

ATTACHMENT 1

SAMPLE FORMAT

TRANSIT VEHICLE MANUFACTURES CERTIFICATION OF COMPLIANCE
WITH SUBPART D, 49 CFR PART 23

This procurement is subject to the provisions of Section 23.67 of 49 CFR Part 23. Accordingly, as a condition of permission to bid, the following certification must be completed and submitted with the bid. A bid which does not include the certification will not be considered.

TRANSIT VEHICLE MANUFACTURER CERTIFICATION

____ (Name of Firm) _____, a TVM, hereby certifies that it has complied with the requirements of Section 23.67 of 49 CFR Part 23 by submitting a current annual DBE goal to FTA (UMTA). The goals apply to Federal Fiscal Year _____ (October 1, 19 ____ to September 30, 19 ____) and have been approved or not disapproved by FTA.

____ (Name of Firm) _____, hereby certifies that the manufacturer of the transit vehicle to be supplied _____ (Name of Manufacturer) _____ has complied with the above-referenced requirement of Section 23.67 of 49 CFR Part 23.

Signature: _____ Date: _____

Title: _____

Firm: _____

CHAPTER II
TRANSIT VEHICLE MANUFACTURER

1. ANNUAL OVERALL GOAL (23.45(G), 23.64, 23.66, AND 23.67).

- a. TVMs are required to submit to the FTA Administrator, or his/her designee for approval an annual percentage overall goal for the utilization of DBEs.
- b. A TVM goal is submitted and approved using the same procedure followed by recipients under 23.45(g), 23.64, and 23.66 of the regulation. (See Chapter I, paragraph 6 of FTA Circular C4716.1A.) (A suggested form to show the methodology used in developing their overall goal can be found on pages D-32 and D-33).
- c. A DBE goal of less than 10 percent must be supported by the additional documentation identified in Section 23.65. (See Chapter I, paragraph 6d(2) of the circular).
- d. Work performed outside the United States or by the TVM's own work force is excluded from the base used to calculate the goal.

2. SOLICITATION OF BIDS/PROPOSALS (23.67).

- a. The regulation provides that the TVM will certify to the recipient that:
 - (1) It has submitted the required annual percentage overall goal to FTA; and
 - (2) FTA has either approved its annual percentage overall goal or has not disapproved the goal.
- b. A distributor or dealer must provide a certification of the manufacturer's compliance for those vehicles the distributor or dealer seeks to offer.
- c. The recipient is required to include a provision in its bid specifications requiring the above certification from TVMs, distributors, or dealers, as a condition of permission to bid.

3. QUARTERLY REPORTS.

Quarterly reports of contracting with DBEs are required from TVMs to assess their progress toward meeting the projected DBE goal. These reports are to be submitted to the Headquarters Office of Civil Rights in accordance with Section 23.49 of the regulation. (Suggested reporting form is found on page D-34).

SAMPLE METHODOLOGY

TRANSIT VEHICLE MANUFACTURER (TVM)

Fiscal Year _____

Name of Firm: _____

Total Projected FTA-Assisted Contracting Opportunities \$ _____

(Exclude work performed in other countries and TVM's own work force.)

<u>Contracting Category</u>	<u>Total \$ Value</u>	<u>Projected Level of DBE Participation \$ Value</u>
Chassis		
Steel & Aluminum		
Flat Glass		
Rubber Products		
Fasteners		
Hardware		
Electrical Components		
Sealers & Adhesives		
Seating		
Wood Products		
Transportation		
Janitorial Services		
Other (Specify):		
TOTAL:	\$ _____	\$ _____

The overall percentage DBE participation is derived by dividing the dollar value of DBE participation by the total dollar value of contracting opportunity. Your firm's percentage DBE participation is _____ percent. A DBE goal of less than 10 percent must be accompanied by justification as set out in 49 CFR Section 23.65.

Availability of DBEs in each Contracting Category:

	<u>Name of Firm</u>	<u>DBE</u>	<u>Area Code and Telephone No.</u>
Chassis			
Steel & Aluminum			
Flat Glass			
Rubber Products			
Fasteners			
Hardware			
Electrical Components			
Sealer & Adhesives			
Seating			
Wood Products			
Transportation			
Janitorial Services			
Other (Specify):			

Name of DBE Firms Anticipated to be used:

<u>Name/Address</u>	<u>Contracting Category</u>	<u>\$ Value</u>

Please review the accuracy of this methodology before forwarding. This methodology should be modified to fit your particular procurements.



FTA/UMTA

SAMPLE FORMAT TRANSIT VEHICLE MANUFACTURER'S DBE REPORT

1. Fiscal Year: _____ 2. Report Period: _____
3. Name of Transit Vehicle Manufactured: _____
4. Address: _____
5. City/State/Zip: _____
6. Annual DBE Goal: _____
7. Total prime contracts and subcontractors/procurements involving FTA fund awarded this report period to all contractors: (a) Number _____ (b) \$value _____
8. DBE prime contracts and subcontracts/procurements awarded this report period:

NUMBER		\$ VALUE	
(A) Women	(B) Total	(A) Women	(B) Total

9. Total prime contracts and subcontracts/procurements involving FTA fund awarded to date (current fiscal year) to all contractors: (a) Number: _____ (b) \$value _____
10. Total awards to date of DBEs involving FTA funds: (a) number _____ (b) \$ value _____ (c) _____ %
11. DBE prime contracts and subcontracts/procurements awards by ethnic group:

- Black American
- Hispanic American
- Native American
- Asian-Indian American
- Asian-Pacific American
- Other
- Total

NUMBER		\$ VALUE	
(A) Women	(B) Total	(A) Women	(B) Total

12. Number and \$ value of DBE prime and subcontract award by type of work:

(A) PROFESSIONAL SERVICES

- (1) _____
- (2) _____
- (3) _____

(B) Materials

- (1) _____
- (2) _____
- (3) _____

(C) Parts/Equipments/Supplies

- (1) _____
- (2) _____
- (3) _____

(C) Parts/Equipments/Supplies

- (1) _____
- (2) _____
- (3) _____

Total

13. Name of Prepares _____

14. Telephone No. _____

**TRANSIT VEHICLE MANUFACTURER'S DBE REPORT
INSTRUCTIONS**

1. Federal fiscal year, beginning October 1 and ending September 30.
2. The period of the Federal fiscal year for which the report is being submitted. Enter the number 1, 2, 3, or 4 -- October 1 through December 31 (10/1 - 12/31) would be the second quarter; April 1 through June 30 (4/1/ - 6/30) would be the third quarter; July 1 through September 30 (7/1 - 9/30) would be the fourth quarter.
3. Name of company/corporation.
4. Street address or post office box number of company/corporation.
5. City, State, and Zip for company/corporation.
6. The annual DBE goal for the fiscal year indicated in Item 1 as accepted by FTA.
- 7(a). The total number of FTA-assisted prime contracts and subcontracts/procurements awarded during the reporting period. These totals shall include all types of contracts/procurements for which FTA funds are used, including professional/consultant services, purchase of parts or supplies, lease or purchase of equipment, and any other types of services.
- 7(b). The total dollar value of FTA-assisted funds.
8. The number and dollar value of the Federal share of the prime contracts and subcontracts/procurements reported in Item 7 which were awarded to DBEs. The total awards to DBEs should be included in Columns b and d. The portion of total DBE awards that were made with women-owned firms should be included in Columns a and c.
- 9(a). The total number of FTA-assisted prime contracts and subcontracts/procurements awarded to date. This is the sum of all prior and current awards as reported in Item 7(a).
- 9(b). The dollar value of the total Federal share of all prior and current prime contracts and procurements reported in Item 7(b). This and all other dollar entries are to be rounded to the nearest dollar.
- 10(a). The number of executed DBE prime contracts and subcontracts/procurements reported to date in Item 8(b).
- 10(b). The dollar value of the total Federal share of the DBE prime contracts/procurements and DBE subcontracts/procurements reported

to date in Item 8(d). This and all other dollar entries are to be rounded to the nearest dollar.

- 10(c). The percent of DBE awards to date, i.e., Item 10(b) divided by Item 9(b) and the results multiplied by one hundred.
11. This is a breakdown by ethnic group of the number and dollar value of all DBE prime contracts/procurements report in Item 8. The total awards to DBEs should be included in Columns b and d. The portion of total DBE awards that were made with women-owned firms should be included in Columns a and c. The dollar value of the Federal share is to be reported.

The ethnic group definitions for the DBE program are contained in 49 CFR Section 23.62, dated July 21, 1983 and revision dated October 21, 1987. The ethnic group labeled "Other" includes DBEs owned and operated by individuals who have been determined on a case-by-case basis to be socially and economically disadvantaged. In the case of split ownership by two or more disadvantaged individuals, the DBE participation should be reported for the ethnic group which owns the largest share. If the ownership is equal, the DBE participation should be reported for the ethnic group involved which is listed first.

12. The number and dollar value of awards by type of work performed by DBEs for the prime contracts and subcontracts/procurements reported in Item 8. Prime and subcontracts/procurements which involve more than one type of work should be reported only for the predominant work type based on cost.

NOTE: Examples of the types of work are listed below:

- a. Professional Services:
- Accounting
 - Advertising
 - Legal
 - Marketing
- b. Materials:
- Aluminum and Steel
 - Glass
 - Plastics
 - Rubber
 - Wood

c. Parts/Equipments/Supplies:

- Air Conditioning/Heating Units
- Batteries
- Braking Systems
- Chassis
- Communication Systems
- Electrical Components
- Electrical Components
- Engines
- Fare Boxes
- Fasteners (e.g., Nuts and Bolts)
- Headlamps
- Radiators
- Sealers and Adhesives
- Seats
- Tires

d. Other:

- Janitorial
- Printing
- Transportation of Vehicles

13. Type name of person who prepared the report.
14. Telephone number of person who prepared the report.



APPENDIX E - ATTACHMENTS

1. FTA Requirements for Procurement Contracts
2. Public Transit Department (S.F. Municipal Railway) Protest Procedures for the Bidding and Award Process of Federally Assisted Third-Party Contracts
3. Negotiated Procurement Procedure