

RUTGERS

Edward J. Bloustein School
of Planning and Public Policy

Bus Procurement Workshop

Workshop Goal

The goal of this course is to assist FTA grantees to comply with FTA bus procurement requirements to optimize the procurement process.

Workshop Objectives

- Highlight FTA procurement requirements
- Examine bus procurement processes
- Review the 2011 APTA Standard Bus Procurement Guidelines document
- Provide opportunities for dialogue between manufacturers and agencies

Workshop Format

- Day 1
 - Overview of FTA 4220.1F requirements
 - Topics relevant to bus procurement

- Day 2
 - Overview of APTA Standard Bus Procurement Guidelines document
 - Vehicle Manufacturers' Perspective and Panel Discussions

Module 1

Discussion/Overview of FTA
4220.1F Requirements
Related to Bus Procurement

Selected Federal Requirements

- Cargo Preference Act
- Fly America provisions
- Buy America provisions
- Pre-Award and Post Delivery Audits
- Disadvantaged Business Enterprise
- Anti-Discrimination clauses
- Protection of environment
- Bus Testing Requirement

Selected Federal Requirements, cont.

- Termination of contracts
 - For convenience
 - For default (for cause)
- Liquidated Damages
- Progress Payments
- Advance Payments
- Contract Work Hours and Safety Standards
- ADA Accessibility Specifications for Transportation Vehicles

Bus Specific Requirements

- Unique Buy America Provisions
- Unique DBE Provisions
- Bus Testing Requirement
- Liquidated Damages
- Progress Payments
- Advance Payments
- ADA Accessibility Specifications for Transportation Vehicles
- Options (Piggybacking)
- Pre-Award and Post-Delivery Audits

Module 2

Bus Procurement Process

Bus Procurement Topics

- Acquisition Planning
- Joint Procurements
 - State and Local Purchasing Schedules
 - Piggybacking
- Period of Performance

Bus Procurement Topics

- Methods of Procurement
 - Sealed Bids including handling of single bids
 - Competitive Proposals
 - Source Selection Plan
 - Evaluation Methods
- Cost and Price Analysis

Bus Procurement Topics

- Pre-Award Audits
 - Purchasers
 - Buy America
 - FMVSS
- Protests
- Contract Management/Administration
- Pre-Production Meeting

Bus Procurement Topics

- Prototype or Pilot Bus
- Post-Award Audits
 - Purchasers
 - Buy America
 - FMVSS

Bus Procurement Topics

- Inspection and Acceptance
 - In-plant Inspector
- Warranty Administration

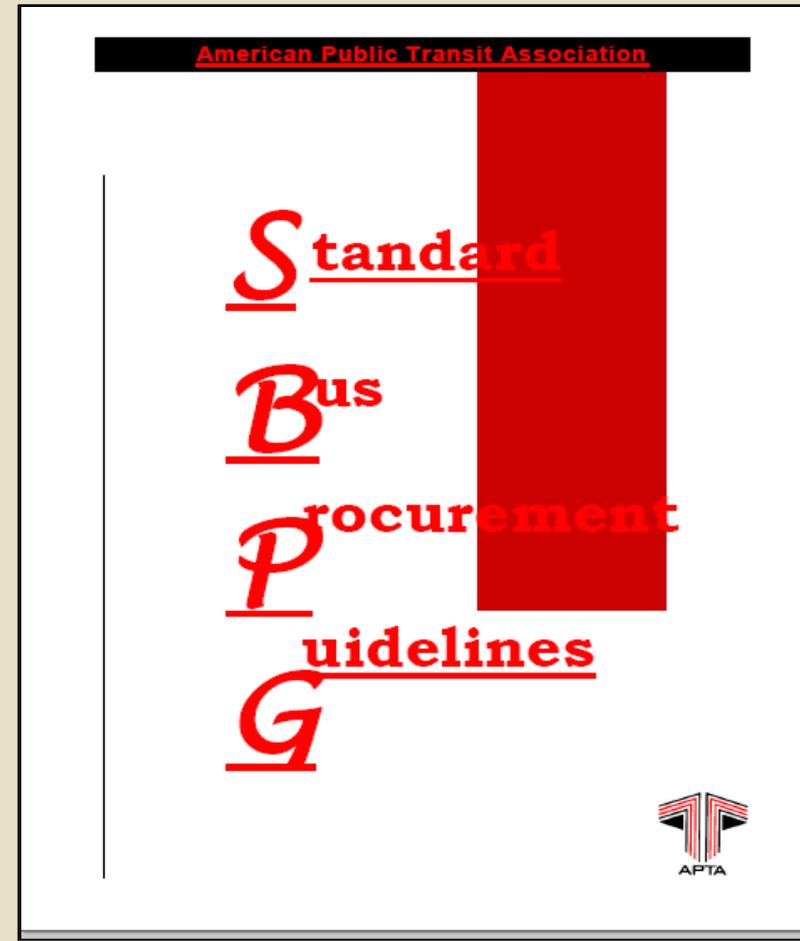


Module 3

APTA Standard Bus Procurement Guidelines

Why A New SBPG?

- Updated Terms and Conditions
- Addition of Technical Specifications
- Standardize the organization of industry contracts
- Move towards standard industry terms and conditions
- Flexibility for local requirements and agency-specific provisions



Benefits of New SBPG

- Reduced costs
- Uniformity of bid documents
- Streamlined procurement process
- Better RFPs and better proposals
- A healthier industry
- Highlight industry best practices

"Man, I wish we would have used the industry's SBPG!"



A Consensus Document

- Original white book
- Circular updates
- Market development relative to bus choices
- Manufacturers, agencies, FTA, industry joined forces to prepare new guidelines
- Over 200 people were involved in the development of the document



Document Layout

Section 1 – Notice of Request
for Proposals

Section 2 – Instructions to
Proposers

Section 3 – General
Conditions

Section 4 – Special Provisions

Section 5 – Federal
Requirements

Section 6 – Technical
Specifications

Section 7 – Warranty
Requirements

Section 8 – Quality Assurance

Section 9 – Forms and
Certifications

Section 10 – Contract

Section 11 – Appendixes

RFP Package Requirements

Four Standard Packages:

- Technology package
- Price package
- Qualifications package
- Proprietary/Confidential documents package

Document Features

Sample Forms and Certifications

Model Clauses, Including Federal Clauses

Appendices

- Calculation of Liquidated Damages
- Samples of Evaluation Criteria
- Sample Assignment of an Option to Purchase Agreement

Notes

The payment of aforesaid fixed, agreed and liquidated damages shall be in lieu of any damages for any loss of profit, loss of revenue, loss of use, or for any other direct, indirect, special or consequential losses or damages of any kind whatsoever that may be suffered by the Agency arising at any time from the failure of the Contractor to fulfill the obligations referenced in this clause in a timely manner.

NOTE: In order to balance the risk in the Contract, which adds to the cost of the bus, the Agency may want to consider capping liquidated damages at an amount between 10 and 20 percent of the total Contract amount or to negotiate an amount with the Contractor. In that case, the following language should be inserted: “The total amount of such liquidated damages shall not exceed [insert number] percent of the total Contract amount.”

The following may be considered for inclusion if early delivery will create a savings to the Agency. The Agency may wish to modify “Excusable Delays” to determine delivery date for purposes of this incentive option:

“In the event that the Contractor completes the Work earlier than required in “Delivery Schedule,” the Contractor shall be paid an incentive of [insert amount] per calendar day per bus that is delivered and accepted early. The total amount of such incentive payments shall not exceed [insert number] percent of the total Contract amount. See Appendix B, “Guidelines for Calculating Early Delivery Incentives.”

“NOTE” = suggestions to consider

SP 7 Service and Parts

SP 7.1 Contractor Service and Parts Support

The Contractor shall state on the form Contractor Service and Parts Support Data the representatives responsible for assisting the Agency, as well as the location of the nearest distribution center, which shall furnish a complete supply of parts and components for the repair and maintenance of the buses to be supplied. The Contractor also shall state below, or by separate attachment, its policy on transportation charges for parts other than those covered by warranty.

SP 7.2 Documentation

The Contractor shall provide [insert number and specify any additional documentation requirements] current

How to Use it – Sample Forms

SP 2.2 Delivery Schedule

The buses shall be delivered at a rate not to exceed [insert number] buses per week. Delivery shall be completed within [insert number] weeks after delivery of the executed Contract documents. Hours of delivery shall be [insert time range] on the following days of the week: [insert days].

SP 2.3 Contract Deliverables

Contract deliverables associated with this Contract are set forth in the table below, along with other pertinent information. Contract deliverables shall be submitted in accordance with Section 6: Technical Specifications. Due dates shown note the last acceptable date for receipt of Contract deliverables. The Agency will review and accept or reject Contract deliverables on a case-by-case basis. The reference section designates the appropriate section(s) where the requirement is referenced.

NOTE: Table 1 below provides a sample list of Contract deliverables. This list should be adapted to the specific requirements of the contract.

CDLR'S

(Contract Deliverables)

TABLE 1
Contract Deliverables

Deliverable	Agency Action	Reference Section	Due Date	Format	Quantity Due
1. Bus Testing — Test Report	Review		Prior to pilot bus delivery	Hardcopy	1
2. List of serialized units installed on each bus	Review		With each delivered bus	Electronic Media	1 per bus
3. Copy of Manufacturers formal Quality Assurance Program	Review		Pre-award site visit	Hardcopy	1
4. QA manufacturing certificate	Review		With each delivered bus	Hardcopy	1 per bus

Technical Section

- Performance-based specifications
 - Performance based vs. Design Specification
- Designed for multiple bus lengths and propulsion types
 - 30-foot to 60+ foot articulated buses
 - Diesel, Compressed Natural Gas (CNG), Hybrids

Technical – Multiple Propulsion Types

DEFAULT

Automatic Engine Protection/Shutdown Override Feature

A control shall be available to the operator/driver that when constantly depressed and released will delay the engine shutdown or allow the bus to be moved. Override action shall be recorded. This data shall be retrievable by the Agency.

Alternative

No requirement for an automatic engine protection/shutdown override feature.

The engine shall meet all regulatory requirements when operating on fuel equal to CARB Specifications for Compressed Natural Gas #2292.5. The four predominant characteristics that must be met are Methane, Ethane, Butane, and Propane.

TS 9.2 Propulsion System (Hybrid)

Propulsion System Description

The bus shall be powered by a hybrid propulsion system. Function and operation of the bus shall be transparent to the Bus Operator and passengers. The OEM shall assure that the bus structure can successfully accept the installation of the propulsion system and be operated on the stated duty-cycle for a period of 12 years without a structural failure. At a minimum, propulsion system shall comply with applicable local, state, and/or federal emissions and useful life requirements. The propulsion system shall comply with local, state, and federal (maintenance) and other applicable sections.

The Hybrid Drive System shall be rated for the GVWR or greater of the bus.

Propulsion System Service

The propulsion system shall be arranged so that accessibility for all routine maintenance is assured. No special tools, other than dollies and hoists, shall be required to remove the propulsion system or any subsystems. However, the Agency shall recognize that properly rated test equipment and safe electrical work practices are essential when servicing high voltage hybrid components. The exhaust system, air cleaner, air compressor, starter (if used), alternator, radiator, all engine accessories, and any other component requiring service or replacement shall be easily removable. Contractor shall provide all specialty tools and diagnostic equipment required for maintaining the Propulsion System in accordance with Special Tools List.

Primary Propulsion Unit and Traction Motor

The PPU and traction motor may be configured in a variety of methods dependent upon type of drive, series and/or parallel. The definition of motor in the context of this specification assumes the device can provide or consume energy as well as provide or retard mechanical motion.

**NEW
Hybrid
section**

Technical Section - How to Use it

- By selecting the “Default,” a basic Bus Technical Specification will be developed
- In areas where there are alternatives to the “Default,” the “Alternative” may be selected instead of the “Default”

How to Use it

TS 25. Jacking

It shall be possible to safely jack up the bus, at curb weight, with a common 10 without special adapter, when a tire or dual set is completely flat and the bus is without crawling under any portion of the bus. Jacking from a single point shall sufficiently high to remove and reinstall a wheel and tire assembly. Jacking pad suspension near the wheels shall permit easy and safe jacking with the flat tire run-up block not wider than a single tire. The bus shall withstand such jacking combination of wheel locations without permanent deformation or damage.

DEFAULT

Yellow Pads

Jacking pads shall be painted safety yellow.

ALTERNATIVE

Decals

Apply decals to identify location of jacking pads.

ALTERNATIVE

Alternate Color Pads

[Jacking pad color to be specified by Agency.]

Choosing the "Default" will ensure you are getting the latest industry standard for a new bus.

Choosing the "Alternative" will ensure you have the opportunity to select what your Agency specifically needs.



SBPG – Next Steps

- Continue additional outreach
- Continuously review comments
- Create an online spec building tool
- Review and update annually to stay current with new industry practices, updated regulations, policies and technologies.

Module 4

Manufacturer Presentations and Panel Discussion

Workshop Schedule

- July 13 & 14 – Colorado Springs
- November – Texas?
- Projected – 3 or 4 Workshops per Year