights complaints, lawsuits, or compliance review activities, and an Equal Employment Opportunity Certification. Finally, another annual submission required by BPT is the Preventative Maintenance (PM) Report. The PM Report contains information on recent preventative maintenance performed on all 5310 vehicles currently in its sub-recipients' fleets. This information will be analyzed by BPT for soundness and used as a factor in prioritizing site visits.

5311

BPT performs compliance reviews for all of its 5311 sub-recipients. In order to facilitate more frequent agency visits, BPT reviews only a portion of the review categories identified in FTA's triennial workbook during each visit. BPT may review 1/3 of the review categories every year for three years or 1/2 of the review categories for two years so the third year can be used for

other purposes such as intensive reviews or non-review agency visits. In either scenario, BPT reviews each agency for all review categories over the three year period and each agency is visited annually. The compliance review form serves as a guide to insure all of the important facets of each project are addressed during on-site visits. BPT's 5311 compliance review form is modeled after the FTA's Triennial Review form. Completed review forms are kept on file for three years. If a sub-recipient is deficient or non-compliant in any review area, the agency is notified through a follow-up letter and corrective action is required.

5339

Once approved by FTA, successful applicants enter in a standard agreement with PennDOT. The agreement remains in effect until the project's useful life is met. Applicants are responsible for the proper use, operating costs, and maintenance of all project equipment. Applicants must be prepared to meet all federal, state and local requirements. It is BPT's goal to conduct compliance reviews of 5339 sub-recipients on an annual basis to ensure all requirements are being met. If a sub-recipient is deficient or non-compliant in any review area, the agency is notified through a follow-up letter and corrective action is required.

5316 and 5317

Section 5316 and 5317 sub-recipients are required to report performance and project information on a yearly basis. Below is a list of items that each JARC 5316 and New Freedom 5317 grantee needs to report on annually if applicable to their project.

JARC - 5316

Service description, project evaluation, accomplishments, lessons learned, the number and type (fixed-route, demand response, etc.) of rides (as measured by one-way trips) provided as a result of the JARC project, the actual or estimated number of jobs accessed as a result of geographic coverage of the JARC project, route length one way in miles and number of vehicles added (applicable to vehicle purchases)

New Freedom - 5317

Service description, project evaluation, accomplishments, lessons learned, the number and type (fixed-route, demand response, etc.) of rides (as measured by one-way trips) provided as a result of the New Freedom project (beyond service required by the ADA), number of vehicles added (Beyond service required by the ADA), numbers of persons trained (applicable to Travel Training), report any increases or enhancements related to service quality and/or service times that impact availability of transportation services for individuals with disabilities as a result of the New Freedom project and report any changes to infrastructure (transportation facilities, sidewalks, etc.), technology, and vehicles that impact availability of transportation services for individuals with disabilities as a result of the New Freedom project.

Also, BPT conducts on-site reviews and/or monitors projects to assure that JARC and New Freedom recipients enhance coordination of federally assisted programs and services in order to encourage the most efficient use of Federal resources and achieve the national goal of

improved mobility for seniors and persons with disabilities. If a sub-recipient is deficient or non-compliant in any review area, the agency is notified through a follow-up letter and corrective action is required. Also, throughout the project's progress, BPT offers sub-recipients program guidance and provides or arranges for technical assistance as needed.

State Reporting Requirements

BPT requires that recipients of State Act 44 operating assistance funding report statistical and financial data quarterly through PennDOT's dotGrants system. This report covers all financial and operating data and serves as a snapshot of the system's performance for that segment of the fiscal year.

BPT also requires that State Act 44 operating recipients submit annual "Consolidated Operating Legacy Budgets". The legacy budget report covers all relevant operating and financial data from the previous fiscal year. Sub-recipients are required to update this report to reflect audited information as it becomes available.

In addition to annual legacy budgets and quarterly progress reports, BPT conducts performance reviews of all fixed route transit agencies in Pennsylvania. The purpose of the review is to assess performance and make transit agencies aware of improvement opportunities. The transit review process is an extensive, short-duration effort intended to assess a transit system's efficiency, effectiveness, and best practices. Performance targets are established as part of the review and then reevaluated five years after the initial review.

V. Other Provisions

Section 5333 B

Section 5311 sub-recipients certify to the BPT every fiscal year that they will adhere to the requirements of the Section 5333(b) Warranty. BPT keeps this information on file for at least the life of the grant.

Environmental Protection

Each capital project receiving Federal 5311 funding must comply with the joint FHWA/FTA guidelines on protection of the environment titled "Environmental Impact and Related Procedures" (23 CFR part 771). Most capital projects funded under Section 5311 will be classified as categorical exclusions (CEs). Larger construction projects or projects in sensitive areas may require the preparation of an environmental assessment (EA).

Buy America Provisions

As a part of any applicable capital purchase, grantees using the BPT competitive bid packages certify adherence to the required provisions through a signed certificate included in the package. See Appendix A-1.

Pre-Award and Post Delivery Reviews

As a part of acquiring any capital purchase, grantees using the BPT competitive bid packages certify their performance of the reviews through signed certificates included in the package. The signed certificate is returned to BPT through dotGrants.

Prohibition of Exclusive School Transportation

The Bureau insures 5311 sub-recipients do not provide exclusive school bus transportation through its annual compliance review. Sub-recipients are also advised to contact the 5311 program coordinator before beginning any service that may conflict with school bus regulations.

Drug and Alcohol Testing

All 5311 sub-recipients are required to have a Drug and Alcohol Policy as required by 49 CFR part 655 and are required to randomly test safety sensitive employees for drugs and alcohol. BPT reviews each sub-recipient through the annual compliance review process. Section 5310, 5316 and 5317 are exempt from FTA Drug and Alcohol regulations.

State's Procedures for Monitoring Compliance by Sub-recipients

It is BPT's goal to conduct onsite compliance reviews for federal sub-recipients on a consistent basis. More information on the monitoring process can be found in this document in Section U, State Program Management.

Appendix A-1 – BPT Procurement Procedures

**PROCUREMENT PROCEDURES
BUREAU OF PUBLIC TRANSPORTATION
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
MAY 2009**

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- Post-Delivery Buy America Certification (Exhibit "E")
- Post-Delivery FMVSS Certification (Exhibit "F")
- Sample Bid Advertisement (Exhibit "G")

**PROCUREMENT PROCEDURES
BUREAU OF PUBLIC TRANSPORTATION (BPT)
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
MAY 2009**

1. APPLICABILITY OF PROCEDURES

1.1 APPLICABILITY OF PROCEDURES – These procurement procedures apply to the expenditure of certain grant funds by entities (herein referred to as “grantees”) for the purchase of supplies, services or construction. The applicable grant funds are as follows:

- (a) State Community Transportation Capital (CTC) grant funds
- (b) FTA Section 5310 (Elderly Individuals and Individuals with Disabilities Program) grants funds
- (c) FTA Section 5311 (Nonurbanized Area Formula Program) grant funds
- (d) FTA Section 5307 (Urbanized Area Formula Program), FTA Section 5309 (Capital Investment Program), FTA rural/small urban Section 5316 (Job Access and Reverse Commute (JARC) Program), FTA rural/small urban Section 5317 (New Freedom Program), or any other FTA grant funds, if said funds have been passed through BPT to the grantee.

1.2 EXCEPTIONS TO APPLICABILITY OF PROCEDURES – These procurement procedures shall apply to all grantees as described in Section 1.1 above except those grantees that have been waived from these procurement procedures by BPT. Grantees seeking a waiver must submit a description of its procurement procedures to BPT for review and approval. If approved, grantees must keep all records related to applicable procurements on file and available for inspection by BPT.

1.3 OTHER REQUIREMENTS – In addition to these procurement procedures, grantees must comply with any requirements imposed by the laws under which they are created or by other law, regulations, or applicable government policies. If more than one set of requirements exist, the stricter requirement governs. Examples of laws that may be applicable include the Municipal Authorities Act and the County Code.

1.4 EVASION OF REQUIREMENTS – A grantee shall not evade any of these procurement procedures by making piecemeal purchases for the purpose of obtaining prices below any of the dollar thresholds contained in these procedures. Evasion of these procurement procedures could result in the loss of grant funds by the grantee.

2. DEFINITIONS

BPT – The Bureau of Public Transportation of the Pennsylvania Department of Transportation.

FTA – The Federal Transit Administration of the United States Department of Transportation.

INVITATION FOR BIDS (IFB) – All documents, including those either attached or incorporated by reference, used by a grantee to solicit bids.

MASTER AGREEMENT – FTA document incorporated by reference and made part of FTA’s standard grant agreements and cooperative agreements that contains the standard terms and conditions governing the administration of a project supported with Federal assistance awarded by FTA.

REQUEST FOR PROPOSALS (RFP) – All documents, including those either attached or incorporated by reference, used by a grantee to solicit proposals.

3. GENERAL PROCUREMENT STANDARDS

3.1 CONTRACT ADMINISTRATION SYSTEM – Grantees shall maintain a contract administration system that ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

3.2 FEDERAL REQUIREMENTS AFFECTING ACQUISITIONS – Grantees may not use FTA assistance to support acquisitions that do not comply with all applicable Federal requirements. The latest edition of FTA Circular 4220 (Third Party Contracting Guidance) contains Federal requirement checklists in Appendix C and a list of clauses and provisions required by Federal laws and regulations in Appendix D. The grantee may also refer to Model Clauses in FTA’s “Best Practices Procurement Manual” but cautions the grantee to also check the latest edition of FTA’s Master Agreement to determine which provisions have been added, changed, or rescinded.

3.3 WRITTEN STANDARDS OF CONDUCT – Grantees shall maintain a written code of standards of conduct governing the performance of their employees engaged in the award and administration of contracts. No employee, officer, agent, immediate family member, or Board member of the grantee shall participate in the selection, award, or administration of a contract if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following has a financial or other interest in the firm selected for award:

- (a) The employee, officer, agent, or Board member,
- (b) Any member of his/her immediate family,
- (c) His or her partner, or
- (d) An organization that employs, or is about to employ, any of the above.

The grantee’s officers, employees, agents, or Board members will neither solicit nor accept gifts, gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements. Grantees may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. To the extent permitted by state or local law or regulations, such standards of conduct will provide for penalties, sanctions, or other disciplinary action for violation of such standards by the grantee’s officers, employees, or agents, or by contractors or their agents.

3.4 CONFLICT OF INTEREST – Grantees are required to be aware of conflict of interest issues a prospective contractor might have, including lack of impartiality, impaired objectivity, or unfair competitive advantage. Engaging in practices that result in organizational conflicts of interest is prohibited. Grantees are expected to analyze each planned acquisition in order to identify and evaluate potential organizational conflicts of interest as early in the acquisition process as possible, and avoid, neutralize, or mitigate potential conflicts before contract award. An organizational conflict of interest occurs when any of the following circumstances arise:

- (a) When the contractor is unable, or potentially unable, to provide impartial and objective assistance or advice to the grantee due to other activities, relationships, contracts, or circumstances.
- (b) The contractor has an unfair competitive advantage through obtaining access to nonpublic information during the performance of an earlier contract.

- (c) During the conduct of an earlier procurement, the contractor has established the ground rules for a future procurement by developing specifications, evaluation factors, or similar documents.

3.5 ENSURING MOST EFFICIENT AND ECONOMIC PURCHASE – Grantee procedures shall provide for a review of proposed procurements to avoid purchase of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. However, piecemeal purchases for the purpose of evading these procurement procedures are prohibited (see section 1.4). Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach.

3.6 JOINT PROCUREMENTS – Joint procurement refers to a method of contracting in which two or more purchasers agree from the outset to use a single solicitation document and enter into a single contract with a vendor for delivery of property or services in a fixed quantity, even if expressed as a total minimum and total maximum. Unlike a State or local government purchasing schedule, a joint procurement is not drafted for the purpose of accommodating the needs of other parties that may later want to participate in the benefits of that contract. Grantees are encouraged to procure goods and services jointly with other grantees to obtain better pricing through larger purchases. When obtaining goods or services in this manner, grantees participating in FTA assisted joint procurements must ensure compliance with all applicable FTA and Federal requirements and include all required clauses and certifications in the joint solicitation and contract documents.

3.7 STATE OR LOCAL GOVERNMENT PURCHASING SCHEDULES/CONTRACTS – State or local government purchasing schedules or contracts refers to an arrangement that a State or local government has established with several vendors in which those vendors agree to provide essentially an option to the State or local government, and its subordinate government entities, to acquire specific goods or services in the future at established prices. Grantees are encouraged to utilize such schedules or contracts for procurement of goods and services. When obtaining goods or services in this manner with FTA funds, grantees must ensure compliance with all applicable FTA and Federal requirements and ensure that all required Federal clauses and certifications have been included in the State or local government solicitation and contract documents. One way of achieving compliance with FTA requirements is for all parties to agree to append the required Federal clauses in the purchase order or other document that effects the grantee's procurement. When buying from these schedules, the grantee should obtain an FTA Buy America certification before entering into the purchase order.

3.8 USE OF GSA SCHEDULES AND EXCESS OR SURPLUS FEDERAL PROPERTY – Grantees are encouraged to use Federal excess and surplus property managed by the U.S. General Services Administration (GSA) when feasible and economical rather than procuring new property. The GSA Federal Property Management Regulations, 41 CFR Parts 101-42 through 101-46, 101-48, and 101-49 govern the eligibility of grantees, as well as others, to acquire supplies and services through GSA's personal property utilization and disposal programs.

3.9 WRITTEN RECORD OF PROCUREMENT HISTORY – Grantees shall maintain readily accessible written records detailing the history of a procurement for three years after the grantee has made final payment and all other pending matters are closed. At a minimum, these records shall include:

- (a) Procurement Method – A grantee must provide its rationale for the method of procurement it used for each contract.
- (b) Contract Type – A grantee must state the reasons for selecting the contract type it used (fixed price, cost reimbursement, and so forth).
- (c) Contractor Selection – A grantee must state its reasons for contractor selection or rejection.
- (d) Cost or Price – A grantee must evaluate and state its justification for the contract cost or price.

- (e) Reasonable Documentation – The extent of the documentation maintained by a grantee shall be reasonable and commensurate with the size and complexity of the procurement itself.

3.10 RESPONSIBILITY FOR SETTLEMENT OF CONTRACT ISSUES/DISPUTES – Grantees alone will be responsible in accordance with good administrative practice and sound business judgement for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the grantee of any contractual responsibility under its contracts. Violations of law will be referred to the local, State, or Federal authority having proper jurisdiction. BPT will not substitute its judgement for that of the grantee unless the matter concerns the failure of the grantee to follow its protest procedure or its failure to review a complaint or protest.

3.11 WRITTEN PROTEST PROCEDURES – Grantees shall have written protest procedures to handle and resolve disputes relating to their procurements and shall in all instances disclose information regarding the protest to BPT. All protest decisions must be in writing. A protester must exhaust all administrative remedies with the grantee before pursuing a protest with BPT. Reviews of protests by BPT will be limited to the grantee's failure to have or follow its protest procedure, or its failure to review a complaint or protest.

3.12 CONTRACT PERIOD OF PERFORMANCE LIMITATION – A grantee may enter into a multi-year contract to buy rolling stock with an option not exceeding five years to buy additional rolling stock or replacement parts. The grantee may not exercise that option later than five years after the date of the original contract. While other procurement contracts for non-rolling stock are not limited to five years, the duration of such contracts must be reasonable.

4. COMPETITION

4.1 COMPETITION REQUIRED – Grantees are required to use third party procurement procedures that provide full and open competition.

4.2 PREQUALIFICATION – Grantees are permitted to prequalify people, firms, and property for procurement purposes if the grantee ensures that all prequalification lists it uses are current and include enough qualified sources to maximize full and open competition, and the grantee permits potential bidders or offerors to qualify during the solicitation period (from the issuance of the solicitation to its closing date).

4.3 SOLICITATION REQUIREMENTS - Each solicitation is required to provide the following information:

- (a) Description of Property or Services - The solicitation and the contract awarded thereunder must include a clear and accurate description of the grantee's technical requirements for the property or services to be acquired in a manner that provides for full and open competition. The description may include a statement of the qualitative nature of the property or services to be acquired. When practicable, the recipient should describe its requirements in terms of functions to be performed or level of performance required, including the range of acceptable characteristics or minimum acceptable standards.
- (b) Quantities Limited to the Recipient's Actual Needs – Grantees shall limit quantities to the amount necessary to support the quantity of property or extent of services the recipient actually needs at the time of acquisition. The recipient may not add quantities or options to contracts solely to allow them to assign these quantities or options at a later date.

(c) Brand Name or Equal - When it is impractical or uneconomical to provide a clear and accurate description of the technical requirements of the property to be acquired, a “brand name or equal” description may be used to define the performance or other salient characteristics of a specific type of property. The recipient must identify the salient characteristics of the named brand that offerors must provide. When using a “brand name” specification, the recipient does not need to reverse-engineer a complicated part to identify precise measurements or specifications in order to describe its salient characteristics. FTA’s “Best Practices Procurement Manual,” (BPPM) contains additional information on preparation of specifications including examples with specific language.

(d) Evaluation Factors - The solicitation must identify all factors to be used in evaluating bids or proposals.

(e) Contract Type Specified - The recipient’s specifications should state the type of contract that will be awarded. Contract types may include, but are not limited to, a firm fixed price contract or a cost reimbursement contract. A firm fixed price contract includes a price that remains fixed irrespective of the contractor’s cost experience in performing the contract. A firm fixed price contract may include an economic price adjustment provisions, incentives, or both. A cost reimbursement contract provides for payment of the contractor’s allowable incurred costs, to the extent prescribed in the contract. Allowable costs may include incentives if the grantee believes they can prove helpful. Cost reimbursement contracts are suitable for use only when uncertainties involved in contract performance do not permit costs to be estimated with sufficient accuracy to use any type of fixed price contract.

(f) Prohibited or Restricted Contract Types – The cost plus a percentage of cost and cost plus a percentage of construction cost methods of contracting is prohibited. Time and material contracts are only permitted after determining that no other contract type is suitable, and if the contract specifies a ceiling price that the contractor may not exceed except at its own risk.

4.4 SOLICITATION RESTRICTIONS - Solicitation requirements that contain features that unduly restrict competition are prohibited. Some situations considered to be restrictive of competition include, but not limited to, the following:

(a) Excessive Qualifications – Imposing unreasonable business requirements for bidders or offerors.

(b) Unnecessary Experience – Imposing unnecessary experience requirements for bidders and offerors.

(c) Improper Prequalification – Using prequalification procedures that conflict with the prequalifications standards described above.

(d) Retainer Contracts – Making a noncompetitive award to any person or firm on a retainer contract with the grantee if that award is not for the property or services specified for delivery under the retainer contract.

(e) Excessive Bonding – Unnecessary bonding is discouraged because it increases the cost of the contract and restricts competition, particularly by disadvantaged business enterprises.

(f) Brand Name Only – Specifying only a “brand name” product without allowing offers of “an equal” product, or allowing “an equal” product without listing the salient characteristics that the “equal” product must meet to be acceptable for award.

(g) In-State or Local Geographic Restrictions – Specifying for FTA assisted procurements in-State or local geographic preferences, or evaluating bids or proposals in light of in-State or local geographic preferences, even if those preferences are imposed by State or local laws or regulations. In particular, FTA recipients are prohibited from limiting its bus purchases to in-State dealers.

(h) Organizational Conflict of Interest – Engaging in practices that result in organizational conflicts of interest as described above.

(i) Restraint of Trade – Supporting or acquiescing in noncompetitive pricing practices between firms or between affiliated companies. Questionable practices would include, but not be limited to submissions of identical bid prices for the same products by the same group of firms, or an unnatural pattern of awards that had the cumulative effect of apportioning work among a fixed group of bidders or offerors.

(j) Arbitrary Action - Taking any arbitrary action in the procurement process.

4.5 FEDERAL REQUIREMENTS AFFECTING PROPERTY/SERVICES ACQUIRED - Solicitations and resulting FTA assisted contracts must identify those Federal requirements that will affect contract scope and performance. See chapter IV, subsection 2.b of FTA Circular 4220.1F (Third Party Contracting Guidance), and FTA's latest Master Agreement for references to Federal requirements established following publication of Circular 4220.1F.

4.6 FEDERAL REQUIREMENTS AFFECTING BIDDER/OFFEROR/CONTRACTOR - Solicitations and resulting FTA assisted contracts must identify those Federal requirements that a bidder or offeror must fulfill before and during contract performance. See chapter IV, subsection 2.a of FTA Circular 4220.1F (Third Party Contracting Guidance), and FTA's latest Master Agreement for references to Federal requirements established following publication of Circular 4220.1F.

4.7 AWARD TO OTHER THAN THE LOW BIDDER - If the grantee intends to reserve its right to award to other than the low bidder or offeror, that information should be stated in the solicitation document.

4.8 REJECTION OF ALL BIDS OR OFFERS - If the grantee intends to reserve its right to award or reject all bids or offers, that information should be stated in the solicitation document.

4.9 AWARD ONLY TO RESPONSIBLE BIDDERS/OFFERORS – Contracts awards must be made only to “responsible” contractors possessing the ability, willingness, and integrity to perform successfully under the terms and conditions of the contract. Responsibility is a procurement issue that is determined by the grantee after receiving bids or proposals and before making contract award. Consideration shall be given to such matters as integrity, ethics, debarment, suspension, affirmative action, DBE, public policy, administrative and technical capacity, licensing, taxes, financial resources, production capability, timeliness, and performance record.

5. PROCUREMENT BY MICRO-PURCHASES

5.1 MICRO-PURCHASE PROCEDURES – Procurement by micro-purchases are those purchases of \$3,000 or less (unless stricter laws apply). Purchases below that threshold may be made without obtaining competitive quotations if the grantee determines that the price is fair and reasonable. Such purchases are exempt from FTA's Buy America requirements. There should be equitable distribution among qualified suppliers (in the local area) and no splitting of procurements to avoid competition. The Davis-Bacon Act applies to construction contracts (involving Federal funds) between \$2,000 and \$3,000. Minimum

documentation is required, including a determination that the price is fair and reasonable and how this determination was derived. The grantee may make micro-purchases without BPT concurrence. However, the grantee must keep all records related to such purchases on file and available for inspection by BPT.

6. PROCUREMENT BY SMALL PURCHASE PROCEDURES

6.1 SMALL PURCHASE PROCEDURES – Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that cost more than \$3,000 but do not cost more than \$100,000 (unless stricter laws apply). Such purchases are exempt from FTA's Buy America requirements. Grantees may not divide or reduce the size of its procurement to avoid additional procurement requirements applicable to larger acquisitions. If small purchase procedures are used, price or rate quotations shall be obtained from three qualified sources. The grantee may award a contract to the offeror that submitted the lowest quotation after obtaining BPT concurrence. The grantee must submit its request for concurrence to BPT accompanied by the following;

- (a) The description of the item or service being purchased that was used to obtain quotes.
- (b) The name and address of each offeror (indicate which offeror has been selected for award).
- (c) The monetary amount of each quotation
- (d) If the selected offeror did not submit the lowest quote, justification for the selection must also be submitted.

7. PROCUREMENT BY SEALED BIDS/INVITATION FOR BIDS (IFB)

7.1 GENERAL – Bids are publicly solicited and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price.

- (a) In order for sealed bidding to be feasible, the following conditions should be present:
 - (1) A complete, adequate, precise, and realistic specification or purchase description is available.
 - (2) Two or more responsible bidders are willing and able to compete effectively for the business.
 - (3) The procurement lends itself to a firm fixed-price contract and the selection of the successful bidder can be made principally on the basis of price.
 - (4) Discussion with bidders after bids have been submitted are expected to be unnecessary as contract award is based on price and price-related factors alone.
- (b) If this procurement method is used, the following requirements apply:
 - (1) The invitation for bids will be publicly advertised and bids shall be solicited from an adequate number of known suppliers, providing them sufficient time to prepare bids prior to the date set for opening the bids.
 - (2) The invitation for bids, which will include any specification and pertinent attachments, shall describe the items or services sought in sufficient detail so prospective bidders may submit a proper bid.
 - (3) All bids will be publicly opened at the time and place prescribed in the invitation for bids.
 - (4) A firm fixed-price contract award will be made in writing to the lowest responsive and responsible bidder. When specified in bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is

lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are typically taken.

- (5) Any or all bids may be rejected if there is a sound, documented business reason.

7.2 INVITATION FOR BIDS (IFB) – The grantee must obtain the written approval of its IFB from BPT prior to the issuance of the IFB.

7.3 PUBLIC NOTICE – Adequate public notice (sample attached, see Exhibit “G”) of the IFB in a newspaper of general circulation shall be given a minimum of thirty (30) calendar days prior to the bid opening. BPT concurrence is required if the grantee desires to give public notice less than thirty (30) calendar days prior to the bid opening. BPT may require the grantee to give public notice forty-five (45) calendar days prior to the bid opening for purchases of construction and custom built supplies. BPT may require that special procurements be nationally advertised or locally advertised in more than one publication. Copies of the IFB shall be made available to any interested person upon request to the grantee. Grantees may establish procedures for the distribution of the IFB including the imposition of a fee to reimburse the agency for the costs of photocopying and mailing (as long as the same amount is charged to all parties). All copies of the IFB must be distributed via certified mail (return receipt requested).

7.4 REVIEW OF REQUESTS FOR CLARIFICATIONS, EXCEPTIONS AND APPROVED EQUALS – If the grantee receives any requests for clarifications, exceptions or approved equals to the IFB a minimum of fifteen (15) calendar days before the bid opening, the grantee shall review each request and determine whether to accept or reject it. The grantee is not required to review requests for clarifications, exceptions or approved equals received fewer than fifteen (15) calendar days before the bid opening.

7.5 PRE-BID CONFERENCE – At the time the grantee is reviewing requests for clarifications, exceptions and approved equals, the grantee has the option of holding a pre-bid conference with potential bidders in order to clarify various aspects of the IFB. A pre-bid conference may minimize the possibility of confusion, ambiguity, bid protest or delays. If the IFB is of sufficient complexity, the grantee may stipulate in the IFB that a pre-bid conference will be held.

7.6 NOTICE OF DECISION REGARDING REQUESTS FOR CLARIFICATIONS, EXCEPTIONS AND APPROVED EQUALS – Before issuing written notice of its decision whether to accept or reject any requests for clarifications, exceptions or approved equals to the IFB, the grantee must obtain verbal approval (via telephone) of its decision from BPT. BPT will follow-up with a written confirmation of the verbal approval. The notice must be mailed (postmarked) or faxed to all parties that received the IFB at least seven (7) calendar days before the bid opening. If notice is mailed, it must be done so via certified mail (return receipt requested). If the notice is faxed, the party receiving the faxed notice must then fax acknowledgment of receipt of the notice to the grantee. The notice must list all requests for clarifications, exceptions or approved equals received and state whether the grantee has accepted or rejected the request.

7.7 BID OPENING – Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The grantee shall record the amount of each bid together with the name of each bidder. The record shall be open to public inspection.

7.8 BID ACCEPTANCE AND EVALUATION – Bids shall be unconditional and shall be offered without alternation or modification except as authorized in the IFB. Bids shall be evaluated based on the requirements set forth in the IFB, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable, such as discounts, transportation costs

and total or life cycle costs. The IFB shall set forth the evaluation criteria to be used. No criteria may be used in bid evaluation that are not set forth in the IFB.

7.9 MODIFICATION OR WITHDRAWAL OF BIDS PRIOR TO BID OPENING – Bids may be modified or withdrawn by written notice or in person by a bidder or its authorized representative if its identity is made known and a receipt of the bid is signed prior to the exact hour and date set for the opening of bids.

7.10 WITHDRAWAL OF BIDS AFTER BID OPENING – Withdrawal of erroneous bids after bid opening but before award based on bid mistakes shall be permitted by the written determination of the grantee. This may be done when the bidder requests relief and presents credible evidence that the reason for the lower bid price was a clerical mistake as opposed to judgment mistake and was actually due to an unintentional arithmetical error or an unintentional omission of a substantial quantity of work, labor, material or services made directly in the compilation of the bid. The request for relief and the supporting evidence must be received by the grantee within five (5) calendar days after bid opening.

7.11 PRE-AWARD CONCURRENCE FROM BPT – Immediately after the grantee has completed its evaluation of the bids and before awarding the contract, the grantee shall request BPT to concur with its selection of the lowest responsive and responsible bidder. The grantee must submit its request to BPT accompanied by the following:

- (a) The name and address of each bidder.
- (b) The amount of each bid.
- (c) Reference to the specific project number and/or contract number to which the procurement will be charged.
- (d) Statement of which bidder the grantee has selected as the lowest responsive and responsible bidder or a statement that the grantee has decided to reject all bids. If applicable, the statement must document a sound business reason for rejecting all bids.
- (e) A complete copy of the selected bid (including a copy of the bid security bond, if required by the IFB).
- (f) A list of all potential bidders to which the IFB was mailed.
- (g) A statement by the grantee that the price is fair and reasonable and the basis for that determination.
- (h) If the amount of the selected bid exceeds available funding, a request from the grantee to BPT for an increase in funding if so desired (Not applicable to Community Transportation Capital grants).
- (i) If purchasing one or more vehicles with FTA funds, the grantee shall submit the following certifications:
 - (1) Pre-Award Bid Specification Certification (Exhibit "A")
 - (2) Pre-Award Buy America Certification (Exhibit "B") (Applicable only if total bid price exceeded \$100,000)
 - (3) Pre-Award Federal Motor Vehicle Safety Standards (FMVSS) Certification (Exhibit "C")

If other than the apparent low bidder is selected by the grantee as the lowest responsive and responsible bidder, the following additional information must accompany the grantee's request for BPT pre-award concurrence:

- (j) A complete copy of each bid that is lower than the bid selected as the lowest responsive and responsible bidder.
- (k) An explanation of the basis for the selection of the lowest responsive and responsible bidder including the evaluation criteria and the technical evaluation.

- (l) If the grantee has not selected the apparent low bidder because it finds said bidder to be non-responsible, the grantee must submit to BPT documentation to support such finding.

7.12 AWARD – Within sixty (60) calendar days of the bid opening, but only after obtaining pre-award concurrence from BPT, the grantee shall award the contract by written notice to the lowest responsible and responsive bidder, or all bids shall be rejected. Any or all bids may be rejected if there is a sound documented business reason. Extensions of the date for the award may be made by mutual written consent of the grantee and the lowest responsible and responsive bidder.

7.13 CHANGE ORDER AFTER CONTRACT AWARD – No change orders to the contract may occur without the approval of BPT. If the change order involves a price change, the grantee's request for BPT approval shall be accompanied by a statement signed by an officer of the grantee that the price change is fair and reasonable, along with the basis for that determination. A change order cannot expand the scope of the contract.

7.14 POST-DELIVERY CERTIFICATIONS – If purchasing one or more vehicles with FTA funds, the grantee shall submit to BPT after delivery of the vehicle and prior to final acceptance of the vehicle the following certifications:

- (a) Post-Delivery Bid Specification Certification (Exhibit "D")
- (b) Post-Delivery Buy America Certification (Exhibit "E") (Applicable only if total bid price exceeded \$100,000)
- (c) Post-Delivery FMVSS Certification (Exhibit "F")

8. PROCUREMENT BY COMPETITIVE PROPOSAL/REQUEST FOR PROPOSALS (RFP)

8.1 GENERAL – The use of competitive proposals is an accepted procurement method when the nature of the procurement does not lend itself to sealed bidding and the grantee expects more than one source is willing and able to submit a proposal. If this procurement method is used the following requirements apply:

- (a) Requests for proposals must be publicly advertised. All evaluation factors and their relative importance must be specified in the solicitation; but numerical or percentage ratings or weights need not be disclosed.
- (b) Proposals must be solicited from at least three qualified sources.
- (c) Grantees must have a method in place for conducting technical evaluations of the proposals received to determine the most qualified offeror. A minimum of three individuals with knowledge of the product/services being procured must participate in the technical evaluation.
- (d) Awards will be made to the responsible offeror whose proposal is most advantageous to the grantees's program with price and other factors considered.

8.2 CONDITIONS FOR USE – Competitive proposals may be used (subject to BPT approval) when any of the following circumstances are present:

- (a) The property or services to be acquired are described in performance or functional specification; or if described in detailed technical specifications, other circumstances such as the need for discussions or the importance of basing contract award on factors other than price alone are present.
- (b) Due to the nature of the procurement, contract award need not be based exclusively on price or price-related factors.

- (c) Separate discussions with individual offerors are expected to be necessary after proposal submittal.

8.3 REQUEST FOR PROPOSALS (RFP) – Proposals shall be solicited through a RFP. The RFP will identify all evaluation factors along with their relative importance. The grantee must obtain the written approval of its RFP from BPT prior to the issuance of the RFP.

8.4 PUBLIC NOTICE – Adequate public notice of the RFP in a newspaper of general circulation and at least one publication with national circulation shall be given a reasonable time prior to the date set for receipt of the proposals. Copies of the RFP shall be made available to any interested person upon request to the grantee. Grantees may establish procedures for the distribution of the RFP including the imposition of a fee to reimburse the agency for the costs of photocopying and mailing (as long as the same amount is charged to all parties).

8.5 RECEIPT OF PROPOSALS – Offerors shall submit their sealed proposals to ensure that their proposals are received prior to the time and date established for receipt of the proposals. Proposals shall be submitted in the format required by the RFP. Cost proposals shall be submitted separate from the technical proposals so as to avoid disclosure of their contents until the technical review is completed.

8.6 EVALUATION – The grantee will have a method in place for conducting technical evaluations of the proposals received and for selecting contractors. The relative importance of the evaluation factors shall be established prior to opening the proposals. BPT requires that the grantee perform a technical evaluation of the proposals without consideration of cost, in which case the cost portions of the proposals are retained by the grantee, sealed, until the technical rating is determined. A combined technical and cost rating for each proposal is then determined.

8.7 DISCUSSION WITH RESPONSIBLE OFFERORS AND REVISION OF PROPOSALS – As provided in the RFP, oral interviews may be conducted with responsible offerors who submit proposals determined to be reasonably suitable of being selected for award. Oral interviews shall be conducted for the purpose of clarification to assure full understanding of and responsiveness to the solicitation requirements and for the purpose of obtaining best and final offers. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals. In conducting oral interviews, there shall be no disclosure of any information derived from proposals submitted by competing offerors.

8.8 AWARD OF CONTRACT – The responsible offeror whose proposal is selected in writing, taking into consideration price and all evaluation factors, shall enter into contract negotiation. Prior to awarding the contract the grantee shall request BPT to concur with its selection. The grantee must submit its request to BPT accompanied by the following:

- (a) The name and address of each offeror.
- (b) The monetary amount of each proposal received.
- (c) The score assignment resulting from the grantee's evaluation of proposals.
- (d) A complete copy of the selected proposal.

8.9 CONTRACT NEGOTIATION – After obtaining BPT concurrence with the selected proposal, the grantee shall proceed to negotiate a contract with the selected offeror staying within the scope set forth within the RFP.

9. PROCUREMENT BY NONCOMPETITIVE PROPOSAL (SOLE SOURCE)

9.1 GENERAL – Sole source procurements are accomplished through solicitation or acceptance of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. A contract amendment or change order that is not within the scope of the original contract is considered a sole source procurement that must comply with this subparagraph.

- (a) Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed, bids, or competitive proposals and at least one of the following circumstances applies:
 - (1) The item is available only from a single source and it can be documented that it is the only item that can meet the unique needs of the grantee;
 - (2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - (3) FTA authorizes noncompetitive negotiations (only if Federal funds are involved);
 - (4) After solicitation of a number of sources, competition is determined inadequate.
- (b) A cost analysis, i.e., verifying the proposed cost data, the projections of the data, and the evaluation of the specific elements of costs and profit, is required.

The grantee shall submit a written request for BPT concurrence with the use of sole source procurement procedures. Sole source procurements require specific justification which could stand the test of an audit or legal challenge and should not be taken lightly. Sole source justification should include, but not be limited to, the following:

- Timing
- Efforts to locate potential contractors
- Lack of Response to a former competitive effort
- Other factors (Applicable to Vehicles Only):
 - Analysis of ridership characteristics, and how they mandate the need for the size and specific passenger capacity of the sole source vehicle(s) requested (Average number of riders per trip, peak loading per trip, number of passengers in wheelchairs and walkers per trip, etc.).
 - Analysis of the physical characteristics of the service routes or service area, and how they mandate the need for the sole source vehicle(s) requested (Geographical characteristics, road conditions, weather conditions, etc.).
 - Analysis of existing equipment now serving the routes (or similar routes if expansion is proposed), and describe why similar replacement vehicles or other vehicles available on the market would not be suitable to provide this service. Include details on accidents, road calls and missed trips or cancellation of service caused by vehicle characteristics.
 - A summary of the information above which clearly identifies the sole source vehicle(s) as the only vehicle capable of providing the proposed service.

After BPT has provided written concurrence with the request, the grantee may award a contract for a purchase through solicitation or acceptance of a proposal from only one source.

10. OPTIONS

10.1 GENERAL – Grantees may include options in contracts so long as the grantee is able to justify them as needed for its public transportation or project purposes. An option is a unilateral right in a contract by which, for a specified time, a procuring agency may acquire additional equipment, supplies, or services than originally procured, or may elect to extend the term of the contract. If a grantee chooses to use options, the requirements below apply:

- (a) **EVALUATION OF OPTIONS:** The option quantities or periods contained in the contractor's bid or offer must be evaluated in order to determine contract award. When options have not been evaluated as part of the award, the exercise of such options will be considered a sole source procurement.
- (b) **EXERCISE OF OPTIONS:**
 - (1) A grantee must ensure that the exercise of an option is in accordance with the terms and conditions of the option stated in the initial contract awarded.
 - (2) An option may not be exercised unless the grantee has determined that the option price is better than prices available in the market or that the option is the more advantageous offer at the time the option is exercised.

10.2 IMPROPER CONTRACT EXPANSION – A contract has been improperly expanded when the expansion includes a larger scope, greater quantities, or options beyond the grantee's reasonably anticipated needs.

11. CONTRACT COST AND PRICE ANALYSIS FOR EVERY PROCUREMENT ACTION

11.1 GENERAL – Grantees must perform a cost or price analysis in connection with every procurement action, including contract modifications. The method and degree of analysis is dependent on the facts and circumstances surrounding each procurement, but as a starting point, grantees must make independent estimates before receiving bids or proposals.

11.2 COST ANALYSIS – The grantee must obtain a cost analysis when a price analysis will not provide sufficient information to determine the reasonableness of the contract cost. A cost analysis must be performed when the offeror is required to submit the elements (i.e., Labor Hours, Overhead, Materials, etc.) of the estimated cost, e.g., under professional consulting and architectural and engineering services contracts. A cost analysis will be necessary when adequate price competition is lacking and for sole source procurements, including contract modifications or change orders, unless price reasonableness can be established on the basis of a catalog or market price of a commercial product sold in substantial quantities to the general public or on the basis of prices set by law or regulation.

11.3 PRICE ANALYSIS – If the grantee determines that competition was adequate, a price analysis rather than a cost analysis is required to determine the reasonableness of the proposed contract price.

11.4 PROFIT – Grantees will negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed, the risk to be borne

by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

11.5 FEDERAL COST PRINCIPLES – If federal funds are involved, costs or prices based on estimated costs for contracts under grants will be allowable only to the extent that costs incurred or cost estimates included in negotiated prices are consistent with Federal cost principles. Grantees may reference their own cost principles that comply with Federal cost principles.

12. ARCHITECTURAL AND ENGINEERING (A&E) SERVICES – SPECIAL REQUIREMENTS

12.1 GENERAL – Federal laws and regulations impose special requirements on FTA assisted architectural engineering (A&E) and related procurements. For guidance on these special requirements grantees should refer to FTA Circular 4220.1F (or the latest version of that circular), Chapter IV, subparagraph 2.g.

13. CONSTRUCTION – SPECIAL REQUIREMENTS

13.1 GENERAL – Federal laws and regulations impose special requirements on FTA assisted construction projects. For guidance on these special requirements grantees should refer to FTA Circular 4220.1F (or the latest version of that circular), Chapter IV, subparagraph 2.h.

14. RESEARCH-TYPE SERVICES – SPECIAL REQUIREMENTS

14.1 GENERAL – Federal laws and regulations impose special requirements on FTA assisted research-type (research, development, demonstration, deployment, and special studies) services. For guidance on these special requirements grantees should refer to FTA Circular 4220.1F (or the latest version of that circular), Chapter IV, subparagraph 2.i.

15. PAYMENT PROVISIONS

15.1 ADVANCE PAYMENTS – When Federal funds are involved, FTA does not authorize and will not participate in funding payments to a contractor prior to the incurrence of costs by the contractor unless prior written concurrence is obtained from FTA.

15.2 PROGRESS PAYMENTS – Grantees may use progress payments under certain conditions. Progress payments are only made to the contractor for costs incurred in the performance of the contract after the grantee obtains adequate security for those payments and has sufficient written documentation to substantiate the work for which payment is requested.

16. LIQUIDATED DAMAGES PROVISIONS

16.1 GENERAL – A grantee may use liquidated damages if it may reasonably expect to suffer damages (increased costs on project involved) from late completion and the extent or amount of such damages would be difficult or impossible to determine. The assessment for damages shall be at a specific rate per day for each day of overrun in contract time; and the rate must be specified in the third party contract. Any liquidated damages recovered shall be credited to the project account involved unless FTA (if Federal funds are involved) or BPT permits otherwise.

17. CONTRACT PROVISIONS

17.1 GENERAL – All contracts shall include provisions to define a sound and complete agreement. In addition, contracts and subcontracts shall contain contractual provisions or conditions that allow for:

- (a) Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, including sanctions and penalties as may be appropriate. (All contracts in excess of the small purchase threshold.)
- (b) Termination for cause and for convenience by the procuring agency including the manner by which it will be effected and the basis for settlement (All contracts in excess of \$10,000).

PRE-AWARD BID SPECIFICATION CERTIFICATION

Upon review of the information provided by the bidder, I hereby certify the following in regard to the vehicle(s) listed below which will be purchased under this contract (IFB Number and/or Purchase Order Number _____):

- (a) The rolling stock being contracted for is the same product described in the purchaser's solicitation specifications and;
- (b) The proposed manufacturer is a responsible manufacturer with the capability to produce a vehicle that meets the purchaser's specification set forth in the purchaser's solicitation.

Signature of Authorized Official

Title of Authorized Official

Purchaser (Agency) Name

Date

VEHICLES TO BE PURCHASED:

<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Number of Vehicles</u>

BIDDER:

<u>Name</u>	<u>Street Address</u>	<u>City, State</u>	<u>Zip Code</u>

MANUFACTURER:

<u>Name</u>	<u>Street Address</u>	<u>City, State</u>	<u>Zip Code</u>

EXHIBIT "B"
PRE-AWARD
BUY AMERICA CERTIFICATION
(Applicable only if total bid price exceeded \$100,000)

5/1/2009

Upon review of the information* provided by the bidder, I hereby certify the following in regard to the vehicle(s) listed below which will be purchased under this contract (IFB Number and/or Purchase Order Number _____):

CHECK ONE

_____ The vehicle(s) listed below are in compliance with the requirements of Section 165(a) or (b)(3) of the Surface Transportation Assistance Act of 1982, as amended.

_____ There is a letter from the Federal Transit Administration which grants a waiver to the vehicle(s) listed below from the Buy America requirements under Section 165(b)(1), (b)(2), or (b)(4) of the Surface Transportation Act of 1982, as amended.

Signature of Authorized Official

Title of Authorized Official

Purchaser (Agency) Name

Date

VEHICLES TO BE PURCHASED:

<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Number of Vehicles</u>
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BIDDER:

<u>Name</u>	<u>Street Address</u>	<u>City, State</u>	<u>Zip Code</u>
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MANUFACTURER:

<u>Name</u>	<u>Street Address</u>	<u>City, State</u>	<u>Zip Code</u>
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* Information provided by the bidder included a list of the following:

- (1) Component and subcomponent parts of the vehicle(s) to be purchased identified by manufacturer of the parts, their country or origin and costs; and
- (2) The location of the final assembly point for the vehicle(s), including a description of the activities that will take place at the final assembly point and the cost of final assembly.

EXHIBIT "C"
PRE-AWARD
FMVSS CERTIFICATION

5/1/2009

The apparent low bidder, as an agent for the manufacturer, has supplied a copy of the manufacturer's self-certification information concerning compliance with Federal Motor Vehicle Safety Standards. Based upon review of that information, I hereby certify that the vehicle(s) listed below, which will purchased under this contract (IFB Number and/or Purchase Order Number _____), complies with all applicable Federal Motor Vehicle Safety Standards.

Signature of Authorized Official

Title of Authorized Official

Purchaser (Agency) Name

Date

VEHICLES TO BE PURCHASED:

<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Number of Vehicles</u>

BIDDER:

<u>Name</u>	<u>Street Address</u>	<u>City, State</u>	<u>Zip Code</u>

MANUFACTURER:

<u>Name</u>	<u>Street Address</u>	<u>City, State</u>	<u>Zip Code</u>

EXHIBIT "D"
POST-DELIVERY
BID SPECIFICATION CERTIFICATION

5/1/2009

I hereby certify that I have visually inspected and road tested the vehicle(s) listed below which were purchased under this contract (IFB Number and/or Purchase Order Number _____) and these vehicles meet the contract specifications.

CHECK ONE:

_____ An on-site inspector's report **is not attached** because fewer than eleven vehicles (for areas greater than 200,000 in population) or fewer than twenty-one vehicles (for areas less than 200,000 in population) were procured under this solicitation.

_____ An on-site inspector's report **is attached** because more than ten vehicles (for areas greater than 200,000 in population) or more than twenty vehicles (for areas less than 200,000 in population) were procured under this solicitation.

Signature of Authorized Official

Title of Authorized Official

Purchaser (Agency) Name

Date

VEHICLES PURCHASED:

<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Number of Vehicles</u>
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BIDDER:

<u>Name</u>	<u>Street Address</u>	<u>City, State</u>	<u>Zip Code</u>
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MANUFACTURER:

<u>Name</u>	<u>Street Address</u>	<u>City, State</u>	<u>Zip Code</u>
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EXHIBIT "E"
POST-DELIVERY

5/1/2009

BUY AMERICA CERTIFICATION

(Applicable only if total bid price exceeded \$100,000)

Upon review of the information* provided by the bidder upon delivery of the vehicle(s), I hereby certify the following in regard to the vehicle(s) listed below which have been purchased under this contract (IFB Number and/or Purchase Order Number _____):

CHECK ONE:

_____ The vehicle(s) listed below are in compliance with the requirements of Section 165(a) or (b)(3) of the Surface Transportation Assistance Act of 1982, as amended.

_____ There is a letter from the Federal Transit Administration which grants a waiver to the vehicle(s) listed below 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.

Signature of Authorized Official

Title of Authorized Official

Purchaser (Agency) Name

Date

VEHICLES PURCHASED:

<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Number of Vehicles</u>
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_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

BIDDER:

<u>Name</u>	<u>Street Address</u>	<u>City, State</u>	<u>Zip Code</u>
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_____	_____	_____	_____
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MANUFACTURER:

<u>Name</u>	<u>Street Address</u>	<u>City, State</u>	<u>Zip Code</u>
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* Information provided by the bidder included a list of the following:

- (1) Component and subcomponent parts of the vehicle(s) purchased identified by manufacturer of the parts, their country of origin and costs; and
- (2) The actual location of the final assembly point for the vehicle(s), including a description of the activities that took place at the final assembly point and the cost of final assembly.

EXHIBIT "F"
POST-DELIVERY
FMVSS CERTIFICATION

5/1/2009

The apparent low bidder, as an agent for the manufacturer, has supplied a copy of the manufacturer's self-certification information concerning compliance with Federal Motor Vehicle Safety Standards. Based upon review of that information I hereby certify that the vehicle(s) listed below, which have been purchased under this contract (IFB Number and/or Purchase Order Number _____) complies with all applicable Federal Motor Vehicle Safety Standards.

Signature of Authorized Official

Title of Authorized Official

Purchaser (Agency) Name

Date

VEHICLES PURCHASED:

<u>Make</u>	<u>Model</u>	<u>Year</u>	<u>Number of Vehicles</u>
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BIDDER:

<u>Name</u>	<u>Street Address</u>	<u>City, State</u>	<u>Zip Code</u>
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MANUFACTURER:

<u>Name</u>	<u>Street Address</u>	<u>City, State</u>	<u>Zip Code</u>
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EXHIBIT "G"
SAMPLE BID ADVERTISEMENT

7/15/2003

(Enter Agency Name and Address) is announcing its intention to receive sealed bids for the purchase of **(Enter Vehicle Type and Quantity of Vehicle Type Being Purchased)**. A complete bid package that includes technical specifications, special provisions, bid forms, and directions can be obtained by contacting **(Enter Agency Name and Address)** at **(Enter Agency Telephone Number)**. Bids will be received at **(Enter Address)** up to but no later than **(Enter Date and Time of Deadline for Bid Submission)**. Bids will be publicly opened on **(Enter Bid Opening Date)** at **(Enter Time of Bid Opening)** at **(Enter Location and Address of the Location)**. All bids must be submitted in duplicate and remain valid for 60 days from the bid opening date. **(Enter Agency Name)** reserves the right to accept or reject any or all bids on such basis as purchaser deems to be in its best interest, subject to the approval of the Pennsylvania Department of Transportation, which requires the purchaser to award to the lowest responsive and responsible bidder.

Appendix A-2 – BPT Disposition Procedures

**EQUIPMENT DISPOSITION PROCEDURES FOR
ALL STATE AND FEDERAL FUNDS ADMINISTERED BY
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
BUREAU OF PUBLIC TRANSPORTATION (BPT)
October 2011**

Introduction

The Pennsylvania Department of Transportation (PennDOT) Bureau of Public Transportation retains an interest in all capital assets funded in whole or in part with Federal Transit Administration (FTA) program funds (e.g. Section 5309, 5310, 5311, 5316 - JARC, 5317 – New Freedom, etc) or the Commonwealth of Pennsylvania’s transit assistance programs.

All vehicle disposition requests should be directed to the public transit provider’s PennDOT Capital Project Coordinator.

I. Disposition Procedure - Prior to Expiration of Useful Service Life

The planned disposition of any capital asset funded by a Federal Transit Administration (FTA) program administered by BPT or by a state program before the end of the asset’s useful service life (USL) must receive Department written concurrence prior to the Grantee taking any disposition action. If an asset is removed from service before the end of its useful service life, the amount refunded by the grantee to the state and federal government is the state and federal share of the unamortized value of the asset’s remaining service life, based on straight line depreciation of the original purchase price of the asset. Without the State’s prior written approval to dispose of an asset before the completion of the asset’s useful service life, the grantee would have to refund the state/federal share of the asset’s unamortized value. All funds received as a result of a PennDOT approved disposition of an asset must be placed in an interest bearing account for a future capital purchase.

For vehicles, straight line depreciation shall be based on the age or mileage of the asset at the time of disposition in comparison to total number of years or miles of the useful service life designated for that asset (See Section VI). If the amount recovered by the grantee exceeds the remaining value of the asset then the state/federal share will be calculated on the recovered amount.

A refund of state/federal funds can be waived under the conditions explained below:

1. Transfer Disposition - If, due to operational changes, the asset is no longer needed by the grantee but could be used in transit service, the grantee shall request in writing that the

Department transfer the asset to another Pennsylvania program grantee. If the Department is able to transfer the asset, no refund of state and federal funds will be required of the original grantee.

2. Substitution Disposition - If the grantee wishes to substitute another asset for an asset prior to the end of useful service life of the asset being retired, the grantee shall make a written request to the Department for approval of the substitution. Examples for allowing the substitution might be premature equipment failure or obsolescence of the asset to be retired. If the Department approves the request, no refund of state and federal funds is required (conditioned on the proceeds being used to purchase the replacement property), unless the fair market value of the replacement asset is less than the fair market value of the asset being replaced. In that case, the Department requires the grantee to refund the difference between the two values.

3. Extenuating Circumstances Disposition - Grantees wishing to dispose of a capital asset prior to the end of its useful service life due to extenuating circumstances may make a written request to the Department demonstrating that the useful service life of the asset was reached because the cost to operate or maintain the asset now exceeds any benefits of retaining it. Additional information such as maintenance records or documentation showing due diligence in pursuing remedies with the manufacturer may also be required. Examples of extenuating circumstances are premature equipment failure or obsolescence of the asset. If the request is approved by the Department, the grantee may dispose of the asset (in a manner in which the fair market value of the asset is obtained) and retain the proceeds from the sale of the asset (Conditions Section V.), or use the asset for spare parts (Conditions Section IV).

II. Disposition Procedure - After Expiration of Useful Service Life

After the useful service life of any FTA Section 5310, FTA Section 5311, 5316 - JARC, 5317 – New Freedom, Community Transportation Program capital asset, State PTAF, State, ASG, State BSG, State Section 1514 Discretionary, State Section 1517 Formula or State Section 1514 Bond funded asset has expired, the grantee may, without prior approval by the Department, use the asset for spare parts (if the Spare Parts Criteria described below is met), or dispose of the asset and retain the proceeds from the sale of the asset (if the proceeds are used in accordance with the Retained Sale Proceeds Criteria described below). If the asset is sold, grantees are required to establish and follow written procedures for determining the fair market value of the asset so that the proceeds from the sale of the asset is equal to or greater than the fair market value of the asset. When a grantee disposes of equipment with a unit value of more than \$5,000, or supplies with an aggregate residual value of more than \$5,000, the grantee must provide the Department written notification of the spare parts usage or disposition within thirty (30) days after its occurrence.

III. Suggested Methods for Obtaining Fair Market Value

The following are suggested methods that grantees may use for obtaining fair market value:

1. Solicit bids for the acquisition of the asset by advertising in at least one newspaper of general circulation and sending a description of the asset to at least three potential bidders. Both the ad and the description should include instructions for deadlines and submission of bids; or
2. In an Invitation for Bids for the purchase of a new capital asset, include the asset to be disposed of as a trade-in; or
3. Have the asset appraised by at least two qualified appraisers and
 - a. Offer the asset for sale at the average appraised value; or
 - b. Take the asset to auction and require a minimum offer equal to the average appraised value.

IV. Spare Parts Criteria

If it is determined that the value of the parts of an asset are of greater value than the asset as a whole, the asset may be retained by the grantee and used for spare parts. In this event, the grantee must document the estimated value of the spare parts as compared to an appraised value of the asset.

V. Retained Sale or Insurance Proceeds Usage Criteria

Sale or insurance proceeds from any FTA funded program administered by BPT or from a state program must be retained in an interest bearing capital reserve account and must be used for a capital project included in the Consolidated Capital Application (CCA). All interest earned on sale or insurance proceeds must be reported to BPT.

VI. Straight Line Depreciation Model

1. Example

Original Purchase price of vehicle \$600,000

Useful Service Life = 12 years/ 500,000 miles.

Actual vehicle details at time of retirement, 6 years/200,000 miles.

Straight line Depreciation Calculation

Actual Service Life (Years) - [$\$600,000 - (600,000 / 12 \text{ years}) \times 6 \text{ years}$] = $\$300,000$

Actual Service Life (Miles) = [$\$600,000 - (600,000 / 500,000 \text{ miles}) \times 200,000$] = $\$360,000$

Conclusion

The actual service life in years is the lesser value of the two measures; therefore, in this example the service life in years ($\$300,000$) will represent the remaining value of the asset.

The funding percentages used in the original vehicle purchase will then be used to determine the remaining state/federal share of the depreciated asset.

Appendix A-3 – Useful Service Life Policy

PennDOT Bureau of Public Transportation Estimated Useful Life for Capital Items

Item	Years
Air Conditioning/Heating/Ventilation Systems for Buildings	15
Asphalt paving, parking lot	10
Automobiles	4 and 100,000 miles
Automobile/bus washing and vacuum cleaner systems	10
Backhoe	10
Buildings and stations	30
Bus lift	15
Bus shelter cleaner	10
Bus stop signs	10
Communications equipment	10
Computer equipment (Mainframe/Microprocessor controller)	7
Computer equipment (Personal Computer)	4
Computer software	4
Electric garage door opener	12
Electrification systems	30
Elevators/Escalators	15
Fareboxes/ticket machines	12
Ferry Boats	15
Forklift truck	10
Front-end loader	7
Fuel Storage Tanks/Dispensing Systems	30
Heavy trucks	7 and 200,000 miles
Incline plane equipment	7
Incline plane overhaul	7
Light trucks (GVWR less than 15,000 lbs.)	5 and 150,000 miles
Office equipment	7
Office furniture	10
Passenger shelters	15
Rail/Fixed Guideway Rolling Stock	25
Railroad machinery and equipment	15
Right-of-Way	30
Roller	10
New Roof for Buildings	15

Item	Years
Signal systems	10
Spare parts inventory	12
Structures	30
Surveillance equipment	10
Tools and shop equipment	12
Track inspection vehicles	10
Track and roadbeds	30
Traffic signals	15
Trailers	7
Transit Buses	
A) PaDOT Specification Code Vehicles	
C, D, E, F-G, G, or H	4 and 100,000 miles
F-D	4 and 150,000 miles
A/C-G, A/U-G, or A/Y-G	4 and 100,000 miles
A/C-D, A/U-D, or A/Y-D	4 and 150,000 miles
A/Z or A/Z-1	4 and 100,000 miles
J-G, K-G, or L-G	5 and 150,000 miles
J-D, K-D, or L-D	5 and 200,000 miles
A/J-G, A/K-G, or A/L-G	5 and 150,000 miles
A/J-D, A/K-D, or A/L-D	5 and 200,000 miles
K-HD, L-HD, M-HD, or T-HD	8 and 300,000 miles
A/K-HD, A/L-HD, A/M-HD, or A/T-HD	8 and 300,000 miles
A/V-21, or A/V-25	8 and 300,000 miles
W-HD-5, W-HD-6, W-HD-7, or W-HD-8	8 and 300,000 miles
A/W-HD-5, A/W-HD-6, A/W-HD-7, or A/W-HD-8	8 and 300,000 miles
A/X-HD-30FTLF	10 and 350,000 miles
A/X-HD-24FT, A/X-HD-27FT, A/X-HD-30FT, or A/X-HD-32FT	10 and 350,000 miles
A/X-HD-35FT	12 and 500,000 miles
B) DGS PCID Code Vehicles	
PCID 1108	4 and 100,000 miles
PCID 1113	5 and 150,000 miles
PCID 1114	5 and 150,000 miles
PCID 1116	5 and 150,000 miles
PCID 1122	5 and 150,000 miles
PCID 1123	5 and 150,000 miles

Item	Years
PCID 1130	5 and 150,000 miles
PCID 1132	10 and 350,000 miles
PCID 1133	10 and 350,000 miles
PCID 1141	10 and 350,000 miles
PCID 1143	4 and 100,000 miles
PCID 1144	4 and 100,000 miles
PCID 1152	7 and 200,000 miles
PCID 1153	8 and 300,000 miles
C) If not using PaDOT Specification Code Vehicles or DGS PCID Codes, use the following:	
1) Light Duty Bus-gas engine (GVWR-15,000 lbs. or less)	5 and 150,000 miles
2) Light Duty Bus-diesel engine (GVWR-15,000 lbs. or less)	5 and 200,000 miles
3) Medium Duty Bus-gas engine (GVWR-above 15,000 lbs.)	7 and 200,000 miles
4) Medium Duty Bus-diesel engine and under 35 feet (GVWR-above 15,000 lbs. and less than 20,000 lbs.)	8 and 300,000 miles
5) Heavy Duty Bus-diesel engine (under 35 feet (GVWR-20,000 lbs. and above)	10 and 350,000 miles
6) Heavy Duty Bus-diesel engine (over 35 feet) (GVWR-20,000 lbs. and above)	12 and 500,000 miles
Tunnels	30
Used Vehicles	4
Van	4 and 100,000 miles
Vehicle Overhaul	
Bus	4
Rail	5
Water Heater	15

Appendix A-4 – Procurement Checklist

DGS CONTRACT PROCUREMENT CHECKLIST FOR
SECTION 5310, 5311, and ACT 26 COMMUNITY TRANSPORTATION PROGRAMS

This checklist summarizes PENNDOT's DGS contract procurement procedures. Please check each item as it is accomplished:

- _____ 1.) PROCURING AGENCY REGISTERS IN CO-STARS (IF NOT ALREADY REGISTERED).
- _____ 2.) PROCURING AGENCY SELECTS THE PENNSYLVANIA COMMERCIAL ITEM DESCRIPTION (PCID) NUMBER BASED ON THE APPROVED SPEC CODE (REFER TO THE ATTACHED VEHICLE SPECIFICATION LISTING ACCORDING TO THE PCID NUMBER-ATTACHMENT 1).
- _____ 3.) PROCURING AGENCY DETERMINES DESIRED OPTIONAL EQUIPMENT TO BE ADDED ON TO EACH VEHICLE.
- _____ 4.) PROCURING AGENCY, IN CONJUNCTION WITH THE CONTRACTOR, PREPARES EACH PURCHASE ORDER, CHANGE ORDER, AND DETERMINES THE SEATING CAPACITY CONFIGURATION DIAGRAM DESIRED. A THEORETICAL WEIGHT ANALYSIS SHOULD BE PERFORMED FOR THE SEATING CAPACITY CONFIGURATION DIAGRAM DESIRED BY THE CONTRACTOR. BE SURE TO ASSIGN A UNIQUE PURCHASE ORDER NUMBER FOR EACH PURCHASE ORDER. **COMPLETE ONE PURCHASE ORDER, CHANGE ORDER, AND SEATING CAPACITY CONFIGURATION DIAGRAM WITH THEORETICAL WEIGHT ANALYSIS FOR EACH VEHICLE!!!**
- _____ 5.) PROCURING AGENCY AND THE CONTRACTOR SIGN EACH PURCHASE ORDER, CHANGE ORDER, AND SEATING CAPACITY CONFIGURATION DIAGRAM WITH THEORETICAL WEIGHT ANALYSIS.
- _____ 6.) THE CONTRACTOR MUST EMAIL OR FAX EACH SIGNED PURCHASE ORDER, CHANGE ORDER, AND SEATING CAPACITY CONFIGURATION DIAGRAM WITH THEORETICAL WEIGHT ANALYSIS TO BPT (ROBERT ZOLYAK) FOR REVIEW, APPROVAL, AND SIGNATURE. THIS INCLUDES ANY ADDITIONAL CHANGE ORDERS ISSUED BY THE CONTRACTOR AND THE PURCHASER FOR EACH VEHICLE. **BPT WILL NOT AUTHORIZE PAYMENT FOR ANY VEHICLE IF EACH PURCHASE ORDER, CHANGE ORDER, AND SEATING CAPACITY CONFIGURATION DIAGRAM WITH THEORETICAL WEIGHT ANALYSIS IS NOT SIGNED BY BPT (ROBERT ZOLYAK).**
- _____ 7.) ONCE BPT SIGNS EACH PURCHASE ORDER, CHANGE ORDER, AND SEATING CAPACITY CONFIGURATION DIAGRAM WITH THEORETICAL WEIGHT ANALYSIS, BPT WILL EMAIL A SIGNED COPY OF EACH PURCHASE ORDER, CHANGE ORDER, AND SEATING CAPACITY CONFIGURATION DIAGRAM WITH THEORETICAL WEIGHT ANALYSIS TO THE PROCURING AGENCY, THE CONTRACTOR, AND DGS (ALFONZO ROBINSON).

- 8.)THE CONTRACTOR ACKNOWLEDGES RECEIPT OF A PURCHASE ORDER TO THE PROCURING AGENCY (LETTER OR EMAIL)WITHIN TEN (10) CALENDAR DAYS FROM THE DAY THE PURCHASE ORDER IS ISSUED TO THE CONTRACTOR (SEE ATTACHED SAMPLE LETTER-ATTACHMENT 2). THE CONTRACTOR IS RESPONSIBLE TO PROVIDE AN ANTICIPATED DELIVERY DATE OF EACH VEHICLE ON THE ACKNOWLEDGEMENT. THE CONTRACTOR SENDS A COPY OF THE ACKNOWLEDGEMENT OF RECEIPT OF A PURCHASE ORDER TO BPT (ROBERT ZOLYAK) AND DGS (ALFONZO ROBINSON).
- 9.)THE PROCURING AGENCY FOLLOWS UP ON ORDERS IF WRITTEN ACKNOWLEDGEMENT IS NOT RECEIVED WITHIN TEN (10) CALENDAR DAYS FROM THE CONTRACTOR (IF NECESSARY). THE PROCURING AGENCY ALSO NOTIFIES BPT (ROBERT ZOLYAK).
- 10.)THE CONTRACTOR MUST MAKE DELIVERY NO LATER THAN 150 CALENDAR DAYS AFTER ACKNOWLEDGEMENT OF THE PURCHASE ORDER. FAILURE TO DELIVER WITHIN THESE TIME PERIODS MAY RESULT IN THE CONTRACTOR'S PAYMENT OF LIQUIDATED DAMAGES (SEE ATTACHMENT 3 DESCRIBING THE LIQUIDATED DAMAGE GUIDELINES).
- 11.)THE CONTRACTOR MUST NOTIFY THE PROCURING AGENCY IF THE DELIVERY DEADLINE CANNOT BE MET. THE PROCURING AGENCY MUST NOTIFY BPT AND DGS IF THIS DEADLINE CANNOT BE MET BY THE CONTRACTOR.
- 12.)THE CONTRACTOR SHALL CONTACT THE PROCURING AGENCY AND BPT FOR A DELIVERY SCHEDULE AT LEAST 48 HOURS IN ADVANCE OF ACTUAL DELIVERY.
- 13.)THE VEHICLE VENDOR WILL PROVIDE THE PROCURING AGENCY A SIGNED **CONTRACTOR'S REQUEST FOR PROGRESS PAYMENT (CRPP)** FORM (ATTACHED), WHICH CERTIFIES THAT THE VEHICLE IS READY FOR DELIVERY, ALONG WITH THE VENDOR'S INVOICE.
- 14.) THE PROCURING AGENCY MUST SIGN THE BOTTOM PORTION OF THE CRPP FORM. USING DOTGRANTS, **IMMEDIATELY** UPLOAD THE COMPLETED CRPP AND VENDOR'S INVOICE AND SUBMIT YOUR PAYMENT REQUEST. PENNDOT WILL PROCESS YOUR PAYMENT JUST PRIOR TO VEHICLE DELIVERY INSTEAD OF AFTER VEHICLE ACCEPTANCE. CONTACT MR. BEN BROSIUS AT (717)-787-1211 FOR FURTHER DETAILS ON HOW TO SUBMIT YOUR PAYMENT REQUESTS FOR SECTION 5310 FUNDS **ONLY** THROUGH DOTGRANTS. CONTACT MR. JOHN LEVITSKY AT (717)-787-1206 FOR FURTHER DETAILS ON HOW TO SUBMIT ALL OTHER PAYMENT REQUESTS THROUGH DOTGRANTS. **IMPORTANT NOTE: IF YOU RECEIVE YOUR PAYMENT FROM PENNDOT AFTER THE VEHICLE(S) HAVE BEEN DELIVERED AND ACCEPTED, YOU ARE EXPECTED TO IMMEDIATELY PAY THE VENDOR IN FULL. HOWEVER, IF YOU RECEIVE THE PENNDOT PAYMENT BEFORE VEHICLE ACCEPTANCE, DO NOT RELEASE ANY FUNDS TO THE VENDOR UNTIL THE VEHICLE(S) HAVE BEEN INSPECTED AND FULLY ACCEPTED. EACH VEHICLE MUST MEET ALL PCID SPECIFICATIONS. ANY VEHICLE THAT DOES NOT**

MEET ALL PCID SPECIFICATIONS CAN NOT BE DETERMINED “ACCEPTABLE”, CAN NOT BE PLACED INTO SERVICE, AND PAYMENT CAN NOT BE MADE TO THE CONTRACTOR!!

- _____ 15.) IF THE VEHICLE PROCUREMENT INVOLVES FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDS, THE PROCURING AGENCY MUST COMPLETE AND UPLOAD INTO DOTGRANTS THE **POST-DELIVERY REVIEW CERTIFICATIONS**. THE PROCURING AGENCY MUST CONDUCT A POST-DELIVERY REVIEW TO ENSURE THAT THE DELIVERED VEHICLE(S) MEET (1) BUY AMERICA REGULATIONS (IF APPLICABLE), (2) THE PURCHASER’S REQUIREMENTS, AND (3) THE FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS) REGULATIONS. THE POST-DELIVERY REVIEW MUST BE COMPLETED BEFORE FINAL ACCEPTANCE OF THE VEHICLE(S) OCCURS. PLEASE READ THE POST-DELIVERY REVIEW CERTIFICATIONS CAREFULLY AND MAKE SURE THAT YOUR CONTRACTOR HAS SUBMITTED ALL THE REQUIRED INFORMATION TO ENABLE YOU TO SIGN THE CERTIFICATIONS. AFTER WE HAVE PROCESSED YOUR VEHICLE PAYMENT, WE WILL CHANGE THE STATUS OF YOUR DOTGRANTS INVOICE FROM “PAYMENT MADE” TO “FTA POST-DELIVERY DOCUMENTS REQUIRED”. AT THAT POINT, YOU MUST UPLOAD YOUR COMPLETED POST-DELIVERY REVIEW CERTIFICATIONS INTO THE DOTGRANTS INVOICE AND CHANGE ITS STATUS TO “FTA POST-DELIVERY DOCUMENTS SUBMITTED” FOR PENNDOT REVIEW AND APPROVAL.
- _____ 16.) THE PROCURING AGENCY PICKS UP ORDERED VEHICLE(S) AT THE CONTRACTORS DESIGNATED PICK UP SITE WITHIN THE CONFINES OF THE COMMONWEALTH OF PENNSYLVANIA, OR HAS THE VEHICLE(S) DELIVERED BY THE CONTRACTOR TO THE PROCURING AGENCY FOR AN ADDITIONAL CHARGE PER VEHICLE OF \$300.
- _____ 17.) EACH VEHICLE SHALL NOT BE DRIVEN MORE THAN A TOTAL OF 800 MILES FROM THE CONTRACTOR’S PLACE OF BUSINESS TO THE PROCURING AGENCY’S PLACE OF BUSINESS. IF DELIVERY OF EACH VEHICLE IS MORE THAN A TOTAL OF 800 MILES, A CREDIT OF \$5.00 PER MILE WILL BE APPLIED AGAINST THE AWARDED CONTRACTOR’S PURCHASE ORDER AS DAMAGES AND DEDUCTED AT THE TIME OF PAYMENT.
- _____ 18.) EACH VEHICLE MUST BE DELIVERED WITH THE FOLLOWING:
- A) STATE INSPECTION STICKER
 - B) EMISSIONS STICKER
 - C) CONTRACTOR MUST APPLY FOR VEHICLE TITLE (AND PROVIDE COPY OF EXECUTED MV-1 APPLICATION FOR TITLE UPON DELIVERY).
 - D) CONTRACTOR MUST DELIVER EACH VEHICLE WITH TEMPORARY OR PERMANENT REGISTRATION DOCUMENTATION AND PLATE.
 - E) ALL COSTS ASSOCIATED WITH THE VEHICLE TITLE, REGISTRATION AND PLATE ARE BORNE BY THE CONTRACTOR.
 - F) COPY OF MANUFACTURER’S WARRANTY AND SERVICE POLICY.
 - G) CONTRACTOR’S INVOICE (ORIGINAL PLUS 3 COPIES).
 - H) FULL FUEL TANK

- _____ 19.) THE PROCURING AGENCY WILL PERFORM INSPECTION OF EACH VEHICLE USING THE CURRENT NEW DGS VEHICLE OPERATION INSPECTION CHECKLIST DEVELOPED BY BPT FOR THE SPECIFIC VEHICLE PCID WITHIN 10 CALENDAR DAYS OF DELIVERY. DGS AND BPT RESERVES THE RIGHT TO INSPECT EACH VEHICLE AS THEY ARE DELIVERED. **EACH VEHICLE MUST MEET ALL PCID SPECIFICATIONS. ANY VEHICLE THAT DOES NOT MEET ALL PCID SPECIFICATIONS CAN NOT BE DETERMINED "ACCEPTABLE", CAN NOT BE PLACED INTO SERVICE, AND PAYMENT CAN NOT BE MADE TO THE CONTRACTOR!!!**
- _____ 20.) IT IS THE CONTRACTOR'S RESPONSIBILITY TO REMOVE ANY VEHICLE REJECTED BY THE PROCURING AGENCY WITHIN TWO (2) WORKING DAYS AFTER NOTIFICATION, AND RETURN EACH VEHICLE TO THE PROCURING AGENCY UPON CORRECTION OF DEFICIENCIES. DATE IN SERVICE WILL BE THE DATE EACH VEHICLE IS ACCEPTED BY THE PROCURING AGENCY, **NOT** THE DATE OF DELIVERY.
- _____ 21.) ONCE EACH VEHICLE IS DETERMINED ACCEPTABLE, THE PROCURING AGENCY WILL IMMEDIATELY MAIL THE COMPLETED NEW DGS VEHICLE OPERATION INSPECTION CHECKLIST AND THIS COMPLETED DGS PROCUREMENT CHECKLIST FOR EACH VEHICLE TO BPT (ROBERT ZOLYAK) AT THE BELOW MENTIONED ADDRESS.

ONCE THE PROCURING AGENCY RECEIVES PAYMENT FROM PENNDOT, THE PROCURING AGENCY WILL IMMEDIATELY MAKE FULL PAYMENT TO THE CONTRACTOR AFTER EACH VEHICLE IS DETERMINED ACCEPTABLE (MEETING ALL PCID SPECIFICATIONS).

ANY PROBLEMS WITH THE CONTRACTOR, PLEASE CONTACT ALFONZO ROBINSON AT DGS AT (717)-346-8181 AND BPT (ROBERT ZOLYAK). ALL CORRESPONDENCE BETWEEN THE PURCHASING AGENCY AND THE CONTRACTOR MUST BE COPIED TO DGS (ALFONZO ROBINSON) AND BPT (ROBERT ZOLYAK).

AGENCY NAME: _____
 COMPLETED BY: _____
 PURCHASE ORDER NUMBER: _____
 DESCRIPTION OF ITEMS(S) PROCURED: PCID NUMBER _____
 COSTARS REGISTRATION NUMBER: _____

WITHIN 30 DAYS OF COMPLETION, SEND A COPY OF CHECKLIST TO:

Mr. Robert Zolyak, Project Engineer
 Pennsylvania Department of Transportation (PENNDOT)
 Bureau of Public Transportation
 P. O. Box 3151
 Harrisburg, Pennsylvania 17105-3151

EMAIL Address: rzolyak@state.pa.us

Telephone: (717)-787-1210

FAX: (717)-525-5777

Attachment 1

Types of Vehicle Specifications listed by Pennsylvania
Commercial Item Description (PCID) Number:

- A. PCID Number 1108: Paratransit 9,000 Pound GVWR Raised Roof Van (Converted Van Type Passenger Vehicle -Ford Chassis). – **NOT AVAILABLE**
- B. PCID Number 1113: 23 Foot Transit Bus, 14,500 Pound GVWR Vehicle (Ford Chassis).
- C. PCID Number 1114: 25 Foot Transit Bus, GVWR 15,500 Pound Vehicle (Ford Chassis).
- D. PCID Number 1116: Paratransit Cutaway Cab and Chassis Bus-11,500 Pound GVWR Vehicle (Ford Chassis).
- E. PCID Number 1122: Paratransit Narrow Body Dual Rear Wheel Bus, 11,500 Pound GVWR Vehicle (Ford Chassis).
- F. PCID Number 1123: Fiberglass Body, 23 Foot Transit Bus, 14,500 Pound GVWR Vehicle (Ford Chassis).
- G. PCID Number 1130: 23 and 25 Foot Transit Bus, 14,200 Pound GVWR Vehicle (Chevy Chassis).
- H. PCID Number 1132: 29 and 31 Foot Transit Bus, 25,000 Pound GVWR Vehicle (Freightliner Chassis).

- I. PCID Number 1133: 29 and 31 Foot Transit Bus, 23,500 and 25,500 Pound GVWR Vehicle (International/3200 Chassis).
- J. PCID Number 1141: 27 Foot Transit Bus, 19,500 Pound GVWR Vehicle (Freightliner Chassis).
- K. PCID Number 1143: Grand Accessible Mini Van With Rear Entry, 6,050 Pound GVWR
- L. PCID Number 1144: Grand Accessible Mini Van With Side Entry, 6,050 Pound GVWR
- M. PCID Number 1145: Passenger Type Mini Van With Side Entry, 6,600 Pound GVWR (MV-1)
- N. PCID Number 1152: 25 foot and 28 foot Ford Bus 18,000 Pound GVWR (Alternate Fuel)
- O. PCID Number 1153: 31 foot and 33 foot Ford Bus 19,500 Pound GVWR (Alternate Fuel)
- P. PCID Number 1154: Ford Passenger Type Dual Rear Tire Van (Non-Raised Roof) 10,360 Pound GVWR

Attachment 2

**SAMPLE LETTER OF CONTRACTOR ACKNOWLEDGEMENT OF
RECEIPT OF A PURCHASE ORDER**

[DATE]

[ADDRESSEE]

DEAR [NAME]

We are in receipt of your order as contained in the attached Purchase Order(s), Change Order(s), and seating diagram(s) for the following vehicle(s):

- 1.) PCID Number _____ (Purchase Order Number _____)
- 2.) PCID Number _____ (Purchase Order Number _____)
- 3.) PCID Number _____ (Purchase Order Number _____)
- 4.) PCID Number _____ (Purchase Order Number _____)
- 5.) PCID Number _____ (Purchase Order Number _____)

We confirm acceptance of each order. We anticipate delivery of each vehicle by _____.
If you have any questions about your order, or if we can be of further assistance, please contact
_____ at _____.

Thank you for your patronage. We appreciate the opportunity to serve you.

Sincerely,

[NAME]
[TITLE]

CC: Robert Zolyak, PENNDOT-Bureau of Public Transit
Alfonzo Robinson, Department of General Services

Attachment 3

LIQUIDATED DAMAGES GUIDELINES

THE FOLLOWING GUIDELINES ARE PROVIDED TO ASSIST PROCURING AGENCIES WITH ASSESSING LIQUIDATED DAMAGES UNDER THE TERMS OF THE DGS CONTRACT. PLEASE NOTE, THE LIQUIDATED DAMAGES CLAUSE IS NOT A PENALTY CLAUSE. ANY LIQUIDATED DAMAGES CLAIM MUST BE EVIDENCED BY ACTUAL FINANCIAL HARM:

- 1) AGENCY SUBMITS WRITTEN NOTICE TO THE SUPPLIER OF THEIR INTENTION TO ASSESS LIQUIDATED DAMAGES, AMOUNT OF DAMAGES, AND REASONS THEREFORE; PENNDOT-BPT (ROBERT ZOLYAK) SHALL BE COPIED. SUCH NOTIFICATION SHOULD INDICATE THAT THE DAMAGES SHALL BE DEDUCTED FROM THE INVOICE. SUPPLIER SHOULD BE GIVEN THREE (3) DAYS TO CHALLENGE THE ASSESSMENT OF DAMAGES.
- 2) SHOULD THE SUPPLIER CHALLENGE THE ASSESSMENT, PENNDOT-BPT WILL MEDIATE THE DISAGREEMENT AND SUGGEST RESOLUTION.
- 3) IN THE EVENT A RESOLUTION IS NOT POSSIBLE, THE DGS COMMODITY SPECIALIST WILL RENDER A FINAL RESOLUTION OF THE MATTER.
- 4) DEDUCT THE ASSESSMENT FROM THE INVOICE PRIOR TO PAYMENT.

CONTRACTOR'S REQUEST FOR PROGRESS PAYMENT
SECTION I – IDENTIFICATION INFORMATION

Contractor Name: _____

Purchasing Agency Name: _____

Purchase Order Number: _____

Purchase Order Date: _____

Purchase Order Total Price (includes all change orders): _____

Progress Payment Request Number: _____

Progress Payment Request Date: _____

SECTION II – STATEMENT OF COSTS UNDER THIS CONTRACT THROUGH REQUEST DATE

Milestone Benchmark Completed: Vehicle Ready for Delivery

Costs Incurred to Obtain Milestone Benchmark: \$ _____

Amount of Current Invoice for Progress Payment (invoice attached): \$ _____

CONTRACTOR CERTIFICATION

I certify that the above statement (with attachments) has been prepared from the books and records of the above named contractor in accordance with the contract, and to the best of my knowledge and belief, that it is correct, that all the costs of contract performance have been paid to the extent shown herein, and that the work reflected above has been performed consistent with the requirements of the contract.

NAME AND TITLE OF CONTRACTOR REPRESENTATIVE SIGNING THIS FORM:

SIGNATURE: _____

CONCURRENCE OF PURCHASING AGENCY

NAME AND TITLE OF PURCHASING AGENCY REPRESENTATIVE SIGNING THIS FORM:

SIGNATURE: _____

Appendix B – Bureau of Public Transportation Organizational Chart

BUREAU OF PUBLIC
TRANSPORTATION
ORG CHART

October 14, 2016

