

THE PROJECT: Tuscaloosa County Parking and Transit Authority(TCPTA)

is requesting sealed bids to purchase five (5) new Passenger Buses upon award and contract execution to purchase 2 buses per year over the next three years, pricing for which will have been secured by bid and resulting Professional Services Agreement (contract). TCPTA will be under no obligation to exercise the option to purchase additional buses over the term of the Agreement (3 years) and further reserves the right to adjust the price (either up or down) of the initial order depending upon the pricing received.

Funding is being provided by the Federal Transit Authority (FTA) through federal grant monies and local matching funds. All bidders shall comply with all federal motor vehicle safety and environmental standards, American with Disabilities Act, Buy America, Disadvantaged Business Enterprise provisions, Altoona Bus Testing (<http://www.altoonabustest.com/>) and other applicable Federal, State and local regulations.

TCPTA reserves the right to reject any or all bids, to waive technicalities and to make a selection and final award as deemed to be in the best interest of TCPTA; or to make no award at all. TCPTA further reserves the right to reject the bid of any supplier who has previously failed to perform properly or complete on time contracts of a similar nature, or who upon investigation shows is not in a position to perform the contract.

SCHEDULE:

RFB Issued	1/21/16
Questions Due	2/22/16
Answers Due	3/9/16
Bids Due	3/21/16
Anticipated Award Date	4/1/16

Any changes to the schedule during the RFB period will be reflected on TCPTA's website with the issuance of an Addendum. www.tuscaloosatransit.com

BID SUBMITTAL INSTRUCTIONS: Interested bidders should submit one (1) unbound, single sided 8 ½ x 11 original and two (2) copies (may be bound, double sided) of their sealed bid which will, at a minimum, include the following:

1. Bid Acknowledgement Form (Appendix A); and
2. Non-Influence and Non-Collusion Affidavit (Appendix B); and
3. Exceptions to PSA Affidavit (Appendix C); and
4. FTA Certification Forms (Appendices D1-D12); and
5. FMVSS Compliance; and
6. Bus Testing Certification; and
7. Warranty Certification
8. Specifications Check List (Schedule A).

The bid due date/time is: March 21st by 2:00 pm CST

Bids are due to: Tuscaloosa County Parking
and Transit Authority
601 23rd Ave
Tuscaloosa, Al 35401
Attn: Russell Lawrence

Bids will NOT be accepted by fax or e-mail without the written permission by TCPTA's Executive Director, Russell Lawrence. Bids not containing all of the above required documentation and forms may be deemed "non-responsive".

QUESTIONS: Only written inquiries will be permitted during the solicitation period. Questions are to be submitted in writing via email to: rlawrence@tuscaloosa.com by the deadline. Answers will be posted via formal Addendum and only released as part of the Bid Documents on TCPTA's website – www.tuscaloosatransit.com. All interested parties are instructed to monitor TCPTA's website on a regular basis throughout the solicitation period.

BUS TESTING CERTIFICATION: The bidder must provide certification that each contracted vehicle has been Altoona Bus Tested for a minimum of four (4) years/100,000 miles. A complete copy of the Altoona Bus Test Report shall be submitted upon delivery of each vehicle.

***** END *****

Appendices begin next page.

APPENDIX "A"

BID ACKNOWLEDGEMENT FORM

I hereby acknowledge that I, as the Bidder:

- a) Have read and understand fully the requirements of this RFB; and
- b) Confirm the pricing, services and products in my Bid meet the minimum requirements and specifications of this RFB; and
- c) Am duly authorized to execute and submit this Bid; and
- d) Have received and acknowledge the following Addenda:
 - a. Addendum # _____, Issued _____ (date)

Name of Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Representative: _____
(printed name & title)

Telephone: _____ Fax: _____

E-Mail Address: _____

Signature: _____ Date: _____

Sworn to and subscribed before me this _____ day of _____, 20____

(Notary Public)

(SEAL REQUIRED)

My Commission Expires: _____

APPENDIX "B"

NON-COLLUSION AFFIDAVIT

I state that I am authorized to make this AFFIDAVIT on behalf of my company, and its owners, directors and officers and I further state that:

1. The price(s) shown in this Proposal/Bid has/have been arrived at independently and without consultation, communication or agreement with any other contractor, responder or potential responder to the Request for Bids (/)Request for Proposals (RFB); and
2. Neither the price(s) nor the amount of the Bid/Proposal, and neither the approximate budgets nor approximate amounts in this Bid/Proposal, have been disclosed to any other company or person who is a responder or potential responder to this RFB, and they will not be disclosed before the Bid/Proposal opening; and
3. No attempt has been made or will be made to induce any company or person to refrain from responding to this /RFB, or to induce them to submit a budget that is higher than the budget in this Bid/Proposal, or to submit any intentionally high or noncompetitive Bid/Proposal or other form of nonresponsive Bid/Proposal; and
4. The price(s), proposal and budget prepared are made in good faith and not pursuant to any agreement, discussion with or inducement from any agency, company or person to submit a complementary or other noncompetitive Bid/Proposal.

I state that _____ understands and acknowledges that
(Name of Company)

the above representations are material and important, and will be relied on by Tuscaloosa County Parking and Transit Authority (TCPTA) in awarding the contract(s) for which this Bid/Proposal is submitted. I understand, and my company understands, that any misstatement in this Affidavit is and shall be treated as fraudulent concealment from TCPTA of the true facts relating to the submission of Bids/Proposals for this contract.

Signature

Date

Printed Name

Title

Sworn to and subscribed before me this ____ day of ____,

(Notary Public)

[SEAL REQUIRED]

My Commission Expires: _____

APPENDIX "C"

PROFESSIONAL SERVICES AGREEMENT CERTIFICATION

(NOT APPLICABLE TO THIS BID)

COMPANY NAME: _____

THE UNDERSIGNED CERTIFIES, in preparing my Proposal for this Project, that I have read the referenced Professional Services Agreement between Tuscaloosa County Parking and Transit Authority (TCPTA) and the Consultant and all required other exhibits, attachments and supporting documents, and that my legal advisor and insurance carrier representatives have also read the Professional Services Agreement. Therefore, I hereby make the following sworn statement:

CHECK AND INITIAL ONE OF THE FOLLOWING STATEMENTS:

_____ I and my legal advisor and insurance carrier representatives have read, understand and accept all the terms and conditions of the Professional Services Agreement, and if awarded this Project I will promptly execute and furnish all required statements, exhibits and certification of insurance coverage within seven (7) business days.

OR

_____ I and my legal advisor and insurance carrier representatives have read and understand all the terms and conditions of the Professional Services Agreement, **BUT HAVE NOTED THE FOLLOWING EXCEPTIONS AND/OR QUALIFICATIONS:**

Proposers may provide additional sheets written on their own letterhead to supplement this page, if necessary..

THE UNDERSIGNED FURTHER UNDERSTANDS AND ACCEPTS that such submitted exceptions and/or qualifications may cause Tuscaloosa County Parking and Transit Authority (TCPTA) to determine the Proposal to be non-responsive and the Consultant to be non-responsible, and that the TCPTA may fully reject the Proposal and select another Consultant based upon the noted or described exceptions and/or qualifications hereto. Such a determination by TCPTA shall not be a cause of action by the Consultant against TCPTA.

I CERTIFY that the above information is true and correct and is applicable to the Proposal for this Project.

Signed: _____ (SEAL, REQUIRED IF CORPORATION)

THIS FORM TO BE NOTARIZED.

This _____ day of _____, 20__.

NOTARY:

Notary Public: _____ (SEAL, REQUIRED)

APPENDIX "D1"

FTA CERTIFICATIONS

BUY AMERICA

This solicitation and any resulting contract are subject to the Buy America requirements of 49 CFR 661.6 or 661.12, as appropriate. As a matter of bid responsiveness, the bidder or offeror must complete and submit this certification with their bid proposal. The bidder must sign and date the certification. The bidder/offeror must indicate how they propose to comply with the Buy America provision by selecting one of the following certification statements.

* * * * *

Certifications with the following:

§ 661.12 Certification requirement for procurement of buses, other rolling stock and associated equipment.

If buses or other rolling stock (including train control, communication, and traction power equipment) are being procured, the appropriate certificate as set forth below shall be completed and submitted by each bidder in accordance with the requirement contained in § 661.13(b) of this part.

§165(b)(3) of Surface Transportation Act of 1982.

* * * * *

- The bidder or offeror hereby certifies that it will comply with the requirements of 49 U.S.C. 5323(j), and the applicable regulations of 49 CFR 661.11
- The bidder or offeror hereby certifies that it cannot comply with the requirements of 49 U.S.C. 5323(j), but may qualify for an exception to the requirement consistent with 49 U.S.C. 5323(j)(2)(C), and the applicable regulations of 49 CFR 661.7

Bidder Name:

Representative Name/Title:

Representative Signature:

Date:

(Only one form per bid is required of this Certification)

Buy America - continued

Proposed Make/Model: _____

<u>COMPONENT</u>	<u>MANUFACTURER</u>	<u>COUNTRY OF ORIGIN</u>	<u>% OF TOTAL COST</u>
Total percentage of vehicle manufactured in US			

Point of final assembly: _____

Major activities to be undertaken at final location: _____

Bidder Name:

Representative Name/Title:

Representative Signature:

Date:

(One form for each different type of vehicle being proposed is required of this Certification)

APPENDIX “D2”

FTA CERTIFICATIONS

Lobbying Certification

The Bidder or Offeror certifies to the best of his/her knowledge and belief that:

- 1) No Federal appropriated funds have been paid, by or on behalf of the bidder, to any person for influencing or attempting to influence an officer or employee of an agency, Member of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal Contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.

- 2) If any funds other than the Federal appropriated funds have been paid or shall be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with this Federal Contract, grant, loan, or cooperative agreement, the Bidder/Offeror shall complete and submit Standard Form “Disclosure Form to Report Lobbying in accordance with its instructions.

Bidder Name: _____

Representative Name/Title: _____

Representative Signature: _____

Date: _____

APPENDIX “D3”

FTA CERTIFICATIONS

Certification of Compliance with FTA’s Bus Testing Requirements

The undersigned Bidder certifies that the vehicle(s) offered in this procurement complies with 49 U.S.C. A 5323 (c) and FTA’s implementing regulation 49 CFR Part 665 and has been tested at the approved FTA Bus Testing Facility. The undersigned understands that misrepresenting the testing status of a vehicle acquired with Federal financial assistance may subject the undersigned to civil penalties as outlined in the Department of Transportation’s regulation on Program Fraud Civil Remedies, 49 CFR Part 31. In addition, the undersigned understands that the FTA may suspend or debar a manufacturer under the procedures in 49 CFR Part 29.

In addition, the Bidder shall provide a copy of the final test report as part of their responsive bid to this solicitation.

Bidder Name:

Representative Name/Title:

Representative Signature:

Date:

APPENDIX “D4”

FTA CERTIFICATIONS

Cargo Preference Certification

Pursuant to 46 CFR Part 281.7(b), the Bidder agrees to the following:

- 1) The bidder agrees to utilize the privately owned United States Flag commercial vessels to ship at least fifty percent (50%) of the gross tonnage (computed separately for dry bulk carriers, dry cargo liners and tankers) involved, whenever shipping any equipment, material or commodities pursuant to the underlying contract to the extent such vessels are available at fair and reasonable rates for United States-Flag commercial vessels.
- 2) The bidder agrees to furnish within twenty (20) working days following the date of loading for shipments originating within the United States or within thirty (30) working days following the date of loading for shipments originating outside the United States, a legible copy of a related “on-board” commercial ocean bill of lading in English for each shipment of cargo described in paragraph 1 above to the Tuscaloosa County Parking and Transit Authority, 601 23rd Ave, Tuscaloosa, Al 35401 (FTA Recipient) and to the Division of National Cargo, Office of Market Development, Maritime Administration, 400 Seventh St SW, Washington DC 20590, marked with the appropriate identification of the Project.
- 3) The bidder agrees to insert the substance of the provisions of the clause in all sub-contracts issued pursuant to this solicitation and contract.

Bidder Name:

Representative Name/Title:

Representative Signature:

Date:

APPENDIX “D5”

FTA CERTIFICATIONS

Clean Air Certification

1. The bidder agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air act, as amended, 42 U.S.C. 7401, et. seq. The bidder agrees to report each violation to Tuscaloosa County Parking and Transit Authority and understands and agrees that the Purchasers will, in turn, report each violation as required to assure notification to FTA and the appropriate EPA Regional Office.

2. The bidder also agrees to include these requirements in each subcontract exceeding \$100,000 financed in whole or in part with Federal Assistance provided by FTA.

Bidder Name:

Representative Name/Title:

Representative Signature:

Date:

APPENDIX “D6”

FTA CERTIFICATIONS

Clean Water Certification

1. The bidder agrees to comply with all applicable standards, orders or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et. seq. The bidder agrees to report each violation to the Tuscaloosa County Parking and Transit Authority and understands and agrees that the Purchasers will, in turn, report each violation as required to assure notification to FTA and the appropriate EPA Regional Office.
2. The bidder also agrees to include these requirements in each subcontract exceeding \$100,000 financed in whole or in part with Federal Assistance provided by FTA.

Bidder Name:

Representative Name/Title:

Representative Signature:

Date:

APPENDIX “D7”

FTA CERTIFICATIONS

**Disadvantaged Business Enterprise (DBE) Transit Vehicle
Manufacturer’s (TVM) Certification**

The bidder, if a **transit vehicle manufacturer**, hereby certifies that it has complied with the requirements of 49 CFR, § 23.67 by submitting an annual DBE goal to the Federal Transit Administration (FTA). The goal has either been approved or not disapproved by the FTA.

Bidder Name:

Representative Name/Title:

Representative Signature:

Date:

The bidder, if a **non-manufacturer**, hereby certifies that the manufacturer of the transit vehicle to be supplied has complied with the requirements of 49 CFR, § 23.67.

Bidder Name:

Representative Name/Title:

Representative Signature:

Date:

APPENDIX “D8”

FTA CERTIFICATIONS

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion (49 CFR Part 29)

The bidder must certify that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this solicitation and subsequent contract by any Federal department or agency. Further, the bidder certifies that it shall obtain an identical certification from all its subcontractors. The bidder also agrees that when a subcontractor is unable to certify to any of the statements in this certification, the prospective subcontractor shall submit an explanation to the bidder.

Bidder Name:

Representative Name/Title:

Representative Signature:

Date:

APPENDIX “D9”

FTA CERTIFICATIONS

Federal Changes Certification

The bidder shall at all times comply with all applicable FTA and State of Alabama regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the Master Agreement between the Tuscaloosa County Parking and Transit Authority and FTA, as they may be amended or promulgated from time to time during the term of this solicitation and all subsequent contracts. The bidder’s failure to so comply shall constitute a material breach of contract.

Bidder Name:

Representative Name/Title:

Representative Signature:

Date:

APPENDIX “D10”

FTA CERTIFICATIONS

Title VI Civil Rights Certification

During the performance of this Contract, the Contractor [bidder], for itself, its assignees and successors in interest (hereinafter referred to as “Contractor”) agrees as follows:

1. **Compliance with Regulations:** the Contractor shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter “DOT”) Title 49 CFR Part 21 as they may be amended from time to time (hereinafter referred to as the “Regulations”) which are herein incorporated by reference and made a part of this solicitation and any subsequent contract.
2. **Nondiscrimination:** the Contractor, with regard to the work performed by it during the Contract, shall not discriminate on the grounds of race, religion, color, sex, age, national origin or disability in the selection and retention of subcontractors, including the procurement of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the Contract covers a program set forth in Appendix B of the Regulations.
3. **Solicitations for subcontracts, including procurement of materials and equipment:** in all solicitations either by competitive bidding or negotiation made by the Contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor’s obligations under this Contract and the Regulations relative to nondiscrimination on the grounds of race, religion, color, sex, age, national origin or disability.
4. **Information and Reports:** the Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by Tuscaloosa County Parking and Transit Authority hereinafter referred to as TCPTA, FTA or State of Alabama to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information is required or a Contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to the TCPTA, FTA or State of Alabama, as appropriate, and shall set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** in the event of the Contractor’s noncompliance with the nondiscrimination provisions of this Contract, the TCPTA shall impose such Contract sanctions as it, the FTA or State of Alabama may determine to be appropriate including, but not limited to,:
 - a. Withholding of payments to the Contractor under the Contract until the Contractor complies; and/or
 - b. Cancellation, termination or suspension of the Contract, in whole or in part.

6. Incorporation of Provisions: the Contractor shall include the provisions set forth in this Certification (paragraphs 1-6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as TCPTA, FTA or State of Alabama may direct as a means of enforcing such provisions including sanctions for noncompliance, provided however, that in the event a Contractor becomes involved in, or is threatened with litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the County to enter into such litigation to protect the interests of the TCPTA, an in addition, the Contractor may request the services of the Attorney General in such litigation to protect the interests of the United States.

Bidder Name:

Representative Name/Title:

Representative Signature:

Date:

APPENDIX “D11”

FTA CERTIFICATIONS

ADA Certification

The bidder or offeror hereby certifies that is shall comply with all requirements relating to vehicle design or special equipment design as required by the Americans with Disabilities Act of 1990 and any other federal accessibility regulations and subsequent amendments thereto that may be applicable to this solicitation and subsequent contract.

Bidder Name:

Representative Name/Title:

Representative Signature:

Date: