

**SUBRECIPIENT NAME**

**BUS AND BUS-RELATED EQUIPMENT**

**PROCUREMENT MANUAL**

**ADOPTED: DATE**

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# VEHICLE PROCUREMENT MANUAL

## I. INTRODUCTION

The New Mexico Department of Transportation (NMDOT) provides Federal Transit Administration (FTA) assistance from grant programs for the purchase of buses, vans, and other capital items. Subgrantees have two options to procure transit vehicles: (1) purchase transit vehicles directly from the New Mexico State Price Agreement Award (01-805-00-05591) or (2) procure transit vehicles directly; either through self-administered procurements or through piggybacking. Purchases must comply with NMDOT and FTA requirements. (See FTA Third Party Procurement FAQs at [http://fta.dot.gov/grants/12831\\_6039.html](http://fta.dot.gov/grants/12831_6039.html).)

This manual presents the policies and procedures that must be followed to comply with those requirements. NMDOT requires that the governing board of each grantee adopt the policy.

## II. WRITTEN STANDARDS OF CONDUCT

No employee, officer, agent, Board member, or immediate family member shall participate in the selection of, award, or administration of a contract supported by FTA funds if a conflict of interest, real or apparent, would be involved. Such a *personal conflict of interest* would arise when any of the following has a financial interest or other interest in the firm selected for the award:

- 1) The employee, officer, agent, or Board member
- 2) Any member of his/her immediate family
- 3) His/her partner
- 4) An organization that employs, or is about to employ, any of the above

Employees, officers, agents, and Board members shall neither solicit nor accept gifts, gratuities, favors, or anything of monetary value from actual contractors, potential contractors, or parties to sub-agreements, including but not limited to monies, credits, discounts, seasonal or special occasion presents, edibles, drinks, household appliances and furnishings, clothing, vacations, travel or hotel expenses, various forms of entertainment if:

- 1) It tends to influence the employee, officer, agent, or Board member in the discharge of employee's official duties
- 2) The employee, officer, agent, or Board member recently has been, or is now, or in the near future may be, involved in any official act or action directly affecting the donor or lender
- 3) The employee, officer, agent, or Board member has or appears to have influence over actions affecting the donor or lender in the employee's official capacity

Notwithstanding the above, this section shall not apply to the following scenarios:

- 1) An occasional unsolicited non-pecuniary gift of insignificant value such as accepting food or refreshment of nominal value on infrequent occasions in the ordinary course of a business luncheon or business dinner meeting or other meeting, or unsolicited thank you cards or gifts of insignificant value such as coupons, balloons, floral arrangements, or small gift baskets
- 2) Unsolicited advertising and promotional material such as pens, pencils, note pads, calendars, or other business-related items of nominal intrinsic value
- 3) An unsolicited gift, gratuity, favor, entertainment, loan, or other thing of value when circumstances make it clear that an obvious long-standing social or family relationship rather than the business of the persons concerned is the motivating factor

Purchasing employees must recognize that their purchasing activities are of public interest and a matter of public record; therefore, their actions must be conducted in a manner so as to be fully substantiated and legally defended. At all times, employees must endeavor to keep from involvements that could result in a possible position of "conflict of interest."

When an actual or potential violation of any of these standards is discovered, the person involved shall promptly file a written statement concerning the matter with an appropriate supervisor. The person may also request written instructions and disposition of the matter. If an actual violation occurs or is not disclosed and remedied, the employee involved may be reprimanded, suspended, or dismissed. The vendor or potential vendor may be barred from receiving future contracts and/or have an existing contract canceled.

NMDOT requires that all employees involved in procurement duties/functions sign a conflict of interest statement in January of each year, that members of the Board of Directors sign the statement at the beginning of each term, and that the Procurement Officer keep these signed statements on file. Form A presents a sample conflict of interest statement.

### **III. ORGANIZATIONAL CONFLICTS OF INTEREST**

An organizational conflict of interest occurs when any of the following circumstances arise:

- Lack of impartiality or impaired objectivity. 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.
- Unequal access to information. The contractor has an unfair competitive advantage through obtaining access to nonpublic information during the performance of an earlier contract.
- Biased ground rules. 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.

The procurement officer and technical personnel are encouraged to work closely with senior management or legal counsel to review all situations that appear to have the potential for an organizational conflict of interest. Senior management or counsel can assist with strategies to avoid, neutralize, or mitigate conflicts before contract award. If necessary, contact NMDOT for assistance.

#### **IV. PROTEST PROCEDURES**

Potential bidders, contractors, or proposers can lodge written protests as a remedy to correct a perceived wrong that may have occurred during the procurement process. [AGENCY] will accept and review the protest with the understanding that the integrity of the procurement process may be at stake. [AGENCY] will use the following procedures to resolve disputes in the attempt to avoid FTA involvement or litigation.

All protests lodged by potential or actual bidders, contractors, or proposers must be made in writing and contain the following information:

- Name, address, and telephone number of the protester
- Identification of the solicitation or contract number and title
- A detailed statement of the protest's legal and factual grounds, including copies of relevant documents
- Identification of the issue(s) to be resolved and statement of what relief is requested
- Argument and authorities in support of the protest

Mail, overnight or hand-deliver the protest to:

Procurement Officer  
[AGENCY]  
[ADDRESS]

Faxed or e-mailed protests will not be accepted.

The Procurement Officer will respond, in written detail, with counterclaims to each substantive issue raised in the protest. The Procurement Officer will also perform the following analysis:

- Price analysis or cost analysis for each claim
- Technical analysis to determine the validity of the claim(s) and determine the appropriate response(s)
- Legal analysis to consider all the factors available after the price, cost and technical analyses have been conducted to determine the contractor's and [AGENCY's] legal positions

The Executive Director has the authority to render the final determination regarding the protest. Any determination rendered by [AGENCY] will be final. NMDOT will entertain appeals only in cases stated below.

## **Pre-Bid or Solicitation Phase Protest**

A pre-bid or solicitation phase protest must be received in writing by the Procurement Officer a minimum of five (5) full working days prior to the bid opening or proposal due date. If the written protest is not received in the time specified, the award may be made following normal procedures, unless the Procurement Officer, upon investigation, determines that remedial action is required on the grounds of fraud, gross abuse of the procurement process, or otherwise indicates substantial prejudice to the integrity of the procurement system, and said action should be taken. Within three (3) working days from the time the protest is received, the Procurement Officer will notify all potential bidders, contractors, or proposers that a protest has been lodged and the nature of the protest. The Procurement Officer will respond to the protest in writing within five (5) working days from the time the protest was received. If the Procurement Officer decides to withhold the award pending the resolution of the protest, the Procurement Officer may request a time extension for award acceptance from those bidders, contractors, or proposers whose bids or proposal might become eligible for award. This extension for award acceptance must be with the consent of sureties, if any, in order to avoid to the need for re-advertising.

[AGENCY] will not award a contract prior to five (5) working days after the protest is resolved, or if the protest has been filed with NMDOT during the protest negotiation period, unless [AGENCY] determines that:

- The items or services to be procured are urgently required
- Delivery or performance will be unduly delayed by failure to make the award promptly
- Failure to make the award will otherwise cause undue harm to [AGENCY]

The Procurement Officer will document this action and give written notice of the decision to proceed with the award to the Protester, and to other parties where deemed necessary.

## **Pre-Award Protest**

Protests may be lodged after the bid opening or close of request for proposal deadline and prior to notice of award. Within three (3) working days from the time the protest is received, the Procurement Officer will notify all potential bidders, contractors, or proposers that a protest has been lodged and the nature of the protest. The Procurement Officer will respond to the protest in writing within five (5) working days from the time the protest was received. If the Procurement Officer decides to withhold the award pending the resolution of the protest, the Procurement Officer may request a time extension for award acceptance from those bidders, contractors, or proposers whose bids or proposal might become eligible for award. This extension for award acceptance must be with the consent of sureties, if any, in order to avoid the need to re-advertise.

[AGENCY] will not make an award prior to five (5) working days after the protest is resolved, or if the protest has been filed with NMDOT during the protest negotiation process, unless [AGENCY] determines that:

- The items or services to be procured are urgently required
- Delivery or performance will be unduly delayed by failure to make the award promptly

- Failure to make the award will otherwise cause undue harm to [AGENCY] or the Federal Government

The Procurement Officer will document this action and give written notice of the decision to proceed with the award to the Protester, and to other parties where deemed necessary.

### **Post-Award Protest**

The Procurement Officer will receive protests in writing within three (3) working days after the notice of award and letters of notification should have been received by bidders or proposers. Upon receipt of a protest, the Procurement Officer shall notify the bidder or proposer awarded the contract. The Procurement Officer will render a determination to proceed with the contract or suspend the project until the protest is resolved. The Procurement Officer will respond to the protest in writing within five (5) working days after receipt of the protest.

### **Appeals**

The Procurement Officer has the authority to settle any dispute and resolve the protest. The Procurement Officer may solicit written responses regarding the protest from other parties. If this course of action does not result in a satisfactory resolution, the Protester may appeal in writing to the [AGENCY] Executive Director within three (3) working days after the Procurement Officer issues a final decision. The Executive Director or Assistant Executive Director will issue a decision within five (5) working days after receipt of the appeal.

[AGENCY] may elect to involve legal counsel or arbitration and mediation consultants to resolve the issue(s).

The protester has the right to appeal in writing to NMDOT if:

- The Protester has exhausted all administrative remedies with [AGENCY]; **and**
- [AGENCY] has failed to follow its protest procedures or failed to review a complaint or protest.

The Protester's appeal must be received by the NMDOT within five (5) working days of the date the Protester knew or should have known of the violation.

Transit Manager  
New Mexico Department of Transportation  
Transit & Rail Division  
PO Box 1149  
Santa Fe, NM 87504-1149

When the Protester sends an appeal to NMDOT, the Protester must also send copy of the appeal to the [AGENCY] Procurement Officer within the same timeframe. In the event of a protest, the Procurement Officer will contact NMDOT to check whether or not an appeal has been made.

Violations of Federal law or regulation will be handled by the complaint process stated within that law or regulation. Violations of State or local law or regulations will be under the jurisdiction of state or local authorities.

In the event that data becomes available that was not previously known, or there has been an error of law or regulation, [AGENCY] will grant an allowance for request for reconsideration.

## **V. PROCEDURES FOR PURCHASES OF LOW FLOOR BUS, PASSENGER VANS, AND MINI VANS OFF STATE CONTRACT**

NMDOT enters into State Price Agreements with vendors for selected types of low floor buses, passenger vans, and mini vans. Each year new specifications are written with the aid of the State procurement office to ensure compliance with state procurement code and to include FTA-required clauses in procurements. The Transit & Rail Division works with the chosen vendor and subgrantees on the required local match funds regarding collection of the local portion, delivery, inspection and compliance with FTA regulations. The procedures for subgrantees to purchase directly from the State Price Agreement are as follows:

1. Submit to Transit & Rail Division:
  - a. Governing body approval of the procurement
  - b. Copy of purchase order
  - c. Copy of the order form showing the options and the 80/20 split
2. At time of delivery, conduct an inspection and road test of the vehicle(s) using the Visual Inspection Sheet (Form F) and the Road Test Sheet (Form H).
3. If the vehicle is acceptable, complete Vehicle Acceptance Form (Form I) and the Post-Delivery Purchaser's Requirements Certification (Form J).
4. Observe the Federal Motor Vehicle Safety Standards (FMVSS) sticker, usually inside the driver's door (see Attachment A for a sample sticker), or obtain a signed FMVSS certificate from the manufacture and complete the Post-Delivery FMVSS Compliance Certification (Form K).
5. Obtain the required post-delivery Buy America information from the vendor:
  - location of final assembly
  - description of final assembly activities
  - listing of the component and subcomponent parts and the cost (actual or percent of total) of each and the country of origin
  - cost of final assembly

For the purchase to meet FTA requirements:

- final assembly must take place in the United States

- final assembly activities must, at a minimum, include the installation and interconnection of the engine, transmission, axles, including the cooling and braking systems; the installation and interconnection of the heating and air conditioning equipment; the installation of pneumatic and electrical systems, door systems, passenger seats, passenger grab rails, destination signs, wheelchair lifts; and road testing, final inspection, repairs and preparation of the vehicles for delivery
- the domestic content, excluding the cost of final assembly, must be at least 60 percent

If assistance is needed in determining whether the purchase meets Buy America requirements, please contact the Transit & Rail Division.

6. If the purchase meets Buy America requirements, complete the Post-Delivery Buy America Certification (Form L).
7. Pay the vendor the local share. NMDOT pays the vendor the balance of allowable cost.
8. Within five (5) days of final acceptance, submit to the Rail & Transit Division a copy of:
  - a. Visual Inspection Sheet (Form F)
  - b. Road Test Sheet (Form H)
  - c. Vehicle Acceptance Form (Form I)
  - d. Post-Delivery Purchaser's Requirements Certification (Form I)
  - e. Post-Delivery FMVSS Certification (Form K)
  - f. Post-Delivery Buy America Certification (Form L)

## **VI. PROCEDURES FOR DIRECT PURCHASES OF BUSES AND VANS**

1. Prepare an independent cost estimate of the purchase by determining what other providers have paid recently for a similar bus or van using Form B.
2. Develop the invitation for bids (IFB) or request for proposal (RFP) with specifications and attach the federal terms and conditions. Send the independent cost estimate and the IFB or RFP to the Transit & Rail Division for approval. Contact the state for the current year's federal terms and conditions and sample specifications.
3. Hold non-mandatory pre-bidders' meeting (optional).
4. Allow a minimum 14 days for potential vendors to request approved equals.
5. Notify potential vendors of "approved equals" decisions.
6. Solicit bids/proposals from a minimum of three (3) vendors. Allow a minimum of 14 days for bid response.

7. Conduct and document a price analysis by completing Form C. Contact the state for assistance, if necessary.
8. Search the Excluded Parties Listing System ([www.epls.gov](http://www.epls.gov)) to ensure that the bidders/proposers are not debarred or suspended. Include a print screen of the search results for the procurement file.
9. Review bids/proposals received for compliance with purchaser's requirements by comparing the specifications of the vehicle bid with the specifications included in the IFB/RFP. Reject bids/proposals that do not meet your specifications.
10. Ensure that the bidder/proposer submitted a signed FMVSS certification. Reject bids/proposals that do not include a signed FMVSS certification.
11. For bids exceeding the federal simplified acquisition threshold (currently \$100,000), review a bid for compliance with Buy America requirements. Obtain and review:
  - location of final assembly
  - description of final assembly activities
  - listing of the component and subcomponent parts and the cost (actual or percent of total) of each and the country of origin
  - cost of final assembly

For the purchase to meet FTA requirements:

- final assembly must take place in the United States
  - final assembly activities must, at a minimum, include the installation and interconnection of the engine, transmission, axles, including the cooling and braking systems; the installation and interconnection of the heating and air conditioning equipment; the installation of pneumatic and electrical systems, door systems, passenger seats, passenger grab rails, destination signs, wheelchair lifts; and road testing, final inspection, repairs and preparation of the vehicles for delivery
  - domestic content, excluding the cost of final assembly, must be at least 60 percent
12. Review the bus test report for information on the life cycles of components. **Please note that bus testing does not include unmodified mass produced vans and sedans.**
  13. For the winning bid or proposal, complete the Pre-Award Purchaser's Requirements Certification (Form D). FMVSS Certification (Form E) and Pre-Award Buy America Certification (Form F).
  14. Ensure that manufacturer has an approved DBE plan on file with FTA (not required of unmodified mass-produced vans and sedans and van conversion shops) by checking the FTA website at: Civil Rights > Disadvantaged Business Enterprise > Transit Vehicle Manufacturers (TVMs) ([http://fta.dot.gov/civilrights/12326\\_5626.html](http://fta.dot.gov/civilrights/12326_5626.html)). If not listed, contact the manufacturer for the status of its submittal. **Please skip this step when purchasing unmodified mass produced vans and sedans or vans from a van conversion shop.**

15. Prepare a short justification of award decision.
16. Obtain board approval for award.
17. Submit to the Rail & Transit Division a copy of:
  - a. Board approval
  - b. Award justification
  - c. Price analysis (Form C)
  - d. Print screen of EPLS search results
  - e. Diagram of vehicle showing length and seating
  - f. Pre-award audit documentation, including Buy America certification and documentation
  - g. Completed pre-award certifications of compliance (Form D, Form E, and Form F)
  - h. Bus test report (cover only)
  - i. FMVSS certification signed by the manufacturer
  - j. TVM certification signed by the manufacturer
  - k. Piggybacking worksheet (Form M) (Piggyback procurements only)
18. After receiving state approval, award contract.
19. Follow steps 2 through 6 in Section V.
20. Pay the vendor the full amount.
21. Submit to the Rail & Transit Division a copy of:
  - a. Paid invoice
  - b. Visual Inspection Sheet (Form F)
  - c. Road Test Sheet (Form H)
  - d. Vehicle Acceptance Form (Form I)
  - e. Post-Delivery Purchaser's Requirements Certification (Form I)
  - f. Post-Delivery FMVSS Certification (Form K)
  - g. Post-Delivery Buy America Certification (Form L)

After receiving these documents, the Rail & Transit Division will reimburse the agency for 80 percent of the allowable cost.

## **VII. PROCEDURES FOR PIGGYBACK BUS PURCHASES**

Piggybacking is the process of buying off a contract let by someone else. For a subgrantee to piggyback of a bus contract, the original purchase must have complied with FTA requirements, the contract must have an Assignability Clause (allow it to assign its purchase rights to others), and the options must still be valid. Follow the following steps for a piggyback purchase:

1. Prepare an independent cost estimate of the purchase by determining what other providers have paid recently for a similar bus or van.
2. Obtain a copy of the contract, solicitation document, and pre-award audit from the agency that awarded the contract.
3. Review the procurement and complete the Piggybacking Worksheet (Form M). The bus procurement must meet all conditions listed in the worksheet.
4. Complete steps 7 through 21 in Section VI.

### **VIII. PROCEDURES FOR THE PURCHASE OF RADIOS, FAREBOXES, AND SECURITY CAMERAS**

NMDOT awards FTA capital funds for the purchase of radios, bus cameras, and fare boxes. The procedures to follow for the purchase of these items are:

1. Prepare an independent cost estimate of the purchase.
2. Develop the invitation for bids (IFB) with specifications and attach the federal terms and conditions. Send the independent cost estimate and the IFB to the Transit & Rail Division for approval. Contact the state for the current year's federal terms and conditions and sample specifications.
3. Solicit bids from a minimum of three (3) vendors. Allow a minimum of 14 days for bid response.
22. Conduct and document a price analysis by completing Form C. Contact the state for assistance, if necessary.
4. If purchase costs \$25,000 or more, search the Excluded Parties Listing System ([www.epls.gov](http://www.epls.gov)) to ensure that the bidders/proposers are not debarred or suspended. Include a print screen of the search results for the procurement file.
5. Prepare short justification of award decision.
6. Obtain board approval for award.
7. Submit to the Rail & Transit Division a copy of:
  - a. Board approval
  - b. Award justification
  - c. Price analysis
  - d. Print screen of EPLS search results
8. After receiving state approval, award contract.
9. Submit to the Rail & Transit Division a copy of the paid invoice.

## Form A Conflict of Interest Policy

### Conflict of Interest Policy

As a General Policy, [AGENCY] seeks to prevent and avoid any conflicts of interest in the conduct of its business operations and to avoid any appearance of such conflicts to the public it services. Each board member or committee member has the duty to place the interests of [AGENCY] foremost in any dealings on behalf of the organization and has a continuing responsibility to comply with this Policy.

In order to comply with this Policy, it is expected that:

If a board or committee member has an interest in a proposed transaction with [AGENCY] in the form of a significant personal or organizational financial interest in the transaction or holds a position as trustee, director, officer or staff member in such organization or business, he or she must make full disclosure of such interest before any discussion or negotiation of such transaction. The disclosure shall be recorded in the minutes of the meeting.

Any board or committee member who has a potential conflict of interest with respect to any matter coming before the board or a committee shall not participate in any discussion of or vote in connection with the matter. The disclosure shall be recorded in the minutes of the meeting.

Any board or committee member who gains privileged information by virtue of his or her role as a board, committee or staff member shall not use that privileged information for personal or professional gain.

This Policy shall be distributed annually to board and committee members. A signature in the designated space at the bottom of this Policy will indicate that board or committee members' agreement to abide by this Policy to the best of his or her ability. Noncompliance with the intent and spirit of this Conflict of Interest Policy may result in action deemed appropriate by the Board of Directors of [AGENCY].

This Policy may be revised or amended as determined appropriate by the Board of Directors.

I have read the above statement of policy regarding conflict of interest and agree to abide by the policy to the best of my ability in my role as a board or committee member.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Cc: Personnel File

File: Compliance with the *Contracts and Procurement Policy and Procedures Manual*

## Form B Independent Cost Estimate

Product Required \_\_\_\_\_

Basis for determining the estimated cost (a, b or c)

a) Recent Past Purchases (Attach documentation)

Unit Price \$ \_\_\_\_\_ x Producer Price Index \_\_\_\_\_

x Number of Units \_\_\_\_\_ = Total Estimated Price \$ \_\_\_\_\_

b) Catalog/Advertised Price (Attach source documentation from catalogs, internet or media)

Unit Price \$ \_\_\_\_\_ x Number of Units \_\_\_\_\_

= Total Estimated Price \$ \_\_\_\_\_

c) Fax/Telephone Information (Attach documentation)

Unit Price \$ \_\_\_\_\_ x Number of Units \_\_\_\_\_

= Total Estimated Price \$ \_\_\_\_\_

Date of Independent Cost Estimate \_\_\_\_/\_\_\_\_/\_\_\_\_\_

Signature of Person Preparing the Estimate \_\_\_\_\_

## Form C Price Analysis

Product required \_\_\_\_\_

Basis for price analysis (a or b)

a) Comparison to independent cost estimate and prices received

Independent cost estimate \$ \_\_\_\_\_

Low Bid Price \$ \_\_\_\_\_

Other Bid Price \$ \_\_\_\_\_ Other Bid Price \$ \_\_\_\_\_

Other Bid Price \$ \_\_\_\_\_ Other Bid Price \$ \_\_\_\_\_

b) Comparison to prices of recent purchases paid by others for similar vehicles

Agency: \_\_\_\_\_ Price \$ \_\_\_\_\_

Explanation of price differences: \_\_\_\_\_  
\_\_\_\_\_

Agency: \_\_\_\_\_ Price \$ \_\_\_\_\_

Explanation of price differences: \_\_\_\_\_  
\_\_\_\_\_

Agency: \_\_\_\_\_ Price \$ \_\_\_\_\_

Explanation of price differences: \_\_\_\_\_  
\_\_\_\_\_

Date of Price Analysis \_\_\_/\_\_\_/\_\_\_\_\_

Based on the above, the price of this procurement is determined to be fair and reasonable

Signature \_\_\_\_\_

## Form D Pre-Award Purchaser's Requirement Certification

### Pre-Award Purchaser's Requirement Certification

As required by Title 49 of the CFR, Part 663 - Subpart B, {Subgrantee} is satisfied that the {Vehicles} to be purchased from {Vendor} are the same product described in the \_\_\_\_\_ solicitation specification and that the proposed manufacturer is a responsible manufacturer with the capability to produce a bus that meets the specifications.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

## Form E Pre-Award FMVSS Certification

### Pre-Award Federal Motor Vehicle Safety Standards Certification

As required by Title 49 of the CFR, Part 663 - Subpart D, {Subgrantee} certifies that it received, at the pre-award stage, a copy of {Vendor} self-certification information stating that the {Vehicles} will comply with the relevant Federal Motor Vehicle Safety Standards issued by the National Highway Traffic Safety Administration in the Title 49 of the Code of Federal Regulations, Part 571.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_



## Form G Visual Inspection Sheet

Adapt this sheet when conducting visual inspections of rolling stock.

Manufacturer: \_\_\_\_\_

Vehicle Identification Number: \_\_\_\_\_

Test Location: \_\_\_\_\_

Inspected By: \_\_\_\_\_ Date: \_\_\_\_\_

Item	Requirement	Inspection Instruction	Result	Inspector/Date	Remarks/Notes
Curb Weight	Maximum curb weight of _____ lb.	Measure on certified scale	Weight _____		
FMVSS Sticker	Affixed to vehicle	Locate sticker	Pass/Fail		
Finish and Color	Smooth body surfaces and paint	Visually inspect all surfaces for flaws	Pass/Fail		
Interior Panel Fastening	Absence of rough edges and surfaces	Visually inspect for proper installation	Pass/Fail		
Towing Devices	Provision of towing eyes (front/rear)	Verify presence of towing eyes	Pass/Fail		
Door Control	Opening time of _____ seconds	Verify door opening time frame	Pass/Fail		
Interior Lighting	Lighting operable without engine	Switch on all interior lights	Pass/Fail		

<b>Item</b>	<b>Requirement</b>	<b>Inspection Instruction</b>	<b>Result</b>	<b>Inspector/Date</b>	<b>Remarks/Notes</b>
Exterior Lighting	All vehicle lights operable	Switch on and verify lamps are on	Pass/Fail		
Fuel Tank	Fill rate and filler location	Inspect filler for easy access and check fill rate	Pass/Fail		
Chassis	Welds, axles, suspension, steering, wheels, and brakes	Inspect for leaks and interference. Check fluid levels, welds, undercoating, air lines, brake slack, and lug nuts	Pass/Fail		
Electrical	Wiring and junction boxes	Inspect for loose or stretched wires	Pass/Fail		
Batteries	Secured & polarized wiring access for jump start	Inspect compartment and jumper cable access	Pass/Fail		
HVAC	Capacity and performance	Operate AC, check compressor, condenser, flow and temperature	Pass/Fail		
Wheelchair Access	Clear lift or ramp access and securement area	Operate lift or ramp, inspect operation, measure areas	Pass/Fail		
Power Plant	Mounting and arrangement	Check for loose lines, leaks, and noises. Check fluid levels, belt alignment, and cap fit	Pass/Fail		

## Form H Road Test Sheet

Adapt this sheet when conducting visual inspections of rolling stock.

Manufacturer: \_\_\_\_\_

Vehicle Identification Number: \_\_\_\_\_

Test Location: \_\_\_\_\_

Item	Requirement	Inspection Instruction	Result	Inspector/Date	Remarks/Notes
Engine	N/A	Record low idle, fast idle, and high idle speeds	Low____ Fast____ High____		
Service Brakes	Stopping distance	Verify function and indicator, check for pulling to either side	Pass/Fail		
Parking Brake	N/A	Verify indicator, and no movement	Pass/Fail		
Turning Effort	Steering wheel torque	Check effort with coach stopped	Pass/Fail		
Turning Radius	Not to exceed _____ at corner of body	Verify turning radius in both directions	Pass/Fail		
Acceleration	_____ rate from 0 to _____ mph	Verify acceleration on smooth road	Pass/Fail		
Resonance	Absence of audible and/or visible vibrations	Operate coach at various speeds, check for vibrations & rattles	Pass/Fail		

Item	Requirement	Inspection Instruction	Result	Inspector/Date	Remarks/Notes
Windshield Wipers	Evenly deposited wash fluid	Operate coach at safe speed over 40 mph, check coverage, parking position, and wiper frequency	Pass/Fail		
Power Plant	N/A	Check for leaks under coach and in engine compartment, check for abnormal noises	Pass/Fail		
HVAC	Interior temperature	Operate system, check internal (INT) and ambient temperature (AMB TEMP)	INT _____ AMB TEMP _____		
Door Control	Accelerator and brake interlocks	At speeds less than 10 mph, verify accelerator and brake interlocks with door open	Pass/Fail		
General	N/A	During testing, observe any abnormalities in ride and handling of coach	Pass/Fail		

# Form I Vehicle Acceptance Form

## Vehicle Acceptance Form

Date: \_\_\_\_\_

Vehicle Identification Number: \_\_\_\_\_

Make: \_\_\_\_\_

Vehicle Model: \_\_\_\_\_

Vehicle Year: \_\_\_\_\_

The above VIN Number meets all the requirements of FTA regulation.

I accept the above-mentioned vehicle ordered through fiscal year \_\_\_\_\_  
Contract #: \_\_\_\_\_ with the New Mexico Department of Transportation.

\_\_\_\_\_  
Representative Signature/Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Organization Name

Must submit copy of Application for Vehicle Title and Registration form showing NMDOT as the 1<sup>st</sup> lien holder:

NMDOT/Transit and Rail Bureau  
P.O. Box 1149  
Santa Fe, New Mexico 87504

This vehicle meets all of the requirements with State Purchasing and FTA regulations.

\_\_\_\_\_  
NMDOT (Staff member signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Organization Name (Vendor signature)

\_\_\_\_\_  
Date

**Form J Post-Delivery Purchaser's Requirements Certification**

**Post-Delivery Purchaser's Requirements Certification**

As required by Title 49 of the CFR, Part 663 - Subpart C, after visually inspecting and road testing the contract buses, \_\_\_\_\_ {Subgrantee} \_\_\_\_\_ certifies that the \_\_\_\_\_ {Vehicles} \_\_\_\_\_ from \_\_\_\_\_ {Vendor} \_\_\_\_\_ meet the contract specifications.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

**Form K Post-Delivery FMVSS Compliance Certification**

**Post-Delivery Federal Motor Vehicle Safety Standards Compliance Certification**

As required by Title 49 of the CFR, Part 663 - Subpart C, {Subgrantee}  
certifies that there is a letter from FTA that grants a waiver to the {Vehicles}  
received from {Vendor} 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.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

## Form L Post-Delivery Buy America Certification

### Post-Delivery Buy America Certification

As required by Title 49 of the CFR, Part 663 - Subpart C, {Subgrantee}  
certifies that it is satisfied that the {Vehicles} received from  
{Vendor} meet the requirements of Section 165(b)(3) of the Surface  
Transportation Assistance Act of 1982, as amended.

The Subgrantee has reviewed the documentation provided by the manufacturer, which lists (1) the actual component and subcomponent parts of the buses identified by the manufacturer, country of origin, and cost; and (2) the actual location of the final assembly point for the buses, including a description of the activities that took place at the final assembly point and the cost of final assembly.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

## Form M Bus Piggyback Worksheet

<b>BUS PIGGYBACK WORKSHEET</b>	<b>YES</b>	<b>NO</b>
1. Has a copy of the contract and the solicitation document been obtained, including the specifications, pre-award audits, and bus test report?		
2. Did the procurement procedures followed provide for full and open competition? Please note the procedures followed here:		
3. Does the solicitation and contract contain an express Assignability Clause that provides for the assignment of all or part of the specified deliverables?		
4. Did the contractor submit the following certifications required by Federal regulations?		
a. Buy America (procurements exceeding the federal simplified acquisition threshold, currently \$100,000)		
b. FMVSS certification		
c. Transit vehicle manufacturer (TVM) certification (not required of unmodified mass-produced vans and sedans and van conversion shops)		
d. Lobbying certification (procurements exceeding \$100,000)		
5. Does the contract contain the clauses required by Federal regulations? (Contact the Transit & Rail Division for the latest clause checklist.)		
6. Were the piggybacking quantities included in the original solicitation; i.e., were they in the original bid and were they evaluated as part of the contract award decision?		
7. If this is an indefinite quantity contract, did the original solicitation and resultant contract contain both a minimum and maximum quantity, and did these represent the reasonably foreseeable needs of the parties to the contract?		
8. If this piggybacking action represents the exercise of an option in the contract, is the option provision still valid or has it expired?		
9. Does the contract term comply with the five-year term limit established by FTA?		

<b>BUS PIGGYBACK WORKSHEET</b>	<b>YES</b>	<b>NO</b>
10. Was there a proper evaluation of the bids or proposals? Include a copy of the analysis in your files.		
11. Does a review of the pre-award audit information indicate that the manufacturer complies with: a. Buy America		
b. FMVSS		
c. Purchaser's requirements?		
12. If changes are required to the vehicles (deliverables), are they "within the scope" of the contract or are they "cardinal changes"? Changes to the configuration of the seating or paint scheme are within the scope of the contract but an upgrade to a transmission would be considered a cardinal change. Please contact the Transit & Rail Division for any assistance.		

## Attachment A Sample Federal Motor Safety Standards Sticker

The policy statement is being issued pursuant to the National Traffic and Motor Vehicle Safety Act of 1966, codified at 49 U.S.C. Chapter 301, which provides for the issuance of Federal Motor Vehicle Safety Standards (FMVSSs), requires all vehicles imported into the United States or introduced into interstate commerce to have been manufactured in compliance with those standards, and requires that a label bearing a statement certifying that compliance be attached to each vehicle's. These requirements apply to new motor vehicles that vehicle manufacturers produce for sale in the United States' New or used motor vehicles imported into the United States that were not originally manufactured in compliance with all applicable FMVSSs must also be certified after they have been brought into compliance with those standards' NHTSA has long interpreted "import" to include bringing a commercial motor vehicle into the United States for the purpose of transporting cargo or passengers.

MANUFACTURED BY (NAME),	
DATE: (MONTH/YEAR)	GVWR:(WEIGHT) LB
FRONT GAWR: (WEIGHT) LB WITH (SIZE) TIRES, (SIZE/TYPE) RIMS, AT PSI COLD (SINGLE/DUAL)	REAR GAWR:(WEIGHT) LB WITH (SIZE) TIRES, (SIZE/TYPE) RIMS, AT PSI COLD (SINGLE/DUAL)
THIS VEHICLE CONFORMS TO ALL APPLICABLE U.S. FEDERAL MOTOR VEHICLE SAFETY STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE SHOWN ABOVE.	
VIN: (VEHICLE IDENTIFICATION NUMBER)	
TYPE: (VEHICLE TYPE)	
Exhibit 4-6. Sample Completed Vehicle FMVSS Sticker	

<b>THIS VEHICLE WAS ALTERED BY (NAME) IN (MONTH/YEAR) AND AS ALTERED, IT CONFORMS TO ALL APPLICABLE FEDERAL MOTOR VEHICLE SAFETY STANDARDS AFFECTED BY THE ALTERATION AND IN EFFECT IN (MONTH/YEAR)</b>	
GVWR: (WEIGHT) LB	
FRONT GAWR: (WEIGHT) LB WITH (SIZE) TIRES, (SIZE/TYPE) RIMS, AT PSI COLD (SINGLE/DUAL)	REAR GAWR:(WEIGHT) LB WITH (SIZE) TIRES, (SIZE/TYPE) RIMS, AT PSI COLD (SINGLE/DUAL)
TYPE: (VEHICLE TYPE)	
Exhibit 4-7. Sample Altered Vehicle Manufacturer's FMVSS Sticker	