

City of Phoenix
Public Transit Department | Compliance Section
PTDcompliance@phoenix.gov

PRE-SOLICITATION SUBRECIPIENT COMPETITIVE PROCUREMENT REVIEW FORM
FTA-FUNDED PROCUREMENTS

(For Procurements Valued at \$350k+ or Subrecipient Procurement Code Threshold Amount, Whichever is Less)

FORM INSTRUCTIONS

This form is for purchases valued above the federal simplified acquisition threshold amount of \$350k, OR above the Subrecipient's Procurement Code threshold amount for formal purchases, whichever is less.

The City of Phoenix ("City"), acting by and through its Public Transit Department ("PTD"), is the designated recipient of Federal Transit Administration ("FTA") funds. Under FTA Circular 4220.1G ch. III, § 3, the City is obligated to ensure that third-party contracts comply with applicable federal, state, and local requirements. Because of these obligations, PTD reviews FTA-funded third-party contracting to ensure that the procurements comply with federal laws/regulations and are eligible for federal funding. PTD provides Subrecipient submittal forms, FTA Clauses/Certifications, and DBE-Neutral Clauses and EO Forms/Exhibits (for inclusion in solicitations) on its Subrecipient Resources Webpage, available at phoenix.gov/publictransit/subrecipient-resources.

The purpose of this form is to standardize the competitive pre-solicitation third-party procurement review process across all subrecipients. Before advertising the solicitation, the Subrecipient conducting the procurement must complete this form, then email all of the required documentation to PTDcompliance@phoenix.gov to obtain approval to proceed.

PTD's standard review time is ten business days. Failure to complete the form in its entirety and provide all of the information required will result in delays for the City's approval, with each resubmission requiring up to ten business days to review.

PRE-SOLICITATION REVIEW SEQUENCE	RESPONSIBLE PARTY
1. Prior to advertising its solicitation, Subrecipient must email this signed, completed form with all required documentation in one package to PTDcompliance@phoenix.gov .	Subrecipient
2. PTD Compliance will conduct a review of the pre-solicitation documentation and supporting documents and either provide approval or rejection with written comments, if applicable.	PTD
3. The Subrecipient will send a calendar invitation to PTD Compliance no less than 10 business days prior to the Pre-Offer Conference for PTD's Compliance Specialist to provide a brief presentation (if applicable).	Subrecipient
4. PTD Compliance will provide PowerPoint slides for incorporation into the pre-offer conference conducted by the subrecipient (if applicable).	PTD
Reminder: Promptly after the proposal due date, Subrecipient must email all EO forms received from all offerors to PTDcompliance@phoenix.gov for review and approval to proceed.	

COMPETITIVE PROCUREMENTS
Pre-Solicitation Subrecipient Competitive Procurement Review Form

Subrecipient Name:	Primary Contact Name:										
Primary Contact Phone:	Primary Contact Email:										
Subrecipient Procurement Procedures Last Updated:											
Solicitation Number:	Solicitation Title:										
Independent Cost Estimate for Full Contract Term (including optional extensions): \$											
Procurement Description:											
NIACS Code(s) and Description(s) for the Procurement (code listing available at naics.com/search):											
Title 34 Public Improvement (design/construction)? Yes <input type="checkbox"/> No <input type="checkbox"/>											
If procuring Architecture & Engineering (A&E) services, what are the A&E-Type Services? ¹											
<p>¹ If the Subrecipient procures services for program management, architectural, engineering, construction management, a feasibility study, and preliminary engineering, design, architectural, engineering, surveying, mapping, or related services (collectively referred to as "A&E services") for an FTA-funded project, it must use a qualifications-based method. This method is not to be used for procuring services other than A&E. See FTA Circular 4220.1G ch. IV, § 2(h).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #002060; color: white; text-align: left; padding: 5px;">PRE-SOLICITATION DOCUMENT SUBMITTALS</th> <th style="background-color: #002060; color: white; text-align: center; padding: 5px;">CHECK</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">1. Procurement Method, Contract Term, Contract Type (below)</td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">2. Independent Cost Estimate (ICE) – signed and dated by Subrecipient</td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">3. Liquidated Damages Determination (if applicable) – signed and dated by Subrecipient</td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;">4. Davis-Bacon Wage Determination(s) (if applicable) ²</td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </tbody> </table>		PRE-SOLICITATION DOCUMENT SUBMITTALS	CHECK	1. Procurement Method, Contract Term, Contract Type (below)	<input type="checkbox"/>	2. Independent Cost Estimate (ICE) – signed and dated by Subrecipient	<input type="checkbox"/>	3. Liquidated Damages Determination (if applicable) – signed and dated by Subrecipient	<input type="checkbox"/>	4. Davis-Bacon Wage Determination(s) (if applicable) ²	<input type="checkbox"/>
PRE-SOLICITATION DOCUMENT SUBMITTALS	CHECK										
1. Procurement Method, Contract Term, Contract Type (below)	<input type="checkbox"/>										
2. Independent Cost Estimate (ICE) – signed and dated by Subrecipient	<input type="checkbox"/>										
3. Liquidated Damages Determination (if applicable) – signed and dated by Subrecipient	<input type="checkbox"/>										
4. Davis-Bacon Wage Determination(s) (if applicable) ²	<input type="checkbox"/>										

5. Draft Solicitation Documents, including the following (if applicable):

- Evaluation Criteria and Price Sheet (if applicable)
- FTA Clauses and Certifications in Original Entity Contract or Subrecipient Draft Contract
- DBE-Neutral Clauses and EO1, EO2, and EO3 Forms/Exhibits
- Other Exhibits/Attachments

6. Tracking Spreadsheet of Solicitation Milestone Dates (timeline)

² A wage determination is the list of basic hourly wage rates and fringe benefit rates for each classification of laborers and mechanics ("labor classification") in a predetermined geographic area for a particular type of construction. General Davis-Bacon wage determinations are published online at sam.gov. If a general wage determination is not available/feasible, Subrecipient must seek a project wage determination from the United States Department of Labor.

PROCUREMENT METHOD
FTA Circular 4220.1G ch. III, § 3(d)(1)(a); 2 CFR 200.318(i)

Method	Rationale
<input type="checkbox"/> Invitation for Bid [IFB Formal Procurement]	<ul style="list-style-type: none"> ▪ Amount is \$350,000 or greater, or entity procurement code threshold amount, whichever is less. ▪ Clear, complete and adequate specification or purchase description ▪ Selection is made based on price ▪ Two or more responsible offerors willing to compete ▪ Firm-fixed-price contract is used
<input type="checkbox"/> Request for Proposals [RFP Formal Procurement]	<ul style="list-style-type: none"> ▪ Amount is \$350,000 or greater, or entity procurement code threshold amount, whichever is less. ▪ Clear, complete and adequate specification or purchase description ▪ Selection is made based on price and qualifications (and other evaluation criteria) ▪ Two or more responsible offerors willing to compete ▪ Solicitation provides for discussion or negotiation, if needed
<input type="checkbox"/> Request for Qualifications [RFQu Formal Procurement] [Only Authorized for Architectural & Engineering (A&E) and Related Services]	<ul style="list-style-type: none"> ▪ Amount is \$350,000 or greater, or entity procurement code threshold amount, whichever is less. ▪ A&E-type services directly relate or lead to construction, alteration, or repair of real property ▪ Clear, complete and adequate specification or purchase description ▪ Selection is made based on qualifications (and other evaluation criteria) ▪ Two or more responsible offerors willing to compete ▪ Solicitation provides for discussion or negotiation, if needed

Two-Step Procurement Method?

Yes No

If yes, what procurement methods will be used and how will they be utilized?

Provide Solicitation Section Reference for Two-Step Procurement Method (which should be clearly stated within the Solicitation):

CONTRACT TERM
FTA Circular 4220.1G ch. IV, § 2(b)(3)

<input type="checkbox"/> 5 year term and no options to extend	This contract term is most advantageous because a five year base contract term provides stability to meet the needs of the Subrecipient.
<input type="checkbox"/> _____ year initial term and _____ optional extension(s) for _____ years per option	This contract term is most advantageous because a base contract with the identified renewals provides flexibility to meet the needs of the Subrecipient.
If term is beyond five years, please explain how the contract term is no longer than minimally necessary to accomplish the purpose of the contract?	
Provide Solicitation Section Reference for Contract Term (which should be clearly stated within the Solicitation):	

Procurement of bus rolling stock or bus replacement parts? ³ Yes No

Procurement of rail rolling stock or rail replacement parts? ³ Yes No

³ Rolling stock and replacement part contracts are limited by law under 49 USC 5325(e)(1) to a full term of five years for bus procurements and a full term of seven years for rail procurements.

CONTRACT TYPE
FTA Circular 4220.1G ch. III, § 3(d)(1)(b); 2 CFR 200.318(i)

Contract Type	Selection
<input type="checkbox"/> Fixed Price Contract	<p>This contract type is most advantageous because it includes a price that remains fixed irrespective of the contractor's cost experience in performing the contract.</p> <p>Incentives Included? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Economic Adjustment Included? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Task Orders to Be Used? Yes <input type="checkbox"/> No <input type="checkbox"/></p>

<input type="checkbox"/> Cost Reimbursement Contract With or Without Fixed Fee	<p>This contract type is most advantageous because it is preferable to permit a contractor to be reimbursed for allowable costs in accordance with the terms provided in the contract.</p> <p>Incentives Included? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Fixed Fee Included (Restricted ⁴)? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Task Orders to Be Used? Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<input type="checkbox"/> Time and Materials Contract (Restricted ⁵)	<p>This contract type is most advantageous when no other type of contract is suitable and the contract will identify a total contract amount (ceiling price) that the contractor may not exceed.</p>
<input type="checkbox"/> Other Contract Type ⁶ :	<p>Explain why the type is most advantageous and why this type is allowable:</p>

Provide Solicitation Section Reference for Contract Type (which should be clearly stated within the Solicitation):

⁴ FTA discourages the use of cost (reimbursement) plus fixed fee (CPFF) except when the “uncertainties involved in contract performance do not permit costs to be estimated with sufficient accuracy to use any type of fixed-price contract.” See FTA Advisory Circular 4220.1G ch. VI, § 2(g)(1)(b).

⁵ FTA prohibit use of this contract type unless no other contract type is suitable and the contract specifies a ceiling price that the contractor may not exceed expect at its own risk.

⁶ FTA prohibits the following contract types: cost plus a percentage of costs and percentage of construction costs. See FTA Advisory Circular 4220.1G ch. VI, § 2(g)(2)(1) & (2).

EVALUATION PLANNING

FTA Circular 4220.1G ch. VI, §§ 2(f); 5(b); 2(j); 2(k)

Please note that all boxes must be completed in this section.	Yes	If Yes, Provide Solicitation Section Reference	No
Evaluation Factors: Does the solicitation identify all of the evaluation factors?	<input type="checkbox"/>		<input type="checkbox"/>
Evaluation of Options: If the solicitation includes evaluation of optional quantities or periods to be exercised, are such options expressed in the solicitation (and its price sheet) and the Independent Cost Estimate?	<input type="checkbox"/>		<input type="checkbox"/>

Award to Other Than the Low Bidder/Offeror: If the subrecipient intends to reserve its right to award to other than the low bidder/offeror, is that information included in the solicitation?	<input type="checkbox"/>		<input type="checkbox"/>
Rejection of All Bids or Offers: If the subrecipient intends to reserve its right to reject all bids/offers, is that reserved right included in the solicitation?	<input type="checkbox"/>		<input type="checkbox"/>
SUBRECIPIENT ACKNOWLEDGEMENTS AND AUTHORIZED SIGNATURES			
By signing below, Subrecipient (procuring entity) verifies that all submitted pre-solicitation documents have been thoroughly reviewed for accuracy and the foregoing information is true and correct.			
Manager Review Completed:	<input type="checkbox"/> yes	<input type="checkbox"/> N/A	
Procurement Officer Name	Procurement Officer Signature		Date Signed
Procurement Director Name	Procurement Director Signature		Date Signed