



Procuring Preventive Maintenance 5310 Grantees

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Presenters

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Action in Maturity

Housekeeping Notes

WiFi Information - beachclub

Please Silent Phones

Restrooms

Handouts – please only take one per agency

What do we mean by procurement?

- Purchasing for your organization
- Includes buying things, services, and technology
- Examples:
 - Mobile radios
 - Driver uniforms/PPE
 - Computer hardware and software



BUT today, we're talking **Preventive Maintenance**

Why are there requirements?

- To get the best bang for your grant bucks
- To allow for fair competition
- To make sure what you buy, and the vendors you buy from, meet the Federal and State requirements that come with the 5310 grant



Where do the procurement requirements come from?

- Federal requirements are in:
 - 2 CFR Part 200.318 - General Procurement Standards
 - FTA Circular 4220.1F – Third Party Contracting Requirements (yet to be updated for 2 CFR 200)
 - Related Federal regulations (such as Buy America and Disadvantaged Business Enterprise)
- State Procurement guidelines are in COMAR (Code of Maryland Regulations) Title 21, State Procurement Regulations

Where do the procurement requirements come from?

- Your organization's own procurement/purchasing policies and procedures that reflect:
 - Applicable state and local laws and regulations
 - Requirements of grant sources – 2 CFR 200 applies to other federal grants

Reference:

***MDOT MTA 5310 Program Manual, Chapter 4
Purchasing, Procurement and Contracting***



What does FTA and MDOT MTA Require?

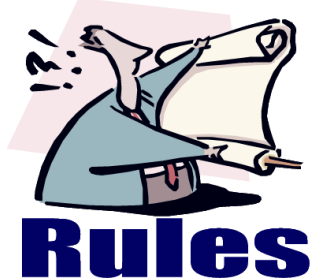
You can follow your agency's procurement policies and procedures but must also comply FTA/MDOT MTA:

- Allow for full and open competition
- Exclude the use local geographical preferences
- Do not enter into contracts for rolling stock with a period of performance exceeding five years inclusive of options*

** For the 5310s, MDOT MTA conducts the procurement for vehicles on your behalf*

Reference:

***MDOT MTA 5310 Program Manual, Chapter 4**
Purchasing, Procurement and Contracting*



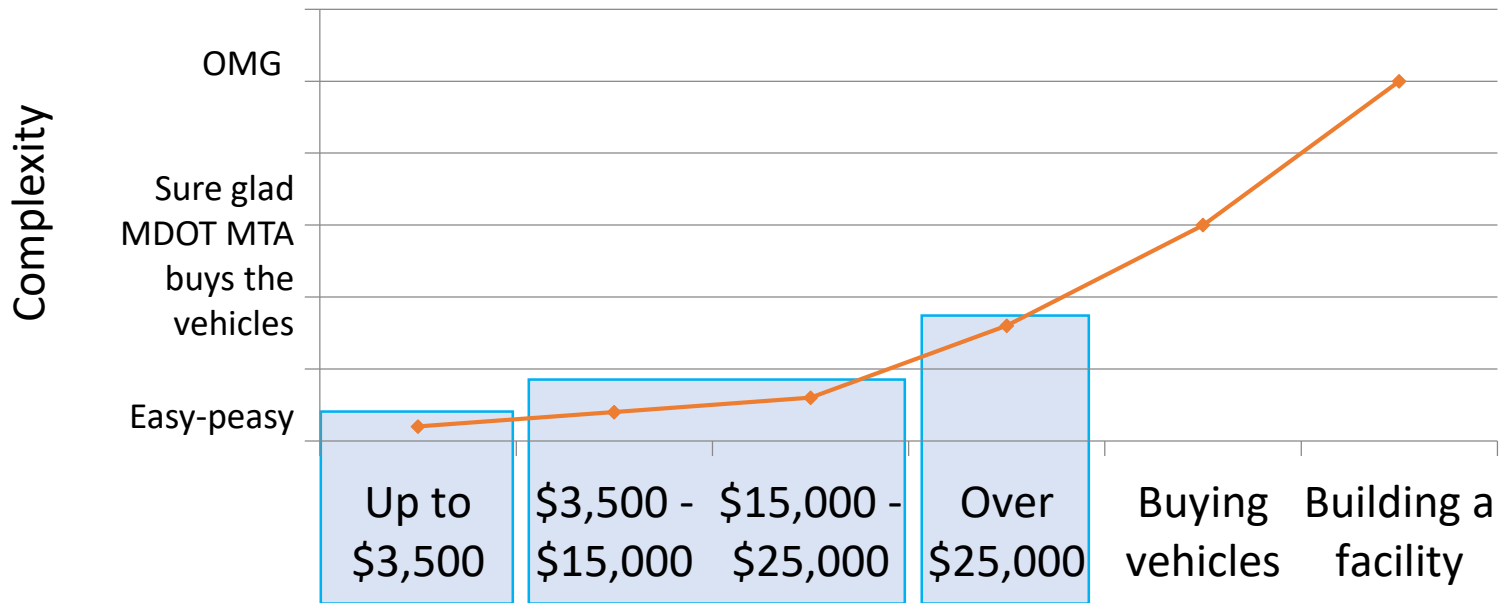
The requirements depend on...

- Type of grant
- What you are buying
- How much you will be spending

Types of Procurement

- Micro-Purchases – up to \$3,500
 - Small Procurements – over \$3,500, up to \$25,000
 - Large Procurements – over \$25,000 (specifically for Preventive Maintenance)
-
- Dollar amounts are TOTAL COST of purchase (**federal + local**) – not just the grant-funded amount!

How difficult is conducting a procurement process?



Important

- Follow your own written policies and procedures. (*Sample in the MDOT MTA 5310 Manual, Chapter 4 which can be found on the TAM website and in ProjectWise*)
- Follow the appropriate checklist for every grant-funded purchase.
- MDOT MTA concurrence is needed for 5310-funded preventive maintenance procurements.
- Keep a procurement file for every grant. Document every step for every grant-funded purchase. Keep copies of everything in the file.



FTA Contract Clauses

- Checklist of FTA clauses and when they apply:

Attachment 4.E in the MDOT MTA 5310 Manual

Checklist of FTA Provisions Applicability of Third Party Contract Provisions

(excluding micro-purchases, except Davis-Bacon requirements apply to contracts exceeding \$2,000)

Excerpted from FTA Circular 4220.1F

PROVISION	TYPE OF PROCUREMENT				
	Professional Services/A&E	Operations/ Management	Rolling Stock Purchase	Construction	Materials & Supplies
No Federal Government Obligations to Third Parties (by Use of a Disclaimer)	All	All	All	All	All
False Statements or Claims, Civil and Criminal Fraud	All	All	All	All	All
Access to Third Party Contract Records	All	All	All	All	All
Changes to Federal Requirements	All	All	All	All	All
Termination	>\$10,000 if 49 CFR Part 18 applies.	>\$10,000 if 49 CFR Part 18 applies.	>\$10,000 if 49 CFR Part 18 applies.	>\$10,000 if 49 CFR Part 18 applies.	>\$10,000 if 49 CFR Part 18 applies.
Civil Rights (Title VI, ADA, EEO except Special DOL EEO clause for construction projects)	All	All	All	All	All
Special DOL EEO clause for construction projects				>\$10,000	
Disadvantaged Business Enterprises (DBEs)	All	All	All	All	All
Incorporation of FTA Terms	All	All	All	All	All
Debarment and Suspension	>\$25,000	>\$25,000	>\$25,000	>\$25,000	>\$25,000
Buy America			>\$150,000	>\$150,000	>\$150,000
Resolution of Disputes, Breaches, or Other Litigation	>\$100,000	>\$100,000	>\$100,000	>\$100,000	>\$100,000
Lobbying	>\$100,000	>\$100,000	>\$100,000	>\$100,000	>\$100,000
Clean Air	>\$100,000	>\$100,000	>\$100,000	>\$100,000	>\$100,000
Clean Water	>\$100,000	>\$100,000	>\$100,000	>\$100,000	>\$100,000
Cargo Preference			Transport by ocean vessel.	Transport by ocean vessel.	Transport by ocean vessel.
Fly America	Foreign air transp. /travel.	Foreign air transp. /travel.	Foreign air transp. /travel.	Foreign air transp. /travel.	Foreign air transp. /travel.

The Procurement Officer is responsible for ...

- Who is the procurement officer? The person who oversees the procurement of goods and services.
- ensuring that prices are fair and reasonable by conducting an ICE for price range of purchases.
- encouraging the distribution of purchases equitably among local vendors and ensuring that no geographic preferences are shown in any procurement.
- keeping an annually updated record of all estimates received and a description of why each vendor was selected.

(continued)

The Procurement Officer is responsible for ...

- conveying to vendors that the purchase is made with federal and/or state funds and that by fulfilling the purchase request, the vendor is agreeing to abide by all federal and/or state terms and conditions.
- maintaining file copies of all 5310 procurements by Fiscal Year and maintaining a written protest procedure.
- ensuring that their procurements do not discriminate against businesses, small or large, owned by persons of racial or ethnic minorities, or women.
- getting written MDOT MTA concurrence for each procurement prior to award and purchase of goods or services.

ethical
responsible
fair
oversight
equitable
documentation
compliance

Now, Let's focus on Procuring Preventive Maintenance

“Grant Funded vehicles must be maintained in good working order throughout a State- and Federally-compliant preventive maintenance program.”

“A preventive maintenance program provides thorough, periodic inspections at intervals that meet or exceed the manufacturer's minimum standards for each vehicle given the terrain and operating conditions experienced by your service.”

Reference: *5310 Program Manual Chapter 6, page 6-1 and 6-4)*

FTA defines preventive maintenance as:

All maintenance costs related to vehicles and non-vehicles. Specifically, it is defined as all the activities, supplies, materials, labor, services, and associated costs required to preserve or extend the functionality and serviceability of the asset in a cost effective manner, up to and including the current state of the art for maintaining such an asset.”

Common expenses that are eligible for capital funding include, but are not limited to, oil changes, tire rotation, tire replacement, transmission flushes, vandalism repairs (*except catalytic converters – covered under insurance*), mechanic training, and associated labor costs.

Fuel, accident repairs, insurable items, and warranty are not considered preventive maintenance and are therefore ineligible for capital funding under Section 5310. However, they may be eligible for 5310 funding as operating expenses.

Procuring Preventive Maintenance

- If you have a 5310 grant for preventive maintenance (PM), and you pay an outside garage for any PM services, this applies to you.
- 5310 funds PM only for 5310 vehicles. However, even if a 5310 grant funds only part of your maintenance contract, for contracted maintenance to be eligible for 5310 PM reimbursement, you must procure the entire maintenance contract in compliance with MDOT MTA requirements **OR** procure a separate, compliant contract for 5310 PM.
- If you fall into this category, contact your 5310 Program Manager to discuss further.



Procuring Preventive Maintenance

- 5310 sub-recipients procuring 5310-funded PM services are strongly encouraged to conduct a single compliant solicitation process to cover the entire two-year grant period, rather than multiple procurements over the two years.
- If over \$25,000 (federal + local), must conduct competitive procurement (request for proposals)
- Below this, can be a small procurement (request for quotes)

Procuring Preventive Maintenance

Most of you here today have already received your FY2024/FY2025 5310 grant for Preventive Maintenance OR you have remaining funds from an existing grant. *(Hint – you should spend those funds down ASAP.)*

How did you know how much to ask for?

The rule of thumb is \$1500 per vehicle per year should be used for preventive maintenance

Preventive Maintenance Specifications

- Follow your maintenance plan for PM interval services. If you do not have a maintenance plan, you should develop one (*see the template in the 5310 Program Manual 6.B*)
- Include total number of PM services anticipated during contract
- Include other factors/potential deal-breakers
 - Turnaround time
 - Distance from agency
 - Ability to comply with FTA requirements

Procuring Preventive Maintenance Checklist

- Incorporates requirements for both small and large procurements
- Organized in five phases:
 - Type and method of procurement
 - Independent Cost Estimate
 - Securing quotes
 - Determine best value
 - Requesting MDOT MTA concurrence
- Additional requirements for large procurements:
 - More formal specifications/scope of work/ RFP package
 - Must advertise RFP
 - May have more complicated evaluation process
 - DBE participation



How do you know how much your procurement is likely to cost?

- up to \$3,500
- \$3,500 to \$25,000
- over \$25,000



And don't forget it is the **TOTAL COST** of purchase (**federal + local**)

Answer: an **Independent Cost Estimate!**

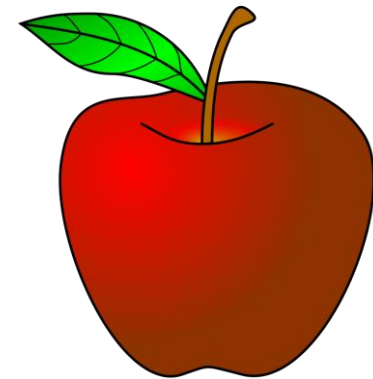
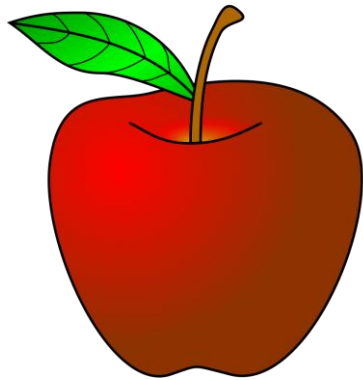
Preventive Maintenance Independent Cost Estimate (ICE)

1. Review fleet maintenance records for last two years
2. Identify unit cost of oil changes and other PM services
3. Total number of each service performed per vehicle per year, or per mile for total fleet
4. Estimate total number of PM services that will be needed during next two years (based on fleet size or projected miles operated)
5. Multiple total estimated units by unit costs



PM Cost/Price Analysis

- Comparing vendor quotes or proposals – your solicitation requirements should allow for “apples to apples”



Organization Name:
 Grant Item Description
 Grant Item Amount (include
 Fed+Local)

Grant Number: _____

Cost Price Analysis

	ICE Cost	Garage 1 (FILL IN)	Garage 2 (FILL IN)	Garage 3 (FILL IN)	Garage 4 (FILL IN)
Preventative MAINTENANCE**					
Count/Occurance*					
Tubes/Belts	\$ -	\$ -	\$ -	\$ -	\$ -
Tires	\$ -	\$ -	\$ -	\$ -	\$ -
Oil Changes	\$ -	\$ -	\$ -	\$ -	\$ -
Engine	\$ -	\$ -	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -	\$ -	\$ -
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Other	\$ -	\$ -	\$ -	\$ -	\$ -
Subtotal Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -

** List out all possible items that would be required for service and included in your contract _____

Turn around time for service					
Distance from facility					
Towing Cost					
Have you worked with vendor in past					
Other					
Other					
Other					
Other					
Other					
Other					
Other					



More complicated but needs to be touched on . . .

If you are procuring
Preventive Maintenance
that is more than \$25,0000
in the two year 5310 grant

For PM over \$25,000

Steps in a nutshell:

- Prepare the ICE form
- Determine if IFB or RFP
- Prepare the solicitation
 - Develop Specifications
 - Assemble bid package
 - Set DBE project goal *(Definition of DBE: To ensure that small disadvantaged business enterprises (DBE) can compete fairly for federally funded transportation-related projects. To ensure that only eligible firms participate as DBEs.)*
 - Submit Request for Concurrence to MDOT MTA for review/approval (use checklist) prior to release
 - Receive approval/concurrence before moving forward

For PM over \$25,000

- Advertise project/solicit bids/proposals
 - Some agencies hold pre-proposal conferences
 - *Note: if your organization is a government agency, the solicitation must be posted on eMaryland marketplace (non-profits tend not to be government agencies so you should be good) just need to know.*
- Receive, open, and review responses
- Evaluate responses
- Select the best response that meets all the local procurement requirements
- Submit Request for Concurrence packet to MDOT MTA for review and approval for the selected vendor and include all the appropriate documentation (see Large Procurement list)

For PM over \$25,000

- Award the contract to the successful vendor
 - Notify selected and rejected proposers
 - Deal with any protests by following appropriate procedures
 - Award and execute the contract
- Submit Request for Payment with all appropriate back up documentation
- Maintain all documentation pertaining to the procurement in a file and keep at least three years after purchase and closeout of the federal grant (whichever comes first)



- Your agency must have an account with Login.gov to access SAM.gov
- Used to check that an entity you are contracting with using Federal funds is not debarred or suspended
- <https://sam.gov/content/home>



You have reached the new home of SAM.gov, an official website of the U.S. government.
There is no cost to use this site.

SAM.gov has merged with beta.SAM.gov. All content from both sites is now here at SAM.gov. This is the official site for registering to do business with the federal government. Registration on this site is free.

All of the functions below are now on this site:

From SAM.gov

- **Entity registration**
- **Exclusions**
- **Entity reporting (SCR and BioPreferred)**
- **Disaster response registry**

From beta.SAM.gov

- **Contract opportunities**
- **Contract data reports**
- **Wage determinations**
- **Assistance listings**
- **Federal hierarchy**

Help resources can be found in the SAM.gov help section or by going directly to FSD.gov. You can search the FSD knowledge base anytime or request help from an FSD agent Monday–Friday 8 a.m. to 8 p.m. ET.

Do not show this message again

OK



 **Official U.S. Government Website**
100% Free

The Official U.S. Government System for:

Contract Opportunities

(was fbo.gov)

Contract Data

(Reports ONLY from fpds.gov)

Wage Determinations

(was wdol.gov)

Federal Hierarchy

Departments and Subtiers

Assistance Listings

(was cfda.gov)

Entity Registration

Including Disaster Response Registry

Entity Reporting

SCR and Bio-Preferred Reporting

Exclusions

Register Your Entity

Register your entity to get started doing business with the federal government.

 **Get Started**

 **Renew Entity**

 **Check Registration Status**



You must accept the U.S. Government System terms to sign into this website

This is a U.S. General Services Administration Federal Government computer system
that is "FOR OFFICIAL USE ONLY."

This System is subject to monitoring.

Individuals found performing unauthorized activities are subject to disciplinary
action including criminal prosecution.

Cancel

Accept



sam.gov is using Login.gov to allow you to sign in to your account safely and securely.

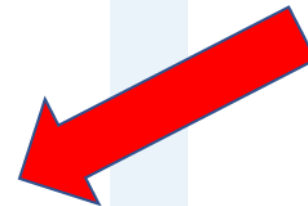
Email address

Password

Show password

Sign in

Create an account



 LOGIN.GOV

 SAM.GOV®

Enter your security code

We sent a security code to ***-***-5658. This code will expire in 10 minutes.

One-time security code

Submit

 [Get another code](#)

Remember this browser

Don't have access to your phone right now?

[Choose another authentication method](#)



Steps once logged in:

1. Choose “Search” tab from below SAM.GOV icon
2. Under “Select Domain”, click “+”
3. Select “Entity Information”
4. Select “Exclusions”
5. Under “Filter By” click “+” and below “Keywords” choose “Excluded Entity” or “Excluded Individual”
6. Search by Entity Name/Individual Name or DUNS (or both for added confirmation)
7. System starts filtering as you type
8. Nothing showing up means no exclusions
9. Keep a copy of printout or screenshot in Procurement File

An official website of the United States government [Here's how you know](#)



Home Search Data Bank Data Services He

Search

e.g. 1606N020Q02, asph:



Select Domain
All Domains



Filter By





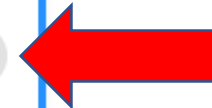
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e.g. 1606N020Q02, asph:



Select Domain
Entity Information



All Domains

Contract Opportunities

Assistance Listings

Entity Information

Federal Hierarchy

Wage Determinations



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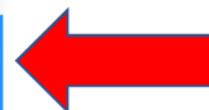
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Entity Information 

All Entity Information

Entity Registrations

Disaster Response Registry

Exclusions



Exclusions

Filter By —

Keywords

Classification ∨

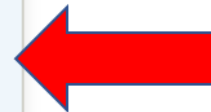
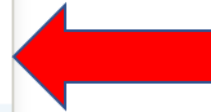
Excluded Individual ∨

Excluded Entity ∧

Entity Name

DUNS Unique Entity ID

SAM Unique Entity ID



Filter By

Keywords

Classification


Excluded Individual

Excluded Entity

Entity Name

 × ▲

- METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (072663115)
- Metropolitan Washington Airports Authority (116203001)



No matches found

We couldn't find a match for your search criteria.

Please try another search or go back to previous results.

[Go Back](#)

Be sure to clear filters/entities between searches and be sure to take screenshot and save in your procurement file

Procurement Files - what goes into them

- The independent cost estimate (ICE)
- Rationale for the method of procurement (Why did you choose RFP, IFB, or Request for Quote?)
- Solicitation document (RFP, IFB, or Request for Quote)
- Documentation of outreach efforts (advertising of your procurement)
- Contractor responses/bids/proposals/quotes
- Fair and equitable cost analysis of winning proposal (basis for contract price)

(continued)

What else should be in each procurement file?

- Screen shot of the debarment/suspension search results from www.sam.gov
- Contractor selection or rejection
- Correspondence with vendors
- Copy of signed/executed contract and any amendments
- MDOT MTA concurrence/approval letters
- For each procurement over \$25,000:
 - Debarment certification
 - DBE goal evaluation/analysis

Samples of Recent Successful PM Procurement

- You can find a couple of recent successful small PM procurements in ProjectWise:

SR-5310; 01-OLTS-SR-5310-Referernces; Procurement Information; Success PM Procurements

Action in Maturity

Worcester COA

References

- **5310 Program Manual**
- **Transportation Association of Maryland (TAM) – taminc.org**
- **Federal requirements:**
 - 2 CFR Part 200.318 - General Procurement Standards
 - FTA Circular 4220.1F – Third Party Contracting Requirements (yet to be updated for 2 CFR 200)
 - Related Federal regulations (such as Buy America and Disadvantaged Business Enterprise)
- **State Procurement guidelines** are in COMAR (Code of Maryland Regulations) Title 21, State Procurement Regulations
- **FTA Best Practices Procurement & Lessons Learned Manual (Report 0105)**
- **National RTAP Procurement Pro**
- **Your MDOT MTA Program Manager**

A few take aways from an FTA webinar – Dos and Don'ts of Procurement

- If you have had an MTA compliance review, look past areas of deficiency from site visits
- Document internal processes; update policies and procedures, especially when:
 - Requirements change
 - Internal processes are modified
- Make sure agency policies and procedures cover:
 - 2 CFR 200.318 –327
 - Other regulations such as Buy America, DBE, etc. as needed.
- Use checklists to standardize compliance
- Thoroughly review all documentation and certifications received for compliance prior to award
- Train all that perform procurement, contract administrative, or project management roles on (agency's) policies and procedures

A Successful PM Procurement: Action in Maturity

STEPS TO SUCCESSFUL CONCURRENCE

- Procurement starts during the 5310 application process!
- Use the ICE form to determine the costs of your preventive maintenance item
- Collect Independent Cost Estimates that do not include the vendor(s) for which you will request concurrence (*5310 process does not permit using the same vendors that you used to determine the cost of your PM*)

A Successful Procurement – cont.

- Collect documents:
 - ICE forms from 5310 application
 - ICE form for the vendor(s) for which you are requesting concurrence
 - Responses to your request for bids
 - “Fly America” regulations – can be found in the 5310 manual
 - SAM.gov
- Submit documents in a PDF format to your 5310 Program Manager with a cover letter stating your request for concurrence.
- Your letters should include your decision on a vendor or vendors and the reason why you are choosing that vendor(s). It is not necessarily the lowest bid BUT do not note it as a geographical decision (e.g. Harvey’s shop two doors down).

Need additional assistance?

Your 5310 Manual:
Chapter 4 Procurement

Your 5310 Program Manager:

Cydney Dickens, cdickens@mdot.Maryland.gov
410-767-8356

