

# SUBRECIPIENT COOPERATIVE PURCHASING OR PIGGYBACKING CONTRACT PRE-AWARD FORM

This form applies to cooperative purchasing or piggybacking contract pre-awards.

A “cooperative purchasing contract” means a contract entered into between the State (or a local government within the State) or an eligible nonprofit entity and one or more vendors under which the vendors agreed to provide an option for **others** to purchase specific goods or services in the future at the established contract prices. See FTA Circular 4220.1F ch. I, § 5(cc); BPPM §§ 1.7.51, 3.3.5. “Cooperative purchasing contracts” are indefinite delivery/indefinite quantity (“**IDIQ**”) contracts awarded for the benefit of **others** and not required to contain minimum and maximum quantities that would otherwise limit additional purchases.

A “piggybacking contract” means a contract entered into by a recipient/grantee or subrecipient/subgrantee and one or more vendors under which the vendors agreed to permit the assignment of contract rights for **others** to purchase all or a portion of the specified deliverables under the terms originally advertised, competed, evaluated, and awarded. See FTA Circular 4220.1F ch. V, § 7(a)(2); BPPM § 3.3.4. Use of a “piggybacking contract” is impermissible when the purchase would call for an increase in quantities that were not originally bid on and evaluated as part of the contract award (i.e., **others** may only acquire the unanticipated excess contract rights to purchase items out of the minimum and maximum quantities originally competed).

## FORM INSTRUCTIONS

The City of Phoenix (“City”), acting by and through its Public Transit Department (“PTD”), is the designated recipient of Federal Transit Administration (“FTA”) funds. 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 third-party contracts before approving funding to ensure the costs of third-party procurements comply with federal laws/regulations and the terms of the City’s underlying grant or cooperative purchasing or piggybacking contract.

The purpose of this form is to standardize the third party procurement review process across all subrecipients and procurement methods. Please complete the form, then email all of the required documentation to [PTDcompliance@phoenix.gov](mailto:PTDcompliance@phoenix.gov)

The standard processing time is ten business days to complete the initial review. Failure to complete the form in its entirety and provide all of the information required will result in delays for the City’s review.

Pre-Award Review Sequence	Responsible Party
1. Prior to contract award, send an email to <a href="mailto:PTDcompliance@phoenix.gov">PTDcompliance@phoenix.gov</a> and attach this completed form with all required documentation in one package. Do not copy PTD employees on this email.	Subrecipient
2. Within ten business days of receipt, PTD will conduct a review of the pre-award documentation and supporting documents and provide feedback.	PTD
3. PTD will provide written approval to proceed with contract award.	PTD
<b>Reminder:</b> Promptly after contract execution, Subrecipient will send an email to <a href="mailto:PTDcompliance@phoenix.gov">PTDcompliance@phoenix.gov</a> and attach the fully executed contract document.	

## Subrecipient Pre-Award – Cooperative Purchasing or Piggybacking Contract

Subrecipient Name:	Subrecipient Primary Contact Name:
Subrecipient Primary Contact Phone:	Subrecipient Primary Contact Email:
Subrecipient Contract Number:	Subrecipient Contract Title:
Subrecipient Procurement Type (check one): <input type="checkbox"/> Cooperative Purchasing <input type="checkbox"/> Piggybacking	Subrecipient Initial Contract Term: _____ years  Subrecipient Option Term: _____ years (if applicable)
Subrecipient Aggregate Contract Value: \$ _____	
Originating Entity Name:  Originating Solicitation & Contract Numbers:	Section (and Page Number) of Originating Solicitation/Contract That Authorizes Cooperative Purchasing or Piggybacking:
Originating Entity Contract Effective Date for Start of Contract Term:	Originating Entity Contract Expiration Date (including all optional extensions):
<b>For Piggybacking contracts, complete the following:</b>	
Originating Entity Aggregate Contract Value: \$ _____	
Originating Entity Remaining Contract Value Available for Use by Subrecipient: \$ _____	
Is This the First Purchase By Subrecipient Off of the Originating Solicitation/Contract?  <input type="checkbox"/> yes <input type="checkbox"/> no  Are Federal Terms/Clauses Included in the Originating Solicitation/Contract?  <input type="checkbox"/> yes <input type="checkbox"/> no	If Cooperative Purchasing Contract and Federal Terms/Clauses Were Not Included in the Originating Solicitation/Contract, Will Federal Terms/Clauses Be Included in the First Purchase by Subrecipient Off of the Originating Solicitation/Contract?  <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> not applicable  [NOTE: Piggybacking Contract Not Permitted Unless Federal Terms/Clauses Included in the Originating Solicitation/Contract]

Subrecipient's Procurement Description (including details on how cooperative purchasing will be implemented, e.g., use of purchase orders, linking agreements, or purchasing schedules):

FAIN Number:	Federal Funding Percentage:
Federal Grant Type:	Federal Grant Funding Amount:

Cooperative Document Submittal	Check
1. Originating Entity's Solicitation, Addenda, List of Offerors, and Contract	<input type="checkbox"/>
2. Originating Entity's Procurement Method, Contract Term, Contract Type (below)	<input type="checkbox"/>
3. Subrecipient's Cost or Price Analysis	<input type="checkbox"/>
4. Subrecipient's Liquidated Damages Determination (if applicable)	<input type="checkbox"/>
5. Subrecipient's Draft Cooperative Purchasing or Piggybacking Contract (e.g., purchase order, linking agreement, purchasing schedule, etc.) for Execution <ul style="list-style-type: none"> <li>▪ FTA Clauses/Certifications</li> <li>▪ Exhibits/Attachments</li> </ul>	<input type="checkbox"/>
6. Subrecipient's Tracking Spreadsheet of Contract Milestone Dates (if applicable)	<input type="checkbox"/>

**COOPERATIVE PURCHASING**  
Originating Entity's Procurement Method (Carried Over to Subrecipient)

Originating Entity Method	Rationale
<b>Micro-Purchase</b> [Mini-Purchase]  (Select all that apply)	<input type="checkbox"/> Amount is less than \$10,000, or entity procurement code threshold amount, whichever is less.  <input type="checkbox"/> Reviewed for cumulative threshold and split purchases
<b>Small Purchase</b> [Request for Quote (RFQ) Informal Procurement]  (Select all that apply)	<input type="checkbox"/> Amount is less than \$250,000, or entity procurement code threshold amount, whichever is less.  <input type="checkbox"/> Clear, complete and adequate specification or purchase description <input type="checkbox"/> Three or more quotes obtained

<p><b>Invitation for Bid</b> [IFB Formal Procurement]</p> <p>(Select all that apply)</p>	<p><input type="checkbox"/> Amount is \$250,000 or greater, or entity procurement code threshold amount, whichever is less.</p> <p><input type="checkbox"/> Clear, complete and adequate specification or purchase description</p> <p><input type="checkbox"/> Selection is made based on price</p> <p><input type="checkbox"/> Two or more responsible offerors willing to compete</p> <p><input type="checkbox"/> Firm-fixed-price contract is used</p>
<p><b>Request for Proposals</b> [RFP Formal Procurement]</p> <p>(Select all that apply)</p>	<p><input type="checkbox"/> Amount is \$250,000 or greater, or entity procurement code threshold amount, whichever is less.</p> <p><input type="checkbox"/> Clear, complete and adequate specification or purchase description</p> <p><input type="checkbox"/> Selection is made based on price and qualifications (and other evaluation criteria)</p> <p><input type="checkbox"/> Two or more responsible offerors willing to compete</p> <p><input type="checkbox"/> Solicitation provides for discussion or negotiation, if needed</p>
<p><b>Request for Qualifications</b> [RFQu Formal Procurement]</p> <p>(Select all that apply)</p>	<p><input type="checkbox"/> Amount is \$250,000 or greater, or entity procurement code threshold amount, whichever is less.</p> <p><input type="checkbox"/> Services directly relate or lead to construction, alteration, or repair of real property</p> <p><input type="checkbox"/> Clear, complete and adequate specification or purchase description</p> <p><input type="checkbox"/> Selection is made based on qualifications (and other evaluation criteria)</p> <p><input type="checkbox"/> Two or more responsible offerors willing to compete</p> <p><input type="checkbox"/> Solicitation provides for discussion or negotiation, if needed</p>

**COOPERATIVE PURCHASING**  
**Originating Entity's Contract Term (Carried Over to Subrecipient)**

<b>Originating Entity Contract Term</b>	<b>Justification</b>
<p><input type="checkbox"/> 5 year term and no options to extend</p>	<p>This contract term is most advantageous because a five year base contract term provides stability to meet the needs of the Subrecipient.</p>
<p><input type="checkbox"/> [redacted] year initial term and [redacted] optional extension(s) for [redacted] years per option</p>	<p>This contract term is most advantageous because a base contract with the identified renewals provides flexibility to meet the needs of the Subrecipient.</p>
<p>If term is beyond five years, how is the contract term no longer than minimally necessary to accomplish the purpose of the contract?</p>	

**COOPERATIVE PURCHASING**  
**Originating Entity's Contract Type (Carried Over to Subrecipient)**

<b>Originating Entity Contract Type</b>	<b>Selection</b>
<input type="checkbox"/> Firm Fixed Price	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.
<input type="checkbox"/> Firm Fixed Price w/ Economic Adjustment	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 but allows for necessary economic adjustments.
<input type="checkbox"/> Cost Reimbursement	This contract type is most advantageous because it is preferable to permit a contractor to be reimbursed for costs which are allowed and allocated in accordance with the terms provided in the contract.
<input type="checkbox"/> Indefinite Delivery or Quantity	This contract type is most advantageous because the Subrecipient does not know the total amount of goods or services that will be needed during the contract term but needs a vendor under contract that can provide the good or service as needed.
<input type="checkbox"/> Incentive Contract	This contract type is most advantageous because it is in the best interest of the Subrecipient to provide incentives for performance or delivery as defined in contract terms.
<input type="checkbox"/> Time and Materials (Restricted)	This contract type is advantageous when no other type of contract is suitable and the contract will identify a total contract amount that the contractor cannot exceed.
<input type="checkbox"/> Other Contract Type:  <div style="background-color: yellow; width: 100px; height: 15px;"></div>	This contract type is most advantageous because:

**SUBRECIPIENT TASK ORDERS AND ON-CALL CONSULTING**

**For IDIQ awards, complete the following:**

1. Which of the following applies for this IDIQ award:
  - Firm Fixed Price
  - Cost-Plus-Fixed-Fee (CPFF)
  - Cost-Reimbursement Basis
2. Task Orders to be used by Subrecipient?      Yes       No
3. On-Call Consulting to be used by Subrecipient?      Yes       No

**If "Yes" for On-Call Consulting, complete the following:**

- a. A breakdown of consultant rates provided in the Price or Cost Analysis?      Yes       No

b. Subrecipient understands that if additional labor categories are required for a specific task, the rate quoted shall be subject to review and approval by PTD Compliance. Yes  No

**SUBRECIPIENT ACKNOWLEDGEMENTS AND AUTHORIZED SIGNATURES**

**By signing below, Subrecipient verifies that the foregoing information is true and correct.**

\_\_\_\_\_  
Procurement Officer  
PRINTED NAME

\_\_\_\_\_  
Procurement Officer  
SIGNATURE

\_\_\_\_\_  
Date

\_\_\_\_\_  
Procurement Director  
PRINTED NAME

\_\_\_\_\_  
Procurement Director  
SIGNATURE

\_\_\_\_\_  
Date