PROCUREMENT DOCUMENT REVIEW PROCEDURES

RFP & BID REVIEW

Local procurement is a process whereby subrecipients develop and complete an open, fair, and competitive bid solicitation process. Request for Proposals/full solicitation (RFP) and Invitation for Bid/sealed bidding (IFB) are the primary types of local procurement.

California Department of Transportation (Caltrans) Division of Rail and Mass Transportation (DRMT) is responsible for ensuring that all procurement requests funded with Federal Transit Administration (FTA) dollars comply with federal statutes and regulations. Subrecipient agencies of FTA funding must demonstrate to DMT that all procurement and third-party contracting activities comply with:

- 2 CRF Part 200 – Uniform Administrative Requirements, Cost Principals, and Audit Requirements for Federal awards
- FTA Circular 4420.1F – Third Party Contracting Guidance
- FTA Best Practices Procurement Manual (BPPM)

Procedures

The following procedures apply when requesting procurement or contract document review services:

1. Agency completes and includes with their RFP/IFB solicitation document submission to DRMT the FTA required clauses matrix attached to this guidance.
    - To complete the clause matrix Agencies only need to supply the contract page number (and section, if included in an appendix) for the corresponding required contract clause. This is to speed the review of the RFP/IFB.
    - The application of these requirements and sample contract language is available on the FTA's Best Practices Procurement Manual (BPPM) website. The numbers on this matrix coincide with the BPPM, Appendix A.1. http://www.fta.dot.gov/grants/13054_6037.html
2. Additional components are need to be submitted along with the Matrix by an Agency for DRMT to be able to begin the review of an RFP/IBF solicitation document. Please include the following documents with your electronic submission to the DRMT Program Liaison:
    - ☐ The draft RFP/IFB solicitation document
    - ☐ Draft agreement to be signed between the Agency and the selected bidder
    - ☐ Completed FTA Contract Clause Matrix (Step 1, above)
    - ☐ Independent Cost Estimate (ICE)
3. If the Agency is submitting a 3rd Party Contract for review please include the following additional documents with your electronic submission to the DMT Program Liaison:

- ☐ Original bid solicitation & all addendums
- ☐ Bid summary/analysis
- ☐ Staff report (if available)
- ☐ Final or draft agreement to be signed between the Agency and the selected bidder

4. DRMT Grant Program Liaison Staff will route the Agency's RFP/IFB solicitation document to the Federal Procurement Management Branch for review.
5. The Procurement Branch will reach out to the Agency confirming their receipt of the RFP/IBF solicitation document. All aspects of the procurement review will be handled by the Procurement Branch.
6. Once the initial review is complete a formal letter and email will be sent to the Agency detailing any required and/or suggested changes.
7. After the RFP/IFB solicitation document is approved by the Procurement Branch the Agency and DRMT Grant Program Liaison will be notified with a formal letter and email authorizing the RFP/IFB public release and/or contract award.

Name of Agency: _____ Contract Amount: _____

Name of Contractor: _____ Contract Dates: _____

	Federal Required Model Contract Clauses	Contract Page	Rolling Stock	Operating	Const	Consultant Services	Research	Goods	Prof Srvc
1	Fly America - Required for international air transportation.		X	X	X	X	X	X	X
2	Buy America		>$100,000		>$100,000			>$100,000	
3	Charter Bus and School Bus			X					
4	Cargo Preference - Required for transport of materials by ocean vessels.		X		X			X	
5	Seismic Safety				New Bldg				
6	Energy Conservation		X	X	X	X	X	X	X
7	Clean Water		>$100,000	>$100,000	>$100,000	>$100,000	>$100,000	>$100,000	>$100,000
8	Bus Testing		X	Turnkey					
9	Pre-Award and Post Delivery Audit		X	Turnkey					
10	Lobbying		>$100,000	>$100,000	>$100,000	>$100,000	>$100,000	>$100,000	>$100,000
11	Access to Records and Reports		X	X	X	X	X	X	X
12	Federal Changes		X	X	X	X	X	X	X
13	Bonding				>$100,000				
14	Clean Air		>$100,000	>$100,000	>$100,000	>$100,000	>$100,000	>$100,000	>$100,000
15	Recycled Products			>$10,000	>$10,000			>$10,000	
16a	Davis-Bacon Act				>$2,000				
16b	Copeland Anti-Kickback Act				X				
17	Contract Work Hours and Safety Standards Act		>$100,000		>$100,000	>$100,000	>$100,000	>$100,000	>$100,000
18	[FTA Reserved]								
19	No Government Obligation to Third Parties		X	X	X	X	X	X	X
20	Program Fraud and False or Fraudulent Statements and Related Acts		X	X	X	X	X	X	X
21	Termination		>$10,000	>$10,000	>$10,000	>$10,000	>$10,000	>$10,000	>$10,000
22	Government-wide Debarment and Suspension (Nonprocurement)		>$25,000	>$25,000	>$25,000	>$25,000	>$25,000	>$25,000	>$25,000
23	Privacy Act		X	X	X	X	X	X	X
24	Civil Rights		X	X	X	X	X	X	X
25	Breaches and Dispute Resolution		>$100,000	>$100,000	>$100,000	>$100,000	>$100,000	>$100,000	>$100,000
26	Patent and Rights in Data						X		
27	Transit Employee Protective Agreements			X					
28	Disadvantaged Business Enterprise (DBE)		X	X	X	X	X	X	X
29	Intelligent Transportation Systems- National Architecture*		X	X	X	X	X	X	X
30	Incorporation of Federal Transit Administration Terms		X	X	X	X	X	X	X
31	Drug and Alcohol Testing			X					

*Model Language- Intelligent Transportation System (ITS): For all ITS property and services the Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the National ITS Architecture and Standards to the extend required by 23 U.S.C. Section 517(d) and 23 CFR Part 655 and 940.

FTA Model Contract Clauses are found in Appendix A.1., http://www.fta.dot.gov/grants/13054_6037.html

	Additional Required Elements	Contract Page	Bid Solicitation	3rd Party Contract
1	Protest Procedures		X	
2	Contract Amount			X
3	Contract Terms- Period of Contract		X	X
4	Contract Options		X	X

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