

**SECTION IV PRE AWARD AUDIT:**

**A. Purchaser's Certification - 49 CFR 663, subpart B:**

The bidder/vendor has certified that the vehicle to be provided will be the same product as described in the advertised specification. (See attached consolidated certification form signed by the bidder/vendor, part III -A). ODOT certifies that the bidder/vendor is responsible and will provide a vehicle that will meet or exceed the specifications.

**EXECUTE THE FOLLOWING**

**PRE-AWARD PURCHASER'S REQUIREMENTS CERTIFICATION**

As required by Title 49 of the CFR, Part 663 – Subpart B,

Justin Neidel  
(ODOT)

certifies that the buses to be purchased,

Axess 35' Low Floor Bus  
(Number and Description of Buses)

from

El Dorado National Alliance Bus  
(The Manufacturer),

are the same product described in the recipient's solicitation specification and that the proposed bidder/vendor is a responsible bidder/vendor with the capability to produce a bus that meets the specifications.

11/18/2015  
Date:

Justin Neidel  
Signature:

Transportation Manager  
Title:

**B. BUY AMERICA - 49 CFR 663, subpart B:**

The total price of this purchase is less than the small purchase threshold of \$100,000 and is not subject to Buy America requirements. **OR**

The vehicles provided by the **bidder/vendor** (# of vehicles, make, and model) cannot comply with the Buy America requirements, but may qualify for an exception (see attached consolidated certification form signed by the **bidder/vendor**, part II-A).. **OR**

The **bidder/vendor** has certified that the vehicles (# of vehicles, make, and model) will comply with the Buy America requirements. (See attached consolidated certification form signed by the **bidder/vendor**, part II-A). The **bidder/vendor** has also completed the attached domestic content worksheet. (Or the **bidder/vendor** has provided a certificate from the manufacturer that lists the domestic content of each component, states that the vehicle is composed of at least 60% domestic content, describes construction activities, and gives the location of construction activities.) The agency certifies that the vehicles provided will meet the Buy America requirements.

**NOTE: Only one of the following Certifications should be signed, not both.**

**PRE-AWARD BUY AMERICA COMPLIANCE CERTIFICATION:**

As required by Title 49 of the CFR, Part 663 – Subpart B,

Justin Neidel  
(ODOT)

is satisfied that the buses to be purchased,

Axess 35' Low floor Bus  
(Number and Description of Buses)

from

El Dorado National / Alliance BUS  
(The Manufacturer)

meet all requirements of Section 165(b)(3) of the Surface Transportation Assistance Act of 1982, as amended. The recipient, or its appointed analyst

NIA

(The Analyst Not the Manufacturer or Its Agent)

has reviewed documentation provided by the **manufacturer**, which lists (1) the actual component and subcomponent parts of the buses identified by the **manufacturer**, country of origin, and cost; and (2) the actual location of the final assembly point for the buses, including a description of the activities that took place at the final assembly point and the cost of final assembly.

Justin Neidel  
Signature:

11/18/2015  
Date:  
Transportation Manager  
Title:

**OR**

If not applicable, execute the following exemption certification  
next

On

**B. PRE-AWARD BUY AMERICA EXEMPTION CERTIFICATION**

**For the Procurement of vehicle(s) that require an FTA waiver:**

As required by Title 49 of the CFR, Part 663 – Subpart B,

\_\_\_\_\_  
(ODOT)

certifies that there is a letter from FTA that grants a waiver to the buses to be purchased

\_\_\_\_\_  
(Manufacturer, Number and Description of Buses)

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.

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Signature:

\_\_\_\_\_  
Title:

**C. FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS) - 49 CFR 663, subpart D:**

The bidder/vendor has certified that the vehicle complies with relevant FMVSS issued by the National Highway Traffic Safety Administration in 49 CFR Part 571 (see attached FMVSS certification form signed by bidder/vendor). The PURCHASER certifies that the vehicles that the vehicles will meet FMVSS.

**EXECUTE THE FOLLOWING:**

**EXECUTE THE FOLLOWING** (Only one of the following FMVSS Certifications should be signed, not both.

**PRE-AWARD FMVSS COMPLIANCE CERTIFICATION:**

As required by Title 49 of the CFR, Part 663 – Subpart D,

Justin Neidel  
(ODOT)

certifies that it received, at the post-delivery stage, a copy of

El Dorado National Alliance Bus  
(The Manufacturer)

self-certification information stating that the buses,

Axess 35' Low floor Bus  
(Manufacturer, Number and Description of Buses)

comply with the relevant Federal Motor Vehicle Safety Standards issued by the National Highway Traffic Safety Administration in Title 49 Code of Federal Regulations, Part 571.

11/18/2015  
Date:

Justin Neidel  
Signature:

Transportation Manager  
Title:

OR

NEXT PAGE

C. PRE-AWARD FMVSS EXEMPTION CERTIFICATION:

As required by Title 49 of the CFR, Part 663 – Subpart D,

\_\_\_\_\_  
(ODOT)

certifies that it received at the pre-award stage, a statement from

\_\_\_\_\_  
(The Manufacturer)

indicated that the buses,

\_\_\_\_\_  
(Number and Description of Buses)

will not be subject to the Federal Motor Vehicle Safety Standards issued by the National Highway Traffic Safety Administration in Title 49 Code of Federal Regulations, Part 571.

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Signature:

\_\_\_\_\_  
Title:

**PRE- AWARD CHECKLIST:**

THE FOLLOWING CHECKLIST IS TO BE COMPLETED BY THE BUYER AND ODOT PERSONNEL BEFORE BID IS AWARDED.

This checklist will be used to ensure that all required clauses and certifications are included in the vendor=s returned bid packet and that all required certifications have been signed by the vendor.

**Section I. FOR ALL BIDS:**

**Buyer's initial all lines below:**

**FMVSS CERTIFICATION: Signed by Bidder/Vendor?**

A. **Incorporation of Federal Transit Administration Terms: Initialed by Bidder?**

B. **Federal Changes: Initialed by Bidder?**

C. **DBE Certification: Initialed by Bidder?**

D. **Air Conditioning Performance: Initialed by Bidder?**

E. **Interest of Members of or Delegates to Congress: Initialed by Bidder?**

F. **Prohibited Interest: Initialed by Bidder?**

G. **Cargo Preference: Initialed by Bidder?**

H. **Energy Conservation: Initialed by Bidder?**

I. **Clean Water and Air: Initialed by Bidder?**

J. **No Obligation By the Federal Government: Initialed by Bidder?**

K. **Program Fraud and False or Fraudulent Statements: Initialed by Bidder?**

L. **Contract Work Hours: Initialed by Bidder?**

1. Overtime requirements:
2. Violation; liability for unpaid wages:
3. Withholding for unpaid wages:
4. Subcontracts:
5. Payrolls and basic records:

M. **Civil Rights: Initialed by Bidder?**

1. Nondiscrimination:
2. Equal Employment Opportunity:

N. **Altoona Test Certification completed: Initialed by Bidder?**

1. Report Summary enclosed? Attached to bid?
2. Altoona Test Report # listed by Bidder?

O. **Debarment and Suspensions: Initialed by Bidder?**

1. **EPLS Report from [www.epls.gov](http://www.epls.gov): Attached to bid by Procuring Agency?**

CONTINUED PRE- AWARD CHECKLIST:

Section II.

- A. Buy America Certification signed: Signed by Bidder/Vendor?
- B. Domestic Content Worksheet signed: Signed by Bidder/Vendor?
- C. Lobbying Certification signed: Signed by Bidder/Vendor?

*[Handwritten initials]*

Section III. CERTIFICATION TO PURCHASER:

- A. Completed and signed?

*[Handwritten initials]*

The previous checklist was to determine if the Bidder/Vendor read and completed all required necessary documentation. The following checklist is to determine if ODOT signed and completed the required Certifications.

Section IV. PRE AWARD AUDIT (signed by ODOT STAFF)

- A. Purchaser=s Certification - 49 CFR 663, subpart B: Executed by ODOT?

Pre-Award Purchaser's Requirements Certification:

*[Handwritten initials]*

- B. Buy America - 49 CFR 663, subpart B: Executed by ODOT?

Pre-Award Buy America Compliance Certification, or  
Pre-Award Buy America Exemption Certification:

*[Handwritten initials]*

- C. FMVSS - 49 CFR 663, subpart D: Executed by ODOT?

Pre-Award FMVSS Compliance Certification, or  
Pre-Award FMVSS Exemption Certification:

*[Handwritten initials]*

I hereby attest that each item was reviewed and that my initials above indicate that the item was properly executed on this date.

*[Handwritten signature: Just Veid]*  
\_\_\_\_\_  
ODOT

*11/18/2015*  
\_\_\_\_\_  
Date

*[Handwritten signature: Johnny L. Doherty]*  
\_\_\_\_\_  
ODOT Reviewer

*11/18/2015*  
\_\_\_\_\_  
Date