

Table of Contents

<u>Descriptions</u>	<u>Page Number</u>
1.0 Notice and Instructions.....	1
2.0 Bid Submittal.....	1
2.1 Submittal Deadline and Bid Opening.....	1
2.2 Response to RFX (BID).....	1
2.3 Electronic Bid Submittal.....	1
2.4 Electronic Bid Submittal Assistance.....	1
2.5 Sealed Paper Competitive Bid Submittal.....	2
2.6 Sealed Paper Competitive Bid Submittal Instructions.....	2
3.0 RFX Specifications.....	2
3.1 Item Specifications.....	2
3.2 Required Literature.....	2
4.0 Protest Procedure.....	3
4.1 Protest Information.....	3
5.0 General Instructions.....	3
5.1 Instructions for Bidder.....	3
5.2 Office Closure.....	4
6.0 MDOT Discrimination Policy.....	4
6.1 Discrimination Policy.....	4
6.2 Immigrant Status Certification.....	4
6.3 E-Verify.....	5
7.0 Invoicing.....	5
7.1 E-Invoice and E-Payment Paymode.....	5
7.2 Availability of Funds.....	5

Table of Contents

<u>Descriptions</u>	<u>Page Number</u>
8.0 Award Instructions.....	6
8.1 Award Criteria.....	6
8.2 Awarded Bidder Instructions.....	6
8.3 Agency Contract Term.....	6
8.4 Cancellation of Agency Contract.....	6
9.0 Certifications.....	7
10.0 Additional Certifications.....	8
11.0 Submittal Instructions for Sealed Bid.....	9
12.0 Invitation for Bid Electronic Submittal Instructions.....	10
13.0 Proposal.....	11
14.0 Cooperative Purchase.....	13
15.0 Contract Terms and Conditions.....	14
16.0 Invoicing and Payment.....	15
17.0 Checklist Information.....	16

Attachments:

Attachment A: RFX Response in MAGIC

Attachment B: MAGIC Supplier Self-Service Reference Guide

Attachment C: Specifications

Attachment D: EEV Certification and Agreement

Attachment E: Certifications

Attachment F: Example of Standard Contract Terms and Conditions

NOTICE AND INSTRUCTIONS

RFX No. **3160005853**

1.0 GENERAL

The Mississippi Transportation Commission (MTC) intends to use the Sealed Bid Process to award an agency contract for the purchase of **Bus, Class A Transit, Accessible, 24 Passenger ADA Fixed Route 971-BUS-24/25 A-ADA** for the Public Transit Division of Mississippi Department of Transportation (MDOT). The agency contract shall be **July 1, 2023 through June 30, 2024**.

2.0 BID SUBMITTAL

2.1 SUBMITTAL DEADLINE AND BID OPENING

Sealed competitive bids will be received until **10:30 A.M. CST on Friday May 19, 2023** at the William J. “Billy” McCoy Building, (Department of Transportation Building), Procurement Division, 5th Floor, 401 N. West, Jackson, Mississippi, 39201 or electronically into the MAGIC Procurement Portal as described herein and shortly thereafter publicly opened.

2.2 RESPONSE TO RFX (BID)

When submitting the bid, the bidder must ensure all questions have been answered within the RFX and all proposed items in the RFX have a response.

2.3 ELECTRONIC BID SUBMITTAL

Bids can be submitted electronically through the State of Mississippi’s MAGIC system through one of the following websites:

<https://portal.magic.ms.gov>

[https://www.ms.gov/dfa/contract bid search/Contract](https://www.ms.gov/dfa/contract%20search/Contract).

Please use either of the websites above to search for RFX Number 3160005853

2.4 ELECTRONIC COMPETITIVE SEALED BID SUBMITTAL ASSISTANCE

You must have the RFX (Bid) number listed in the advertisement. Please refer to **Attachment A** for instructions for RFX responses in MAGIC. If you need assistance, please call the Mississippi Management and Reporting System (MMRS) help desk at 601-359-1343, select Option 2 for MAGIC functionality. Please allow a day or two for assistance with your issue.

Bidders must be registered in MAGIC when submitting an electronic bid proposal.

If the bidder is not registered as a vendor for the State of Mississippi, please go to the following website: <http://www.dfa.ms.gov/dfa-offices/mmrs/mississippi-suppliers-vendors/> and click on Mississippi Suppliers (Vendors) on left side of the webpage. Arrow to bottom of page and select Supplier Self Service and click the link “MAGIC Supplier Self-Service Reference Guide” (**Attachment B**). This has information to help you register as a vendor for the State of Mississippi and **information pertaining to the electronic Invitation for Bid process**. Should you need assistance, please contact the MMRS help desk at 601-359-1343.

2.5 SELARD PAPER COMPETITIVE BID SUBMITTAL

If the bidder is unable to submit an electronic bid proposal through the MAGIC System, a sealed paper competitive bid will be received by the MTC at its offices at the William J. “Billy” McCoy Building, (Department of Transportation Building), Procurement Division, 5th Floor, 401 N. West, Jackson, Mississippi, 39201 until **10:30 A.M. CST Friday May 19, 2023.**

2.6 SEALED PAPER COMPETITIVE BID SUBMITTAL INSTRUCTIONS

Proposals must be made on forms furnished by the Mississippi Department of Transportation or they will not be considered. Letters will NOT be considered a part of your proposal and **any alteration of the bid forms in any manner shall be considered non-conforming and bid shall be rejected.**

If you are submitting an ALTERNATE BID, YOU MUST MAKE COPIES OF ORIGINAL FORMS AND SUBMIT AS SEPARATE BID.

Facsimile transmissions or email submissions **will not be accepted for Bid Submittals.**

Conditional or qualified bids will not be considered.

Attachments C, D, and E need to be submitted with bid.

3.0 BID SPECIFICATIONS

3.1 SPECIFICATIONS for Bus, Class A Transit, Accessible, 24 Passenger ADA Fixed Route

Bus, Class A Transit, Accessible, 24 Passenger ADA Fixed Route, SPECIFICATION NUMBER 971-BUS-24/25 A-ADA (ATTACHMENT C)

Attachment C must be submitted with bid.

Van, basic, minimum **Bus, Class A Transit, Accessible, 24 Passenger ADA Fixed Route**, meeting all Federal requirements for ADA Fixed Route, new and of current model equipped as advertised by the manufacturer, to meet or exceed the attached minimum specifications.

3.2 REQUIRED LITERATURE

**** Appropriate and detailed literature must be supplied with the bidder’s bid to substantiate compliance with the specifications of the Bus, Class A Transit, Accessible, 24 Passenger ADA Fixed Route. ****

The bid may be rejected if literature is not provided.

4.0 PROTEST PROCEDURE

4.1 PROTEST INFORMATION

It is the intent of the Specifications to obtain a product that will adequately meet the needs of the user while promoting the greatest extent of competition that is practicable. It is the responsibility of the prospective bidder to review the entire Notice and Instructions and proposal packet and to notify MDOT Procurement Division if the Specifications or Instructions are formulated in a manner which would unnecessarily restrict competition. Any protest or question concerning the specifications or bidding procedures must be received in writing by the Mississippi Department of Transportation Procurement Division by **10:00 A.M., Friday May 12, 2023**. The Mississippi Department of Transportation Procurement Division may be reached at telephone number 601-359-7300, facsimile number 601-359-7302, or hvanbuskirk@mdot.ms.gov.

Protest of the award of this bid shall be done in accordance with Chapter VI of the Procurement Manual of the Office of Purchasing, Travel and Fleet Management of the Mississippi Department of Finance and Administration.

5.0 GENERAL INSTRUCTIONS

5.1 INSTRUCTIONS FOR BIDDER

Detailed information may be obtained from the PROCUREMENT DIVISION by calling (601) 359-7300.

It is understood that all proposals are submitted on the basis of complying with the provisions, terms and specifications set out herein, and in the proposal forms PROVIDED THAT YOU CAN DO SO UNDER THE VARIOUS GOVERNMENT RULINGS AND DIRECTIVES NOW IN EFFECT OR WHICH MAY BE ISSUED DURING THE PERIOD OF CONTRACT. In the event you bid on furnishing any materials which are prohibited from being manufactured by a Government ruling or directive and are awarded such materials, you will not be required to make such shipment of said prohibited materials so long as Government directive is in effect. However, any change in specifications or provisions of the quotation should be discussed with us promptly upon your being advised of the Government ruling or directive necessitating a change.

With respect to the Manufacturer's Certification for Bus Testing Program, the bidder acknowledges that in accordance with federal statutes and the terms and conditions of this solicitation, misrepresentation of the testing status of any vehicle acquired as a result of this solicitation, could result in civil penalties and assessments as outlined in the U.S. Department of Transportation regulations "Program Fraud Civil Remedies, 49 Part 31." In addition, such willful misrepresentation shall result in the debarment of the bidder from participating in any further solicitations or vehicle purchases conducted by MDOT for a period of at least one year. If the manufacturer is asserting that the vehicle to be purchased and delivered has been "grandfathered," (i.e. used in mass transit service in the U.S. prior to October 1, 1988 and is currently being produced without a major change in configuration or components), the manufacturer shall attach to its bid the name and address of previous recipients of such a vehicle, including a description of the vehicle's configuration and major components.

If the manufacturer asserts that the vehicle has been previously and successfully tested at the Altoona Testing facility, certification **must** be made that the vehicle being offered for sale and delivered through this solicitation is **identical** in this configuration and major components as the vehicle in the test report. If this certification cannot be made, the manufacturer **shall** attach to its bid a detailed written basis for a determination that additional testing of the vehicle that is being offered and purchased is not required.

The MTC reserves the right to waive minor technicalities on bid proposals and specifications when it is in the

best interest of the Mississippi Department of Transportation. The MTC reserves the right to waive minor technicalities when it is in the best interest of the State.

Unless otherwise specified, all formal bids shall be binding for a minimum of sixty (60) days after opening. If a bid is withdrawn after opening, bidder will be removed from the list of eligible bidders for a period of (6) six months.

Failure to respond on three contract advertisements will result in removal from the prospective bidders list.

Bidder must be duly qualified to do business and in good standing in the State of Mississippi and remain duly qualified and in good standing throughout the term of the contract and for as long thereafter as any obligations may remain outstanding under the contract.

To register or check your status with the State of Mississippi, visit <https://corp.sos.ms.gov/corp/portal/c/page/login/portal.aspx>

5.2 OFFICE CLOSURE

If the location of the bid opening to the public is closed for any reason, including but not limited to: acts of God, strikes, lockouts, riots, acts of war, epidemics, governmental regulations superimposed after the fact, fire, earthquakes, floods, or other natural disasters, (the "Force Majeure Events"), which closure prevents the opening of bids at the advertised date and time, all bids received shall be publicly opened and read aloud on the next business day that the location shall be open to the public and at the previously advertised time. The new date and time of the bid opening, as determined in accordance with this paragraph, shall not be advertised, and all bidder, upon submission of a bid proposal, shall be deemed to have knowledge of and shall have agreed to the provisions of this paragraph. Bids shall be received by the agency until the new date and time of the bid opening as set forth herein. The agency shall not be held responsible for the receipt of any bids for which the delivery was attempted and failed due to closure as a result of a Force Majeure Event. Each bidder shall be required to ensure the delivery and receipt of its bid by the agency prior to the new date and time of the bid opening.

6.0 MDOT DISCRIMINATION POLICY

6.1 DISCRIMINATION POLICY

The bidder understands that MDOT is an equal opportunity employer and therefore maintains a policy which prohibits unlawful discrimination based on race, color, creed, sex, age, national origin, physical handicap, disability, or any other consideration and the bidder agrees during the term of the agreement that the bidder will strictly adhere to this policy in its employment practices and provision of services.

6.2 IMMIGRANT STATUS CERTIFICATION

The bidder represents and warrants that it will ensure its compliance with the Mississippi Employment Protection Act, Section 71-11-1, et seq. of the Mississippi Code Annotated (Supplement 2008), and will register and participate in the status verification system for all newly hired employees. The term "employee" as used herein means any person that is hired to perform work within the State of Mississippi. As used herein, "status verification system" means the Illegal Immigration Reform and Immigration Responsibility Act of 1996 that is operated by the United States Department of Homeland Security, also known as the E-Verify Program, or any other successor electronic verification system replacing the E-Verify Program. Bidder agrees to maintain records of such compliance and, upon request of the State and approval of the Social Security Administration or Department of Homeland Security, where required, to provide a copy of each such verification to the State. Bidder further represents and warrants that any person assigned to perform services hereunder meets the employment eligibility requirements of all immigration laws of the State of Mississippi. Bidder understands and agrees that any breach of these warranties may subject bidder to the following: (a) termination of this

Agreement and ineligibility for any state or public contract in Mississippi for up to three (3) years, with notice of such cancellation/termination being made public, or (b) the loss of any license, permit, certification or other document granted to bidder by an agency, department or governmental entity for the right to do business in Mississippi for up to one (1) year, or (c) both. In the event of such termination/cancellation, bidder would also be liable for any additional costs incurred by the State due to contract cancellation or loss of license or permit. The bidder is required to provide to the Mississippi Department of Transportation ("MDOT") a Certification and Agreement (**Attachment D**) prior to the execution of the contract. The bidder is solely responsible for compliance with the requirements of the Mississippi Employment Protection Act.

It is agreed by the parties that no person employed by the bidder pursuant to the provisions hereof will be considered an agent or employee of the State of Mississippi or the Mississippi Department of Transportation.

It is further agreed by the parties that no provision of this agreement is intended nor shall it be construed to give rise to a third party beneficiary claim on the person or entity not a party hereto.

6.3 E-VERIFY

E-VerifyTM is a free Internet-based system operated by the U.S. Department of Homeland Security's U.S. Citizenship and Immigration Services [USCIS], in partnership with the Social Security Administration.

Information concerning E-VerifyTM may be obtained by accessing the USCIS website at www.uscis.gov/E-Verify. First, select "Services and Benefits," then "Employer Information," next click the link "Services Available to Employers in the United States," and finally "Use E-Verify?" to download Publication M-655 (09/07). You will need Adobe Acrobat Reader to view and print this publication. Further information and assistance are also available for employers from USCIS toll-free at (888) 464-4218. Employers, contractors, subcontractors, and vendors can register online for E-VerifyTM at <https://e-verify.uscis.gov/enroll/>, which provides instructions for completing the secure registration process. These instructions are intended for informational purposes only. Vendor is solely responsible for compliance with the requirements of the Mississippi Employment Protection Act.

7.0 INVOICING

7.1 E-INVOICE AND E-PAYMENT PAYMODE

The State of Mississippi requires that all vendors submit invoices electronically throughout the term of this agreement and/or contract. Vendor invoices shall be submitted to the State of Mississippi using the processes and procedures identified by the State of Mississippi, which are known and/or available to the vendor. Procedures for new vendors may be found in the MAAPP Manual in the Vendor File Maintenance sections 11.20.10, 17.20.05 and 17.10.10, and in the related section on requirements for requesting an exemption from electronic payment found in section 17.10.20. Vendor understands that vendor must be enrolled in PayMode e-payment module prior to being enrolled for e-invoicing, and agrees to same, unless vendor has applied for and been granted, an exemption. Vendor may request assistance enrolling by contacting <http://www.dfa.ms.gov/dfa-offices/mmrs/> or by calling the MMRS Call Center at (601) 359-1343. The vendor agrees to accept all payments in United States currency via the State of Mississippi's electronic payment and remittance vehicle. These payments shall be deposited in the bank account of the vendor's choice. Vendor understands that the State of Mississippi is exempt from the payment of taxes.

7.2 AVAILABILITY OF FUNDS

It is expressly understood and agreed that the obligation of the State of Mississippi to proceed under any Contract or Agreement is conditioned upon the availability of funds, the appropriation of funds by the Mississippi Legislature, and/or the receipt of state and/or federal funds, as provided by Section 27-104-25, of the Mississippi Code.

8.0 AWARD INSTRUCTIONS

8.1 AWARD CRITERIA

Award will be based on the lowest total bid with the requested options meeting Mississippi Department of Transportation specifications and bid requirements.

8.2 AWARDED BIDDER INSTRUCTIONS

If award is made by the MTC, a contract will be forwarded to the successful bidder. Upon receipt of the properly executed contract by the Mississippi Department of Transportation Procurement Manager, a Notice to Proceed will be issued. Any action by a bidder prior to the receipt of the Notice to Proceed will be at the bidder's **"OWN RISK"** and the Mississippi Department of Transportation will not be held liable for such action.

8.3 AGENCY CONTRACT TERM

The contract shall begin on **July 1, 2023 through June 30, 2024** If an agency contract is awarded and executed in connection with this proposal, the MTC reserves the right to extend the agency contract for this proposal for up to **forty-eight (48) months**, twelve (12) months at one time, upon written acceptance of both parties. Under no circumstances shall the total contract term, inclusive of extensions, **exceed sixty (60) months**. The contract extension shall begin on the original termination date or the extension termination date

8.4 CANCELLATION OF AGENCY CONTRACT

Any contract or item award may be canceled with or without cause by the MTC upon 30 days written notice of intent to cancel. Cause for the MTC to cancel may include, but is not limited to: cost exceeding current market prices for comparable purchases; request for increase in prices during the period of the contract; or, failure to perform to contract conditions. The bidder will be required to honor all purchase orders prepared and dated prior to the date of expiration or cancellation if received by the bidder within a period of 30 days following the date of expiration or cancellation. Cancellation by the MTC does not relieve the bidder of any liability arising out of a default or nonperformance. If a contract is canceled by the MTC due to the request for increase in prices or failure to perform, bidder may be removed from the bidders list for a period of twelve (12) months. Protests of said removal from the bidders list shall be in accordance with Chapter VI of the Procurement Manual of the Office of Purchasing and Travel of the Mississippi Department of Finance and Administration.

9.0 CERTIFICATIONS

CERTIFICATION: The bidder shall provide with the Bid a Certificate and/or Certification that it is in compliance with the most current version of **ALL** of the following:

See Attachment E

- (1) Federal Transit Administration requirements and regulations concerning rolling stock minimum service life requirements and all other FTA requirements concerning rolling stock acquisition
- (2) All Certificates and Certifications as required by the Federal Transit Act, as amended, including, but not limited to, compliance with FTA Circular C 4220.1F or its most current version
- (3) Fixing America's Surface Transportation Act (FAST)
- (4) Environmental Regulation, including, but not limited to, compliance with the Clean Air and Clean Water Acts and EPA regulations
- (5) Certification Regarding Restrictions on Lobbying
- (6) Section 504 of the Rehabilitation Act of 1973 and ADA Requirements and U.S. DOT Regulations issued thereunder
- (7) Energy Policy and Conservation Act
- (8) Certification Regarding Suspension and Debarment
- (9) FTA regulations on substance abuse
- (10) Certification for Buy America
- (11) Disadvantaged Business Enterprise (DBE)
- (12) Federal Motor Vehicle Act
- (13) Certification of compliance with or exclusion from Federal Transit Administration Bus Testing regulations
- (14) Regulations of the US Department of Transportation concerning non-discrimination in federal assisted programs (Title 49, CFR, Parts 21-23 and 25-28 as amended) and Title VI of the Civil Rights Act of 1964, as amended
- (15) Pre-award and Post Delivery Audits of Rolling Stock purchases: Final Rule (49 CFR, Part 663)
- (16) All FTA regulations
- (17) All applicable labor standards and provisions

10.0 ADDITIONAL CERTIFICATIONS

Furthermore, the vendor **shall** agree and acknowledge that:

- (1) Federal Government is not a party to any contract subsequent to this bid
- (2) Program Fraud Civil Remedies Act of 1986, as amended, and U.S. DOT regulations regarding same are applicable

Furthermore, the vendor **shall** supply with the bid:

- (1) Vehicle reference and/or user list: The vendor will supply a list of not less than three (3) Transit Operators that have been using the same vehicle as the one being bid on this proposal in **regular Transit Services** for a minimum of 3 years. The list must include name, address, telephone number, and personal contact for verification of satisfactory performance.
- (2) Literature requirements are to include two (2) wiring schematics. Printed literature shall match items in the Specifications that are being quoted; if the printed literature disagrees with the specification, a certification from the manufacturer explaining the difference must also be attached to the printed literature.

11.0 SUBMITTAL INSTRUCTIONS FOR A SEALED PAPER BID

The vendor has chosen not to submit the Sealed Competitive Bid electronically into the MAGIC System.

Bids must be submitted in sealed envelope(s).

**** RFX IDENTIFICATION INFORMATION ON THE OUTSIDE OF THE ENVELOPE
MUST BE AS SHOWN BELOW. ****

STREET DELIVERY:

RFX NO. 3160005853
PROCUREMENT DIVISION (5TH FLOOR)
WILLIAM J. "BILLY" MCCOY BUILDING
MS DEPT. OF TRANSPORTATION
401 NORTH WEST STREET
JACKSON MS 39201

DEPENDING ON APPLICABILITY INITIAL ITEM 1 BELOW:

_____ 1. I/We certify that we have read and understand the "NOTICE AND INSTRUCTIONS"
which are a part of this bid.

COMPANY: _____ NAME: _____
(Print or type)

ADDRESS: _____ SIGNATURE: _____
_____ TITLE: _____

PHONE: _____ DATE: _____

FAX: _____

EMAIL: _____

Sign your bid and return it, as shown above.

The "**NOTICE AND INSTRUCTIONS**" is a part of your bid, sign and return with your bid

BRAD WHITE
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT OF TRANSPORTATION

12.0 INVITATION FOR BID ELECTRONIC SUBMITTAL INSTRUCTIONS

The instructions in Section 12.0 are for the electronic submittal of the bids by the vendor in the MAGIC System.

Please refer to sections **2.3 on page 1** of the **"NOTICE AND INSTRUCTIONS"** for further information on the electronic submittal of the bid in the MAGIC System.

The **"NOTICE AND INSTRUCTIONS"** is a part of your Bid, and by submitting an electronic bid, the vendor acknowledges and certifies that it has read and understands the **"NOTICE AND INSTRUCTIONS"** which is a part of this bid.

BRAD WHITE
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT OF TRANSPORTATION

13.0 PROPOSAL

**PROPOSAL FOR FURNISHING
Bus, Class A Transit, Accessible, 24 Passenger ADA
Fixed Route
RFX NO. 3160005853**

Pursuant to your advertisement for proposals to be received until **10:30 AM C.S.T. Friday May 19, 2023**, I/We _____, residing at _____, do submit our bid for furnishing the following in accordance with the "Standard Specifications for Road and Bridge Construction" adopted 2017, and any amendment made thereto, your "SPECIFICATIONS" and the "NOTICE AND INSTRUCTIONS". This proposal is made without collusion on the part of any person, firm or corporation.

Our prices quoted in **U.S. DOLLARS ONLY** for furnishing such, FOB Mississippi Department of Transportation, Jackson, MS, shown and in the amount on the following page.

All items must be NEW and of CURRENT make and model.

All optional equipment shall be considered a part of the Specifications and shall be compliant.

The Mississippi Department of Transportation reserves the right to request samples of equipment for inspection and evaluation at any time in the bid process up until the time of award. The Mississippi Transportation Commission reserves the right to reject any bid that, in the opinion of the Mississippi Department of Transportation, does not meet the intent of the bid proposal, or does not appear to have been manufactured with materials or labor workmanship to produce an acceptable standard of quality.

The minimum number of buses to be purchased from this contract is zero (0) and the maximum number to be purchased is one hundred (100)

TERM: THE TERM OF THIS CONTRACT SHALL BE FOR A PERIOD OF TWELVE (12) MONTHS, JULY 1, 2023 THROUGH JUNE 30, 2024. NO PERFORMANCE BOND WILL BE REQUIRED FOR THIS AGENCY CONTRACT.

DELIVERED @ AS PER CONTRACT

Bus, Class A Transit, Accessible, 24 Passenger ADA Fixed Route, SPECIFICATION NUMBER 971-BUS- 24/25 A-ADA

Base Price Bus, Class A Transit, Accessible, 24 Passenger ADA Fixed Route \$ _____

Options

Driver Barrier \$ _____

Passenger Partition \$ _____

Hand Sanitizer Station \$ _____

Fare Box \$ _____

Total Bid with Options \$ _____

Make: _____ Model: _____

Deliver: _____ Day ARO

Award of the agency contract for the Bus, Class A Transit, Accessible, 24 Passenger ADA Fixed Route will be based on the lowest total bid with the requested options meeting MDOT specifications and requirements. Vendors must submit a bid for each line of the proposal. This includes base price, the option, and total bid with the option.

COMPANY: _____

NAME: _____
(Print or type)

ADDRESS: _____

SIGNATURE: _____

TITLE: _____

PHONE: _____

DATE: _____

FAX: _____

EMAIL: _____

FINAL ACCEPTABLE DELIVERY, AS PER CONTRACT.

FINAL ACCEPTABLE DELIVERY, AS PER CONTRACT.

TO: BUS VENDORS

FROM: PROCUREMENT DIVISION, MDOT

DATE: MAY 2023

POLITICAL SUBDIVISIONS OF THE STATE, QUASI STATE AGENCIES, AND EXTERNAL PROCUREMENT UNITS (DESCRIBED BELOW), MAY BE PERMITTED TO PURCHASE FROM CONTRACTS MADE BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION. THE BIDDER MAY, AT ITS OPTION, PERMIT POLITICAL SUBDIVISIONS OF THE STATE, QUASI STATE AGENCIES, AND EXTERNAL PROCUREMENT UNITS TO PURCHASE FROM ANY CONTRACTS AWARDED AGAINST THIS SOLICITATION. PLEASE CHECK ALL THAT APPLY:

_____ **YES/NO** **VENDOR SHALL PERMIT ANY CONTRACT AWARDED TO APPLY TO QUASI STATE AGENCIES OR OTHER POLITICAL SUBDIVISIONS OF THE STATE.**

_____ **YES/NO** **VENDOR SHALL PERMIT ANY CONTRACT AWARDED TO APPLY TO AGENCIES OF THE UNITED STATES GOVERNMENT.**

_____ **YES/NO** **VENDOR SHALL PERMIT ANY CONTRACT AWARDED TO APPLY TO OTHER BUYING ORGANIZATIONS (OTHER THAN THE UNITED STATES GOVERNMENT), NOT LOCATED IN THIS STATE WHICH, IF LOCATED IN THIS STATE, WOULD QUALIFY AS A PUBLIC PROCUREMENT UNIT.**

_____ **YES/NO** **SECTION 9 FTA RECIPIENTS MAY PURCHASE BUSES ONCE A CONTRACT HAS BEEN AWARDED.**

COMPANY: _____ NAME: _____
(Print or type)

ADDRESS: _____ SIGNATURE: _____

_____ TITLE: _____

PHONE: _____ DATE: _____

FAX: _____

EMAIL: _____

**15.0 MISSISSIPPI TRANSPORTATION COMMISSION
CONTRACT TERMS AND CONDITIONS**

_____ I/We certify that we have read and understand the "**MISSISSIPPI TRANSPORTATION COMMISSION CONTRACT TERMS AND CONDITIONS**" (**ATTACHMENT F**) and if awarded the proposed bid the "**TERMS and CONDITIONS**" will be followed accordingly. I/we understand that the "**NOTICE AND INSTRUCTIONS**" and any attachments (including, but not limited to, the Specifications (Attachment C), as well as my/our responses to this solicitation will be fully incorporated by reference in the "**TERMS and CONDITIONS**" of any contract that may be executed as a result of this solicitation.

ATTACHMENT F does not need to be completed. The bidder needs acknowledge by initialing the blank in the paragraph above that the terms and conditions have been read and understood. An agency contract will be sent to the bidder after the contract is awarded.

Please complete the following:

COMPANY: _____ NAME: _____
(Print or type)

ADDRESS: _____ SIGNATURE: _____

_____ TITLE: _____

PHONE: _____ DATE: _____

FAX: _____

EMAIL: _____

16.0 INVOICING AND PAYMENT

Please complete the section below.

This section pertains to invoicing and payment. The bidder name and address below is what will appear on the invoice submitted by the bidder to MDOT for the agency contract for the Bus, Class A Transit, Accessible, 24 Passenger ADA Fixed Route if a contract is awarded to the bidder.

BIDDER

NAME: _____

ADDRESS: _____

17.0 CHECKLIST INFORMATION

Failure to submit all items that are checked (X) below may cause your bid to be considered irregular and be rejected:

- (X) “NOTICE AND INSTRUCTIONS” – signed and enclosed (Section 11.0, Sealed Bid Submittal)
- (X) Correct RFX number is used in address – (final portion of Section 11.0,)”
- (X) “PROPOSAL” – completed and enclosed (Section 13.0)
- (X) Cooperative Purchase (Section 14.0 if applicable)
- (X) Acknowledgement of MTC “CONTRACT TERMS AND CONDITIONS” – (Section 15.0)
- (X) Invoicing and Payment- (Section 16.0)
- (X) “SPECIFICATIONS” – completed and enclosed (Attachment C)
- (X) Detailed literature to prove compliance with “SPECIFICATIONS”
- (X) “EEV CERTIFICATION AND AGREEMENT” – Employment Eligibility Verification, signed and enclosed (Attachment D)
- (X) Certifications (Attachment E)
- (X) Other: Certifications As Follows: (Page 17)

CHECK BLANK BELOW TO INDICATE THAT YOU HAVE INCLUDED A CERTIFICATE AND/OR CERTIFICATION OF COMPLIANCE WITH EACH OF THE FOLLOWING:

See Attachment E

YES/NO

- / (1) Federal Transit Administration requirements and regulations concerning rolling stock minimum service life requirements and all other FTA requirements concerning rolling stock acquisition
- / (2) All certificates and certifications
- / (3) Fixing America's Surface Transportation Act (FAST)
- / (4) Environmental Regulation
- / (5) Certification Regarding Restrictions on Lobbying
- / (6) Section 504 of the Rehabilitation Act of 1973
- / (7) Energy Policy and Conservation Act
- / (8) Certification Regarding Suspension and Debarment
- / (9) FTA Regulations on substance abuse
- / (10) Certification for Buy America
- / (11) Disadvantaged Business Enterprise (DBE)
- / (12) Federal Motor Vehicle Act
- / (13) Certification of compliance with or exclusion from Federal Transit Administration Bus Testing regulations
- / (14) Regulations of the US Department of Transportation
- / (15) Pre-award and Post Delivery Audit of Rolling Stock
- / (16) All FTA regulations
- / (17) All applicable labor standards and provisions

CHECK BLANK TO AGREE & ACKNOWLEDGE THE ITEMS BELOW:

YES/NO

___/___ (1) Federal government is not a party to any contract subsequent to this bid

___/___ (2) Program Fraud Civil Remedies Act of 1986, as amended, and U.S DOT regulations regarding same are applicable

CHECK BLANK THAT THE ITEMS BELOW ARE SUPPLIED WITH THE BID PACKAGE:

YES/NO

___/___ (1) Vehicle reference and/or user list

___/___ (2) Literature requirements

Checklist must be submitted for the bidder's bid.

