
Agency Name

ROLLING STOCK VEHICLE PROCUREMENT

Vehicle Type: _____

Vendor: _____

Manufacturer: _____

Pre-Award Audit Report

Submitted By:

Name: _____

Title: _____

Date: _____

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1.1 EXECUTIVE SUMMARY

Provide description of report including manufacturer, type of vehicles, and references to key FTA guidelines.

Provide statement about whether rolling stock vehicle manufacturer is compliant with both (or all three) certifications reference Appendix 1.

Provide description how report is divided into two (or three) major sections in accordance with the regulation's requirements namely:

- i) Pre-Award Buy America Compliance Certification,
- ii) Pre-Award Purchaser's Requirements Certification, and
- iii) Pre-Award FMVSS Certification, if applicable).

Include statement about the appendices of this report containing the relevant attachments to support the two (or three) major sections.

Provide statement about if Rolling Stock vehicle manufacture meets requirements and any issues that can be improved upon in the future with the manufacture.

The Pre Award audit was performed on the _____ bid document submitted by _____. Pre-award Buy America certification, Purchaser's Requirement certification, and the FMVSS certification were completed by _____ and will be kept on file, along with the manufacturer's and vendor's Certification of Compliance with Buy America Rolling Stock Requirements, Certification of Compliance with Federal Motor Vehicle Safety Standards, and other relevant documents.

Documentation provided by the manufacturer was reviewed to determine that Buy America requirements were met for the rolling stock, including component and subcomponent parts. Reviewed were manufacturer compliance, country of origin, cost, and final assembly location.

The review found sufficient evidence that manufacturer meets the Buy America requirements, was found to be responsible and has the capacity and capability to produce vehicles that meet the solicitation specifications.

Appendices included with this report include:

-Appendix 1. Pre Award Checklist and Pre-Award Award Certifications

1-A: Pre-Award Checklist

1-B: Pre-Award Buy America Compliance Certification

1-C: Pre-Award Purchaser's Requirements Certification

1-D: Pre-Award FMVSS Compliance Certification

-Appendix 2. Rolling Stock Buy America Worksheet (Including ACTUAL Buy America Content)

-Appendix 3. Signed Certifications from Manufacturer and Vendor

2.0 PRE-AWARD AUDIT PROCEDURES

Provide brief description of the procedures used to perform overall audit including if in-house staff or consultants were used. Include brief statement about Pre-Award Buy America documentation received from the rolling stock vehicle manufacture and provide brief overview of the review and analysis performed to determine compliance with Buy America Requirements including any onsite visits to the rolling stock manufacture or component supplier sites. Include brief statement about procedures used to determine Pre-Award Purchaser's Requirements Certification including documentation reviewed and site visits performed as necessary to determine if the proposal meets the solicitation requirements and that the rolling stock manufacture is responsible with the capability and capacity to produce the vehicle in compliance with the Contract Requirements.

Transit staff performed a pre award audit of the bid for the _____
from _____, manufactured by _____.

Documents reviewed included the Pre Award Buy America Certification, the manufacturer's documentation and certificate of compliance, listing of vehicle components that included country of origin and domestic content, certification of final assembly site location, and federal third party contract clauses. Pre-award checklists were utilized to check and verify signed certifications. Signed certifications and included documentation were reviewed and found to be complete and compliant. See Appendix 1.

3.1 PRE-AWARD BUY AMERICA COMPLIANCE CERTIFICATION

Provide brief summary that this section addresses the rolling stock vehicle manufacturer's Pre-Award Buy America documentation on how they meet or do not meet the 70% domestic content and final assembly requirements. Provide brief summary of documentation provided by the rolling stock vehicle manufacture and reviewed by the recipient or its designated auditor and indicate what is provided in the following sections.

3.2 Verification of Seventy (70) Percent Domestic Content and Final Assembly Cost

Provide brief summary about auditor reviewing rolling stock vehicle manufacturer's Buy America worksheet and if it includes all the typical components of the rolling stock being purchased per the 49 CFR § 661.11. State the total % domestic content predicted by the rolling stock vehicle manufacture.

Provide more detailed summary regarding the Buy America worksheet indicating if it includes the breakdown of components, subcomponents, manufacture of origin, percent cost or actual cost of components and percent cost or actual cost of corresponding subcomponents. Provide any other unique details about the manufacturer's Buy America worksheet for example if a few components make up the majority of cost for > 70% domestic content and among those components if a few major subcomponents are the largest cost or if cost and risk and are more evenly distributed, etc.

Provide brief summary about cost reasonableness of components and final assembly cost and brief summary on analysis used or experience that informs to determine cost reasonableness. Include any back up analysis of the manufacturer's Buy America worksheet in the Appendices section of report and briefly summarize the analysis performed.

Provide summary statement affirming the manufacturer's claimed domestic content based on the independent analysis. Provide final statement about whether the Rolling Stock Manufacturer's Buy America Worksheet is reliable or not.

Domestic content documents were examined and found to include the typical components of rolling stock. Actual domestic content claimed is _____%. The chassis makes up the majority of the domestic content in the vehicle. Domestic summaries include components, manufacturer of origin, and manufacturing location. See Appendix 2 for the Rolling Stock Manufacturer's Buy America Worksheet and Appendix 3 for Certification of Buy America Compliance from the manufacturer. The Rolling Stock Manufacturer's Buy America Worksheet was found to be reliable. See Appendix 1-B.

3.3 Verification of US Final Assembly Location and Activities

Provide brief summary of rolling stock vehicle manufacturer's US final assembly location and how the rolling stock vehicle manufacturer's final assembly activities correspond to minimum final assembly activities in the 49 CFR § 661.11 C or D.

Final assembly of vehicle is in _____.
Major activities undertaken at the final assembly location were reviewed and found to correspond to minimum final assembly activities.

See Appendix 2.

4.1 PRE-AWARD PURCHASER'S REQUIREMENTS CERTIFICATION

Provide summary that this section addresses the manufacturer's Pre-Award Purchaser's Requirements Certification. Provide brief summary on methods of review and analysis to determine if the requirements were satisfied including presence of resident inspector, resident inspectors report and verification and results of visual inspection and test sheets.

Provide summary statement on if the Rolling Stock Vehicle Manufacture meets the Pre-Award Purchaser's Requirements as stated in 49 CFR Part 663 Pre-Award and Post-Delivery Audits of Rolling Stock Purchases.

4.2 Verification of the Product as Described in the Specification

Provide brief summary on how the Evaluation Team reviewed the Manufacturer's Bid (Proposal) and compared it to the solicitation specifications and after reviewing the manufacturer's bid, issuing addendums and receiving responses to clarifications, the Manufacture was found to be compliant.

Transit staff reviewed the bid documents and compared them to the solicitation specifications. The comparison indicated that the proposed vehicles did meet solicitation specifications and the manufacturer was found to be compliant. See Appendix 1-C.

4.3 Verification Manufacturer is Responsible with Capability and Capacity to Deliver the Product

Provide summary on how manufacturer is responsible include for example list of past deliveries of similar order over past 5 years and indicate if it will use same or similar process and same final assembly facility.

Provide brief summary of rolling stock manufacturer's capacity including summary of findings from Pre-Award or past site visit such as square footage final assembly facility, final assembly activities, estimated number of final assembly production workers, current jobs in production and of similar type vehicle, types of departments/divisions at final assembly (e.g., engineering, production line, testing, shipping and receiving, etc.), observance of tooling and machining equipment, jib and overhead bridge cranes, observance of welding, quality control. If Pre-Award Site visit was not conducted due to no final assembly site, provide similar summary based on capability and capacity documentation received from rolling stock manufacture.

Provide summary statement based on review if rolling stock manufacture has capacity and capability to produce the rolling stock to meet the contract requirements.

Vendor and manufacturer performance was reviewed and determined to be satisfactory. Past performance indicates an ability to meet contract requirements.

The final assembly facility is located at:

Street Address: _____

City, State: _____

Zip Code: _____

The manufacturer was found to have the capacity and the capability to produce the rolling stock to meet contract requirements. See Appendix 1-C and Appendix 3.

5.0 FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS CERTIFICATION) (IF APPLICABLE)

Provide summary statement that a sample of the Manufacturer's FMVSS self-certification sticker information was obtained and reviewed against sample FMVSS sticker and was found to include the content required for the Pre-Award Audit. (Ref. Appendix).

See Appendix 3 for Federal Motor Vehicle Safety Standards self-certification information. The certification was reviewed and found to include the content required for the Pre-Award Audit. See Appendix 1-D.

Note: FMVSS Self-Certification Information is the content of the required FMVSS Sticker. For used vehicles, this can be sample information or a review of the actual FMVSS Sticker.

6.0 PRE-AWARD AUDIT CONCLUSION

Provide summary regarding how the procedures used, analysis performed and results found on Pre-Award Audit of the rolling stock manufacture indicate that they should meet Buy America Compliance and the Purchaser's requirements certification.

Federal clauses relating to rolling stock purchases and Buy America certifications were signed by the vendor, _____, and the manufacturer, _____. Pre-award audit checklists were utilized to determine completeness and compliance of requirements. Documentation provided by the manufacturer that indicates rolling stock, the components and subcomponents, along with final assembly location, were reviewed and found to be compliant with the Buy America requirements.

Following the review of the documents, _____ was found to be responsible with the capability and capacity to produce the vehicle in compliance with the solicitation requirements and is in compliance with Buy America requirements.

Name

Title

Date

Appendix 1

Instructions:

Complete **PRE-AWARD CHECKLIST**

Sign **PRE-AWARD CERTIFICATIONS***:

- Buy America
- Purchaser's Requirements
- FMVSS

*These certifications must be signed by the Recipient/Sub-recipient, NOT the vendor or manufacturer

Reference: 49 CFR § 663 Pre-Award Audit Requirements

49 CFR § 663.21 Pre-Award Audit Requirements

A recipient purchasing revenue service rolling stock with FTA funds must ensure that a pre-award audit under this part is complete before the recipient enters into a formal contract for the purchase of such rolling stock.

49 CFR § 663.22 Description of Pre-Award Audit

A pre-award audit under this part includes—

- (a) A Buy America certification as described in § 663.25 of this part;
- (b) A purchaser's requirement certification as described in § 663.27 of this part; and
- (c) Where appropriate, a manufacturer's Federal Motor Vehicle Safety certification information as described in § 663.41 or § 663.43 of this part.

49 CFR § 663.25 Pre-Award Buy America Certification

For purposes of this part, a pre-award Buy America certification is a certification that the recipient keeps on file that—

(a) There is a letter from FTA which grants a waiver to the rolling stock to be purchased 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; or

(b) The recipient is satisfied that the rolling stock to be purchased meets the requirements of section 165(a) or (b)(3) of the Surface Transportation Assistance Act of 1982, as amended, after having reviewed itself or through an audit prepared by someone other than the manufacturer or its agent documentation provided by the manufacturer which lists—

(1) Component and subcomponent parts of the rolling stock to be purchased identified by manufacturer of the parts, their country of origin and costs; and

(2) The location of the final assembly point for the rolling stock, including a description of the activities that will take place at the final assembly point and the cost of final assembly.

49 CFR § 663.25 Pre-Award Purchaser's Requirements Certification

For purposes of this part, a pre-award purchaser's requirements certification is a certification a recipient keeps on file that—

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

49 CFR § 663.41 Certification of Compliance with Federal Motor Vehicle Safety Standards

If a vehicle purchased under this part is subject to the Federal Motor Vehicle Safety Standards issued by the National Highway Traffic Safety Administration in part 571 of this title, a recipient shall keep on file its certification that it received, both at the pre-award and post-delivery stage, a copy of the manufacturer's self-certification information that the vehicle complies with relevant Federal Motor Vehicle Safety Standards.

Pre-Award Audit Checklist

Manufacturer: _____

Vendor: _____

Vehicle Type: _____

Solicitation Reference: _____

Pre-Award Buy America Certification		
A		Reviewed and Verified Minimum Domestic Content
		Reviewed and Verified Proposed U.S. Final Assembly Location, Operations, and Total Cost
OR		
B		Requested and Received Buy America Waiver

Pre-Award Purchaser's Requirements Certification		
A		Checked Bid Specification Compliance with Solicitation Specifications
		Completed a Manufacturer Capability and Responsibility Review

Pre-Award Federal Motor Vehicle Safety Standards Certification		
A		Received FMVSS Self-Certification Information from the Manufacturer
OR		
B		Received Statement from the Manufacturer Certifying the Vehicles are not Subject to FMVSS

Completed By: Signature _____

Title _____

Date _____

Vendor: _____

Manufacturer: _____

Vehicle Type: _____

Solicitation Reference: _____

Pre-Award Audit Recipient/Sub-Recipient Certifications

Pre-Award Buy America Compliance Certification

1-B

As required by Title 49 of the CFR, Part 663 – Subpart B, _____ is satisfied that the vehicles to be purchased from the manufacturer meet the requirements of Section 165(b)(3) of the Surface Transportation Assistance Act of 1982, as amended. TDOT has reviewed documentation provided by the manufacturer, which lists (1) the proposed component and subcomponent parts of the buses identified by manufacturer, country of origin, and cost; and (2) the proposed location of the final assembly point for the vehicles, including a description of the activities that will take place at the final assembly point and the cost of final assembly.

Signature

Printed Name

Date

Pre-Award Purchaser's Requirements Certification

1-C

As required by Title 49 of the CFR, Part 663 – Subpart B, _____ certifies that the vehicles to be purchased are the same product described in the solicitation specification and that the proposed manufacturer is a responsible manufacturer with the capability to produce vehicles that meet the specifications.

Signature

Printed Name

Date

Pre-Award FMVSS Compliance Certification

1-D

As required by Title 49 of the CFR, Part 663 – Subpart D, _____ certifies that it received, at the pre-award stage, a copy of the manufacturer 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 Title 49 of the Code of Federal Regulations, Part 571.

Signature

Printed Name

Date

Appendix 2

Instructions:

Attach **BUY AMERICA WORKSHEET**
which shows Domestic Content and Final
Assembly Location

Appendix 3

Instructions:

Attach **BUY AMERICA CERTIFICATION**
which is signed by the Manufacturer

Attach **THIRD PARTY CONTRACT
CERTIFICATIONS** which are signed by
the Vendor