NDOT Procurement Guidance for FTA 5311 Subrecipients

NEBRASKA
Good Life. Great Journey.
DEPARTMENT OF TRANSPORTATION

FTA
Federal Transit Administration

NEBRASKA
Public Transit

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Overview:

The Nebraska Department of Transportation (NDOT) is the Direct Recipient of funding from the Federal Transit Administration (FTA). NDOT passes through FTA funding to subrecipients for the provision of rural public transportation and specialized transportation for the elderly and disable. The purpose of this guidance is to provide FTA compliant procedures for subrecipients requesting reimbursement with federal funds for goods or services.

Roles and Responsibilities:

NDOT will update this guidance as needed to ensure it is compliant with current Federal regulations. Subrecipients must retain a copy of the NDOT Procurement Guidance (either electronic or hard copy) in the transit office.

Applicability of Federal Requirements:

One of the requirements of contracting with Federal funds received directly or indirectly from FTA is a recognition that, as a condition of receiving the funds, certain specific regulations must be met not only by the Direct Recipient of the funds but also by subrecipients.

Oversight:

NDOT will review relevant procurement documents during subrecipient compliance reviews conducted at least once every three years. Subrecipients must retain documentation in file and provide information to NDOT upon request.

Definitions:

Direct Recipient—Refers to the entity that receives Federal funding directly from FTA. The Direct Recipient is responsible for the daily administration and management of the grant in compliance with the grant agreement, applicable FTA circulars and regulations. NDOT is the Direct Recipient of FTA funds in Nebraska.

Subrecipient-Refers to the entity that receives Federal assistance awarded by an FTA Direct Recipient rather than by FTA directly.

Procurement-The process by which goods and services are obtained.

Cost or Price Analysis-Procurement must include an analysis of the cost to ensure you are obtaining the goods and services at a reasonable and fair price. The Analysis must include the following:

1. Adequate price competition
2. Prices set by law or regulation
3. Established catalog and market prices
4. Comparison to previous purchases

Request for Proposal (RFP)-When a competitive bidding process is required, the subrecipient must release detailed specifications or purchase description to qualified bidders.

Request for Qualifications (RFQ)-When procuring the services of an architectural and engineering firm (A&E) for a transit-related construction project, the subrecipient must release an RFQ and make a qualifications-based selection per the Brooks Act.

Federal Transit Administration Purchase Thresholds

The dollar amount of a purchase or contract impacts how much effort must be put into finding and evaluating the potential choices. The following thresholds have been identified by FTA:

1. Micro-Purchase-$3,500 or less and involves the fewest Federal requirements. Subrecipients are not required to obtain competitive quotes for a micro-purchase and are exempt from Buy America requirements. Subrecipients must retain documentation in file that the price is fair and reasonable based on a cost or price analysis and how that determination was made.
2. Simplified Acquisition Threshold or Small Purchases-more than $3,500 up to $150,000 triggers additional requirements, including comparing costs and obtaining quotes from multiple vendors.
3. Competitive Procurement-Over $150,000 triggers the requirements for a formal competitive solicitation (contact NDOT for further guidance).

Contact NDOT:

The subrecipient cannot proceed with any procurement with the expectation of reimbursement with Federal funds without prior approval and guidance from NDOT for the following:

1. Any purchase of a single item or service $10,000 or more.
2. Purchasing rolling stock (vehicles)
3. Releasing RFP or RFQ

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