

Agency: [Insert Agency Name]

[Insert Department or Division Name]

ROLLING STOCK VEHICLE PROCUREMENT

[Insert Solicitation Title]

Recommended Offeror for Contract Award:

[Insert Recommended Offeror for Award]

Pre-Award Audit Report

Submitted By: [Insert Name/Title]

Signature

[Insert Agency Name, Department/Division], Subrecipient

[Insert Date]

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1.0 EXECUTIVE SUMMARY

Instructions

Provide description of report including manufacturer, number and type of vehicles, and references to key FT A guidelines.

Provide statement about whether rolling stock vehicle manufacturer is compliant with Buy America pre-award audit requirements and whether the recipient has copies of the following: (i) Pre-Award Buy America Certification; (ii) Pre-Award Purchaser's Requirements Certification; and (iii) Pre-Award FMVSS Certification, if applicable.

Include a statement as to the organization of the report and any attachments. Provide a statement about whether the rolling stock vehicle manufacturer meets Buy America Requirement.

[Type here]

2.0 AUDIT PROCEDURES

Instructions

Provide a brief description of the procedures used to perform the overall audit, including whether in-house staff or consultants were used. Include a brief statement about Pre-Award Buy America documentation received from the rolling stock vehicle manufacturer. And provide a brief overview of the review and analysis performed to determine compliance with Buy America requirements, including any onsite visits to the rolling stock manufacturer or component supplier sites.

Include a brief statement about procedures used to determine the validity of the Pre-Award Purchaser's Requirements Certification, including documentation reviewed and site visits, if any, performed to determine if the proposal meets the solicitation requirements and that the rolling stock manufacturer is responsible, with the capability and capacity to produce the vehicle in compliance with the Contract Requirements.

[Type here]

3.0 PRE-AWARD BUY AMERICA CERTIFICATION

Instructions

Provide a brief summary addressing the rolling stock vehicle manufacturer's Pre-Award Buy America documentation and how the manufacturer meets or does not meet the domestic content and final assembly requirements. Provide a brief summary of the documentation provided by the rolling stock vehicle manufacturer and reviewed by the recipient or its designated auditor.

[Type here]

3.1 Verification of Domestic Content Estimate & Final Assembly Cost

Instructions

Provide a summary of the documentation provided by the manufacturer and confirm that the documentation included sufficient detail such that the reviewer was able to verify that the vehicle will contain the minimum domestic content and the final assembly costs.

The self-certification of the manufacturer of domestic content or compliance is not sufficient. The reviewer should examine documentation that includes sufficient detail for the reviewer to determine whether the manufacturer is likely to meet the domestic content requirements.

Relevant information may include, but is not limited to, documentation of the breakdown of components, subcomponents, manufacture of origin, percent cost or actual cost of components, percent cost or actual cost of corresponding subcomponents, and whether the manufacturer has Buy America certifications from its suppliers. Provide a brief summary on the formulas and calculations used to determine domestic content and whether they are accurate. The Buy America pre-award audit report may include a summary table that lists the domestic components and their cost as a percentage of the total cost. The table should not include proprietary or confidential information.

Provide a summary statement of the manufacturer's claimed domestic content based on the independent analysis of the reviewer.

[Type here]

3.2 Verification of Final Assembly Location & Activities

Instructions

Provide a brief description of the rolling stock vehicle manufacturer's proposed U.S. final assembly location and how the rolling stock vehicle manufacturer's final assembly activities will correspond to minimum final assembly activities in 49 CFR part 661. Provide a summary of the final assembly costs.

[Type here]

4.0 PRE-AWARD PURCHASER'S REQUIREMENTS CERTIFICATION

Instructions

Provide a summary addressing the manufacturer's Pre-Award Purchaser's Requirements Certification and the reviewer's methods of review and analysis to determine whether the requirements were satisfied. The summary may include a brief summary regarding how the Subrecipient's Evaluation Team reviewed the Manufacturer's Bid (Proposal), compared it to the solicitation specifications, and, after reviewing the manufacturer's bid, issued any addenda, received responses to clarifications, and found the Manufacturer to be compliant.

Additionally, the report may include a summary explaining how the recipient determined that the manufacturer is responsible. The summary may include, for example, a list of past deliveries of similar orders over the past 5 years. The summary also may indicate whether the manufacturer will use the same or similar processes and the same final assembly facility.

Provide a summary statement based on the above review as to whether or not the rolling stock manufacturer has the capacity and capability to produce the rolling stock to meet the contract requirements.

[Type here]

5.0 FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS CERTIFICATION)

Instructions

Provide a summary statement that a sample of the Manufacturer's FMVSS self-certification sticker information was obtained and reviewed against a sample FMVSS sticker and was found to include the content required for the Pre-Award Audit.

[Type here]

6.0 PRE-AWARD AUDIT CONCLUSIONS

Instructions

Provide a summary regarding how the procedures used, analysis performed, and results found on the Pre-Award audit of the rolling stock manufacturer indicates the manufacturer meets Buy America Compliance and the Purchaser's requirements certification.

[Type here]

ATTACHMENT A: PRE-AWARD BUY AMERICA CERTIFICATION

As required by 49 CFR part 663 – Subpart B, the Agency, as Subrecipient, is satisfied that the vehicles to be purchased, _____ (number and description of vehicles) from _____ (manufacturer), meet the requirements of 49 U.S.C. 5323(J), as amended. The recipient, or its appointed auditor (which is not the manufacturer or the manufacturer’s agent), has reviewed documentation provided by the manufacturer, which lists (1) the proposed component and subcomponent parts of the vehicles identified by manufacturer, country of origin, and cost; and (2) the proposed location of the final assembly point for the vehicles, including a description of the activities that will take place at the final assembly point and the cost of final assembly.

Approve: _____

Date: _____

[type Approver name here]

[type title here]

ATTACHMENT B: PRE-AWARD PURCHASER'S REQUIREMENTS CERTIFICATION

As required by 49 CFR 663.27, the Agency, as Subrecipient, has conducted a pre-award audit and certifies that the vehicles to be purchased, _____ (number and description of vehicles) from _____ (manufacturer), are the same product described in the recipient's solicitation specification and that the proposed manufacturer is a responsible manufacturer with the capability to produce vehicles that meet the specifications set forth in the solicitation.

Additionally, the Agency will conduct a post-delivery audit verifying that the buses delivered meet the contract specifications. The Agency will also keep records, including pre-award and post-delivery certifications, which show that all regulations have been followed.

Approve: _____

Date: _____

[type Approver name here]

[type title here]

ATTACHMENT C: PRE-AWARD FMVSS COMPLIANCE CERTIFICATION

As required by 49 CFR part 663 – Subpart D, the Agency, as Subrecipient, certifies that it received, at the pre-award stage, a copy of _____’s (manufacturer) self-certification information stating that the vehicles to be purchased, _____ (number and description of vehicles) from the manufacturer, will comply with the relevant Federal Motor Vehicle Safety Standards issued by the National Highway Traffic Safety Administration in 49 CFR part 571.

Approve:_____

Date:_____

[type Approver name here]

[type title here]

ATTACHMENT D: TABLE OF DOMESTIC CONTENT