

Yuma County Intergovernmental Public Transportation Authority

2715 East 14th Street, Yuma, AZ 85365-1900, Telephone: 928-539-7076 Fax: 928-783-0309, email: info@ycipta.az.gov, Web: www.ycipta.az.gov

NOTICE AND AGENDA OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS FOR THE YUMA COUNTY INTERGOVERNMENTAL PUBLIC TRANSPORTATION AUTHORITY

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the Board of Directors of the Yuma County Intergovernmental Public Transportation Authority ("YCIPTA") and to the general public that the Board of Directors will hold a meeting on:

MONDAY, August 25, 2025 – 1:30 PM Yuma County Department of Development Services – Aldrich Hall 2351 West 26th Street -- Yuma, AZ, 85364

Pursuant to A.R.S. § 38-431.05, notice is hereby given to the members of the Yuma County Intergovernmental Transportation Authority (YCIPTA) and to the general public that YCIPTA as part of its regular meeting will hold a meeting open to the public as noted above.

Unless otherwise noted, meetings held at the above location are open to the public.

The Board of Directors may vote to go into executive session during the noticed meeting concerning any of the agenda items mentioned below. If authorized by the requisite vote of the Directors, the executive session will be held immediately after the vote and will not be open to the public. The executive session, if held, will be at the same meeting location set forth above. The discussion may relate to confidential matters permitted pursuant to A.R.S. §§ 38-431.03(A)(1)-(7). The Chairman or other presiding officer shall instruct the persons present at the executive session regarding the confidentiality requirements of the Open Meeting Laws.

Pursuant to the Americans with Disabilities Act, reasonable accommodation requests may be made by contacting the Transit Director at 928-539-7076, ext 101 (TTY/TDD - Arizona Relay Service 711). Requests should be made as early as possible to allow time to arrange the accommodation.

The agenda for the meeting is as follows:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

CALL TO PUBLIC: The public is invited to speak on any item or any area of concern that is within the jurisdiction of the YCIPTA Board of Directors. The Board is prohibited by the Arizona Open Meeting Law from discussing, considering, or acting on items raised during the call to the public, but may direct the staff to place an item on a future agenda. Individuals are limited to a five-minute presentation.

CONSENT CALENDAR: The following items listed under the Consent Calendar will be considered as a group and acted upon by one motion with no separate discussion, unless a board member so requests. In that event, the item will be removed for separate discussion and action.

1. Adopt the June 23, 2025 regular session minutes. Action required. Pg. 4

DISCUSSION & ACTION ITEMS:

- 1. Discussion and or action regarding the Updated YCIPTA Procurement Policy. Action required. *Pg.* 9
- 2. Discussion and or action regarding contract with Samsara/Swiftly to provide real-time information. No action required. *Pg. 114*
- Discussion and or action regarding the new YCIPTA website. No action required.
- 4. Discussion and or action regarding IT infrastructure. No action required. Pg. 124
- 5. Discussion and or action regarding the FY2025 Triennial Review Findings Update. No action required. *Pg.126*
- 6. Discussion and or action regarding the contract with Kim Joyce & Associates (KJA). No action required. *Pg. 128*

PROGRESS REPORTS:

- Operations Report Anabel Teran, General Manager, RATP Dev. No action is required.
- 2. Maintenance Report Max Isbell, Maintenance Manager, RATP Dev. *No action is required.*

Yuma County Intergovernmental Public Transportation Authority Board Of Directors
Brian Golding Sr. – Chairman – Quechan Tribe, Louie Galaviz – Vice Chairman – City of Somerton
Arturo Durazo, Sr.- Sec/Treas – Cocopah Tribe, Jay Simonton – City of Yuma,
Ian McGaughey – Yuma County, Czarina Gallegos – Arizona Western College,
Richard Marsh – Town of Wellton, Lizeth Servin – City of San Luis

- 3. Transit Directors Report Shelly Kreger, Transit Director. No action required. Pg. 132
- 4. Transit Operations Report David Garcia, YCIPTA Transit Operations Manager. *No action is required. Pg. 135*
- 5. Brand Ambassador Report Kirt Manuel, YCIPTA Brand Ambassador. *No action required. Pg. 142*
- 6. Financial Report Shelly Kreger, YCIPTA Transit Director. *No action is required.*

SCHEDULE NEXT MEETING DATE AND IDENTIFY AGENDA ITEMS:

September 22, 2025

ADJOURNMENT

The Yuma County Intergovernmental Public Transportation Authority (YCIPTA) met in a Regular Board Meeting session on Monday, June 23, 2025, at Yuma County Department of Development Services, Aldrich Hall, 2351 West 26th Street, Yuma, AZ 85364. The Chair, Brian Golding Sr, called the meeting to order at 1:30 pm.

Members Present:

Brian Golding, Sr./Quechan Indian Tribe/Chair Louie Galaviz/City of Somerton/Vice Chair Arturo Durazo/Cocopah Indian Tribe/Secretary/Treasurer Ian McGaughey/Yuma County Lizeth Servin/City of San Luis Richard Marsh/Town of Welton -via telephone Jay Simonton /City of Yuma Czarina Gallegos/Arizona Western College

Others Present:

Shelly Kreger/YCIPTA/Transit Director David Garcia/YCIPTA/Transit Operations Manager Denis Aceves/YCIPTA/Clerk I Anabel Teran/RATP/General Manager

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Mr. Durazo.

CALL TO THE PUBLIC

No public present, no comments made.

No.1: Adopt the May 27, 2025, regular session minutes and May 30, 2025, Special session minutes—action required.

Motion (Simonton/ Servin): To approve the item as presented.

Voice Vote: Motion carries, 8-0.

DISCUSSION & ACTION ITEMS:

No. 1: Discussion and or action regarding the Updated Exhibit A Amendment 15 to the YCIPTA/Quechan MOU for FY 2025-2026. Action required.

Ms. Kreger presented the item as contained in the Members' packet.

Mr. McGaughey inquired if this was only for the Quechan IndianTribe.

Ms. Kreger stated that it was correct.

Motion (Gallegos/Galaviz): To approve the item as presented.

Voice Vote: Motion carries, 8-0.

No. 2: Discussion and or action regarding the Exhibit A and B of the Cocopah Indian Tribe MOU for FY2025-2026 Exhibit. Action required.

Ms. Kreger presented the item as contained in the Members' packet.

Ms. Kreger stated that this includes 3% entity dues that need approval once again.

Mr. Galaviz inquired if the increase was for salaries and operations.

Ms. Kreger stated that it was correct.

Mr. Golding Sr. asked Mr. Durazo if he had any questions.

Mr. Durazo stated he reviewed the attachments and will present them to the Council for approval.

Motion (Servin/Simonton): To approve the item as presented. **Voice Vote**: Motion carries,8-0.

No. 3: Discussion and or action regarding the DRAFT YCIPTA FY2025-2026 Operating and Capital Budget. Action required.

Ms. Kreger stated that the operating budget was discussed in the previous Board Meeting.

Ms. Kreger stated that the operating budget was to 3% and salaries were fixed at 3% which the operating budget does reflect on those changes.

Ms. Kreger stated that the capital budget includes the Hotel Del Sol project with an extended agreement with the City of Yuma.

Ms. Kreger stated that the rest of the expenses for the Safety Transportation Program (STP) will be for automobiles to replace five (5) relief vehicles.

Ms. Kreger stated that the replacement automobiles will be two (2) wheelchair accessible vans and three (3) Ford Explorers.

Ms. Kreger stated that the Transit Vans cost around \$100,000 each, being wheelchair equipped, and the Ford Explorer costs around \$45,000 to \$46,000 each.

Ms. Kreger stated that the capital budget will also include the replacement of a lift that costs around \$50,000.

Ms. Kreger stated that the STP funding does have a lower match rate at 2.4%.

Ms. Kreger stated that the capital budget includes replacement of computer equipment for staff, including a server replacement costing approximately \$10,000 to \$15,000.

Motion (McGaughey/Gallegos): To approve the item as presented. **Voice Vote**: Motion carries,8-0.

No. 4: Discussion and or action regarding Letter of Support – City of San Luis FY 2025 FTA Bus & Bus Facilities Grant Application. Action required.

Ms. Kreger introduced Mr. Humberto Arcos, Economic Development Grants Coordinator, City of San Luis to the Board.

Mr. Arcos stated that the City of San Luis is currently applying for the Bus Facility Program, requesting approximately \$ 5 million with a 20% local match.

Mr. Arcos stated that the project is fully designed and ready to start, if awarded the grant.

Mr. Arcos stated that initially, the City of San Luis wanted to purchase buses and have them serve as a neighborhood circulator, but stated that the operating cost was too high.

Mr. Galaviz inquired about a time frame for when this project would be started.

Mr. Arcos stated that if awarded, they are expecting to hear back from the Federal Transit Administration (FTA) within seventy (70) days, and have a year to obligate the funds.

Mr. Arcos stated that the project is expected to start in the upcoming fiscal year when the match kicks in.

Ms. Kreger inquired if Mr. Arcos had heard back from the Arizona Department of Transportation (ADOT) whether they can apply through them.

Mr. Arcos stated that the City of San Luis is working with ADOT for submission, as ADOT has to submit for cities with a population of under 50,000.

Mr. Durazo inquired if this project was already a shovel-ready project.

Mr. Arcos stated that initially, this project was conceptualized in 2018, and the design was completed in 2024.

Mr. Galaviz inquired as to how Mr. Arcos saw the new project connecting with the services in the future.

Mr. Arcos stated that initially, the design for the project was just to do a parking lot and some parks that would connect to Main Street.

Mr. Arcos stated that they redesigned some bus stops to integrate with the YCAT system.

Mr. Arcos stated that they are working with YCIPTA to ensure input on the bathrooms.

Motion (Galaviz /Durazo): To approve the item as presented. **Voice Vote**: Motion carries,8-0.

PROGRESS REPORTS:

No.1: Operations Report – Anabel Teran, General Manager, RATP Dev. *No action is required.*

Ms. Teran stated that from the last meeting, there was one (1) at-fault collision, in which the bus made contact with a stop sign.

Ms. Teran stated the driver had completed retraining, and progressive discipline has been applied.

Ms. Teran stated that while finalizing the safety report to submit to Ms. Kreger, another incident occurred involving a collision with a bicyclist.

Ms. Teran stated the driver was tested for alcohol and drugs the results are still pending.

Ms. Teran stated that there are currently three (3) new trainees.

Mr. Galaviz asked if the driver in the collision was out during this time.

Ms. Teran stated that depending on the severity of how major it is, they will suspend the driver.

Ms. Teran stated that no routes had been canceled.

No action required, no action needed.

No.2: Maintenance Report – Max Isbell, Maintenance Manager, RATP Dev. *No action is required.*

Ms. Teran presented the item as contained in the Members' packet.

No action required, no action needed.

No.3: Transit Operations Report – David Garcia, YCIPTA Transit Operations Manager. *No action is required.*

Mr. Garcia stated that YCIPTA received a free trial from Samsara, a GPS (Global Positioning System) tracking device provider.

Mr. Garcia stated that fifteen (15) trackers have been installed on our vehicles.

Mr. Garcia stated that the software provides vehicle location and diagnostic information.

No action required, no action needed.

4. Brand Ambassador Report – Kirt Manuel, YCIPTA Brand Ambassador. *No action required.*

Mr. Garcia presented the item due to Mr. Manuel being absent.

Mr. Galaviz asked for a potential update on shelters in high-traffic areas in Somerton and San Luis, Arizona to increase advertisement revenue.

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Ms. Kreger stated that the cost per shelter has increased from \$14,000 to \$26,000.			
Mr. Galaviz stated that grant opportunities should be looked at to help fund the shelters.			
Mr. Marsh exited the meeting at 2:12 pm.			
No action required, no action needed			
5. Financial Report – Shelly Kreger, YCIPTA Transit Director. No action is required.			
Ms. Kreger presented the item as contained in the Members' packet.			
No action required, no action needed			
Meeting date will be on 07/28/2025			
SCHEDULE NEXT MEETING DATE AND IDENTIFY AGENDA ITEMS:			
June 23, 2025			
There being no further business to come before the Authority in Regular Session, the meeti was adjourned at 2:15 pm.			
YUMA COUNTY INTERGOVERNMENTAL TRANSPORTATION AUTHORITY			
Adopted this, 2025, Agenda Item			

Denis Aceves, Board Secretary



Yuma County Intergovernmental Public Transportation Authority

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August 19, 2025

Discussion and Action Item 1

To: Yuma County Intergovernmental Public Transportation Authority Board

of Directors

From: Shelly Kreger, Transit Director

Subject: Discussion and or action regarding the Updated YCIPTA Procurement

Policy

<u>Requested Action:</u> Staff recommends that the Yuma County Intergovernmental Public Transportation Authority (YCIPTA) Board of Directors approve the Updated YCIPTA Procurement Policy.

<u>Background and Summary:</u> During the FY2025 Triennial Review conducted by the Federal Transit Administration (FTA) a deficiency was noted:

P8-5: Lacking required justification(s) and documentation for noncompetitive award(s)

Deficiency Description: YCIPTA conducted a formal procurement for the Fuel/Cardlock Services obtained in 2024. The Request for Proposals (RFP) was issued and reissued more than once due to a lack of sufficient bids received in the initial solicitation. However, upon subsequent issuance of the RFP, YCIPTA again received one responsive bid and the agency decided to move forward with this single-bidder response, resulting in a noncompetitive award to the vendor. It was discovered that YCIPTA did not document their determination of inadequate competition with the noncompetitive award, including no justification documentation of a review of their specifications for undue restrictiveness nor any inquiries or surveys sent out to potential bidders to determine the reasons why they chose not to bid on the project.

Corrective Actions and Schedule: By August 22, 2025, YCIPTA must submit in OTrak:

1. Evidence of a procedure to ensure that future noncompetitive procurements are properly conducted and documented.

Yuma County Intergovernmental Public Transportation Authority Board Of Directors

- YCIPTA updated the Procurement Policies by adding Appendix E Non-Competitive Procurement Justification to include in future procurements. This Appendix was completed for the Fuel/Cardlock services procurement and submitted to FTA. The Updated Procurement Policies were also submitted to FTA and this deficiency is now closed.
- 2. Purchase thresholds for competitive bid were also updated from \$100,000 to \$250,000, this threshold was not updated completely through the document.
- 3. Updated the job title throughout the document from *Financial Services Manager to Operations Manager and or/ Finance Manager.*
- 4. Also in the sole source justification 3.)b on page 22 of the policy was updated to include "The Sole source justification must be in writing. Non-competitive Procurement Justification form (Appendix E) must be completed and kept on file."
- 5. The addition of language to 16. Contract Provisions for FTA Grantees "The YCIPTA Operations Manager and/or Finance Manager shall perform an annual review of the CORTAP Manuel, FTA Master Agreement and 2 CFR Part 200 to ensure the inclusion of all FTA-required third party contract clauses. The YCIPTA Operations Manager and/or Finance Manager may use Procurement Pro from the National Rural Transit Assistance Program as a resource for the necessary clauses and forms."

Financial Impacts: N/A

Recommended Motion: Staff recommend that the Yuma County Intergovernmental Public Transportation Authority (YCIPTA) Board of Directors approve the Updated YCIPTA Procurement Policies.

Legal Counsel Review: N/A

Attachments: YCIPTA Procurement Policies Redline and Clean versions.

For information regarding this agenda item, please contact Shelly Kreger via email to: skreger@ycipta.az.gov or call 928-539-7076, extension 101.

Approved for submission:

Shelly Kreger, Transit Director



Yuma County Intergovernmental Public Transportation Authority

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Procurement Policy Adopted: October 1, 2011 Revised: August 25, 2025

(A.R.S. 11-254.01, Title 34-201)

1 SCOPE AND PURPOSE

1.1 Scope:

This Purchasing Policy addresses the purchase of all goods and services by the Yuma County Intergovernmental Public Transportation Authority (YCIPTA). It includes policy direction about how to handle these transactions in their various forms and within the constraints of legal and policy requirements.

1.2 Purpose:

The purpose of this Policy is to provide guidance and uniformity for purchases of goods and services. It also serves to assist staff with preparing procedures to comply with the requirements of the YCIPTA bylaws, the laws of the State of Arizona, and Federal Transit Administration (FTA) regulations relating to purchases of goods and services. Unless otherwise specified in this Policy, applicable State or Federal laws shall apply.

1.3 Compliance:

When procurement involves the expenditure of FTA grant funds, the Financial Services Operations ManagerOperations Manager and/or Finance Manager—or Purchasing Agent , or authorized authority shall comply with Code of Federal Regulations Title 49, Subtitle A, Part 18, and U.S. Department of Transportation Circulars (i.e. FTA C 4220.1F) for full compliance with terms of the grant. Additionally, procurement shall comply with local guidelines as set forth in the YCIPTA bylaws, any local administrative rule, and any written established internal procedure as well as applicable Arizona law. In the event of a conflict, the Federal guidelines shall govern. If there is no State law on a particular aspect of procurement, then Federal contract law principles apply.

The FTA Best Practices Procurement Manual shall be used when making procurement decisions when utilizing Federal funds.

1.4 Contracting Party:

Throughout this manual, "YCIPTA" is the contracting and procuring party.

1.5 Responsibility:

YCIPTA is responsible for the management of a public transportation system. This includes the planning, design and programming of transportation projects. YCIPTA receives funding from both Federal and state government. Therefore, YCIPTA must follow procurement policies and procedures that are consistent with local and federal regulations and the laws of the State of Arizona. Additional guidance on specific contractual actions is provided by OMB Circular A-102, Attachment O and FTA Circular 4220.1F as well as the FTA Best Practices Procurement Manual.

1.6 Standards:

The purpose of this policy is to provide standards for YCIPTA and its staff in the procurement of supplies, equipment, construction and other services. These standards have been developed and will be adopted by YCIPTA to ensure that such materials and services are obtained in an effective manner and in compliance with the provisions of all applicable federal, state, and local laws and regulations. This policy includes guidelines for the solicitation, award and administration of formally advertised contracts as well as small purchases.

1.7 Review of Purchases:

The Chairman or a delegated member of the Board of Directors shall review purchases made by the YCIPTA Transit Director on a monthly basis for accountability and financial oversight prior to submission to Yuma County Financial Services.

2 GENERAL STANDARDS - THIRD PARTY PROCUREMENTS

2.1 Contract Administration System:

YCIPTA will maintain a contract administration system that ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

2.2 Full and Open Competition:

All procurement transactions will be conducted in a manner providing full and open competition. Some situations considered to be restrictive of competition include, but are not limited to:

2.2.1 Prohibition Against Geographic Preferences: YCIPTA shall conduct procurements in a manner that prohibits the use of statutorily or administratively imposed in-State or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. This does not preempt State licensing laws. However, geographic location may be a selection criterion in procurements for architectural and engineering (A&E) services provided its application leaves an appropriate

number of qualified firms, given the nature and size of the project, to compete for the contract. The criterion may only be used to account for the benefits that can be brought to the project by specialized knowledge of local geography, geology, or architecture.

2.2.2 In order to promote full and open competition no unreasonable requirements will be placed on firms in order to qualify to do business within the jurisdiction of YCIPTA.

2.3 Written Procurement Selection Procedures:

YCIPTA shall have written selection procedures for procurement transactions. All solicitations shall:

- 1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features that unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equal" description may be used as a means to define the performance or other salient characteristics of a procurement. The specific features of the named brand which must be met by offerors shall be clearly stated.
- 2) Identify all requirements that offerors must fulfill and all other factors to be used in evaluating bids or proposals.

2.4 Prequalification Criteria:

YCIPTA shall not preclude potential bidders from qualifying during the solicitation period, which is from the issuance of the solicitation to its closing date. All procurement transactions will be conducted in a manner providing full and open competition.

2.5 Written Standards and Code of Conduct:

The standards established in this Policy shall apply to all employees engaged in the award and administration of contracts and contractors, consultants or advisors who provide advice on the selection and award of contracts. No employee, contractor, consultant, advisor, officer, agent, immediate family member, or Board member of YCIPTA shall participate in the selection, award, or administration of a contract for YCIPTA if a conflict of interest, real or apparent, would be involved.

2.6 Personal Conflict of Interest:

Conflict of interests arises, whether real or apparent, may arise when any of the following has a financial or other interest in the firm(s) considered or selected for award:

- a) An employee, officer, director, or agent of YCIPTA;
- b) Any member of his/her immediate family, including but not limited to, husband, wife, father, mother, brother, sister, son, daughter, father-inlaw, mother-in-law, son-in-law, and daughter-in-law;
- c) His/her business associate; or
- d) A company or organization, which is about to employ any of the above.

Employees, officers, directors, and agents of YCIPTA shall be subject to the laws of the State of Arizona concerning conflicts of interest. Anyone found to violate the standards established by such laws may be subject to the penalties, sanctions, or other disciplinary actions as provided by law.

In cases where an employee, officer, director, or agent of YCIPTA may have a conflict or potential conflict of interest, YCIPTA's policy is that such individual(s) must promptly report the conflict in writing to the YCIPTA Transit Director. If the YCIPTA Transit Director has a conflict or potential conflict, they must promptly report the conflict in writing to the Chair of the YCIPTA Board of Directors. Failure to adhere to this requirement shall constitute a violation of policy and may subject the violator to disciplinary action, up to and including discharge.

2.7 Organizational Conflict of Interest:

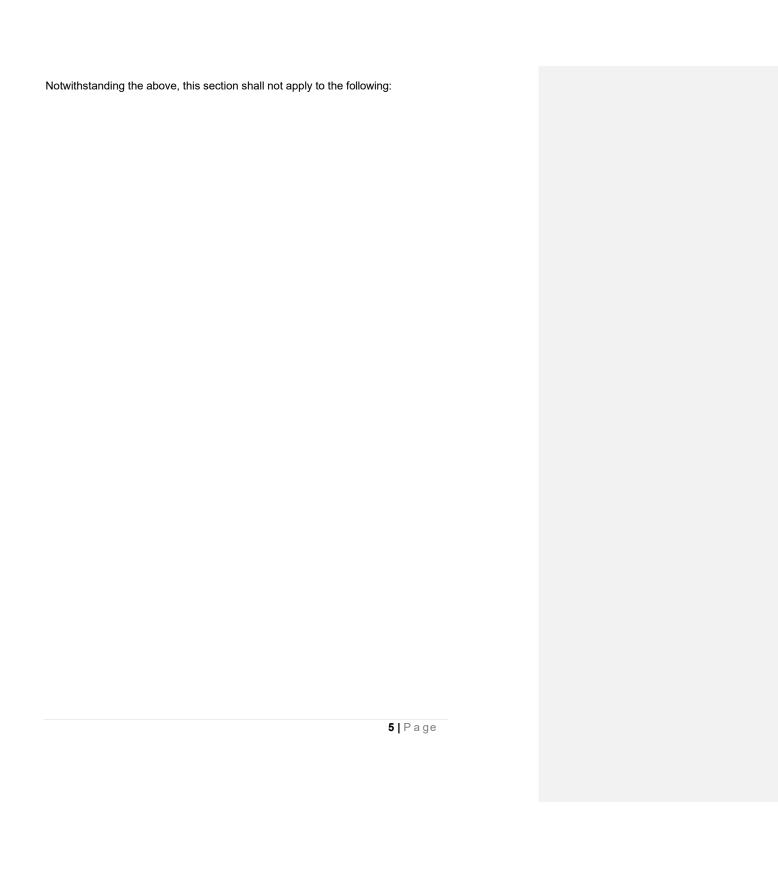
An organizational conflict of interest occurs where - because of other activities, financial interests, relationships, or contracts - a contractor is unable, or potentially unable, to render impartial assistance or advice to the grantee; the contractor's objectivity in performing the contract work is or might be impaired; or a contractor has an unfair competitive advantage.

Where a real or apparent organizational conflict of interest is detected by staff steps will be taken to mitigate or avoid the conflict. Every effort will be made to ensure a level playing field for all potential contractors is maintained by making all pertinent non-proprietary information available to all parties.

A fairly won competitive advantage is not an organizational conflict of interest. A contractor may have a fair competitive advantage by virtue of its prior experience, its expertise, its more efficient operations, etc. Occasionally an incumbent contractor may have what appears to be an insurmountable competitive advantage by virtue of its previous work for the grantee. An advantage of this type may not necessarily be unfair.

2.8 Gifts and Gratuities:

No employee, officer, director, or agent of YCIPTA may solicit or accept, either directly of indirectly, any gift, gratuity, loan, or other item or service of value from a contractor or potential contractors, or parties to subagreements.



- a) An occasional non-monetary gift of nominal (\$50) value accepted in the ordinary course of a business meeting; or
- b) Unsolicited advertising or promotional material of nominal value.

1 See also State of Arizona Secretary of State (http://www.azsos.gov/) for State law concerning limitations on Gifts, Honoraria, Travel, and Loans. Failure to adhere to the provisions of this section shall constitute a violation of YCIPTA policy and may subject the violator to disciplinary action, up to and including discharge.

2.9 Contacts with Vendor, Bidders and Proposers:

Prior to the issuance of a procurement solicitation, informational and research contacts with prospective vendors may be made for the purpose of gathering data. However, in making such contacts, employees, officers, directors, and agents shall adhere to these written guidelines, and avoid any commitment, or implication, of a possible future award.

Accordingly, requests for substantial complimentary services or supplies, which may imply an obligation on the part of YCIPTA, shall be prohibited. Requests for testing services, product samples, or demonstrations, for which YCIPTA shall have no obligations to purchase said items or services may be allowed.

Whenever procurement is in process (e.g., during the solicitation, evaluation, negotiation, and award phases) all contacts with potential contractors or vendors shall be made through the designated staff person identified in the solicitation or the YCIPTA Transit Director.

2.10 Releases and Use of Information:

All technical and price information received from a vendor will be treated as confidential during the bid/quotation period. These documents will become public information only after the bid/purchase has been awarded, with the exception of sealed bid pricing during bid opening. During the bidding/quotation period extreme care will be taken to avoid giving a bidder an advantage over another through an unequal exchange of information. Vendors should be informed that it is YCIPTA's practice to make competitive choices for Invitations for Bid (IFBs) on the basis of the first price submitted and no revised prices will be solicited or accepted.

No employee, officer, director, or agent of YCIPTA shall use such confidential information for the actual or anticipated benefit for themselves, their relatives, or persons with whom they have a common financial interest.

2.11 Disadvantaged Business Enterprise (DBE):

YCIPTA will file, as prescribed by law, a DBE program which describes YCIPTA's procedures and obligations regarding DBE's.

For the purpose of this program, a DBE is defined as a small business concern, which is both owned and controlled by socially and economically disadvantaged

persons. This means that disadvantaged individuals must own at least 51% of the business and control the management and daily operations of the business. Included in the classification of disadvantaged individuals are United States citizens who are Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, Asian-Indian Americans, women or members of other groups or individuals who the Small Business Administration (SBA) has determined are economically and socially disadvantaged under 49 CFR Part 26. The following affirmative steps shall be taken to assure that small and minority businesses are utilized when possible as sources of supplies, equipment, construction and services:

- a) Including qualified small and minority businesses on solicitation lists;
- b) Assuring that small and minority businesses are solicited whenever they are potential sources;
- c) When economically feasible, dividing total requirements into smaller tasks or quantities so as to permit maximum small and minority business participation;
- d) Where the requirement permits, establishing delivery schedules which will encourage participation by small and minority businesses;
- e) Using the services and assistance of the Small Business Administration, the Office of Minority Business Enterprises of the Department of Commerce and the Community Services Administration as required; or
- f) If any subcontracts are to be let, requesting that the prime contractor take the affirmative steps listed above. If separate contract goals are established, the prime contractor is required to take the affirmative steps listed above.

YCIPTA does not certify DBEs. DBEs will be identified through the database maintained by the Arizona Department of Transportation at http://www.azdot.gov/azdbe/index.asp.

2.12 Equal Employment Opportunity (EEO) Policy:

YCIPTA has adopted an Equal Employment Opportunity (EEO) Policy, which applies to both internal hiring and promotion practices as well as to vendors who do business with YCIPTA. All invitations for Bids and Requests for Proposal issued by YCIPTA require the Bidder or Proposer to certify that:

- a) It does not discriminate against any employee or applicant for employment, because of race, religion, sex, age, creed, color, disability, or national origin;
- b) It is in compliance with all Executive Orders and federal, state and local laws regarding fair employment practices and non-discrimination in employment; and
- c) It agrees to demonstrate positively and aggressively the principle of equal opportunity in employment.

2.13 Intergovernmental Procurements:

2.13.1 Whenever feasible YCIPTA will utilize available federal, state, and local intergovernmental agreements for procurement or use of common goods and services, including purchases from available Federal General Services Administration (GSA) and State of Arizona ProcureAZ cooperative procurements. When obtaining goods or services in this manner, YCIPTA will ensure all federal requirements, required clauses, and certifications (including Buy America) are properly followed and included, in the contract.

2.13.2 Whenever feasible, YCIPTA will procure goods and services jointly with other FTA grantees. When obtaining goods or services in this manner, YCIPTA must ensure all federal requirements, required clauses, and certifications are properly followed and included in the resulting joint solicitation and contract documents.

2.13.3 Any procurement obtained thorough use of this section must not be obtained by any partnering government engaging in a prohibited "Tag-on" process as defined in section 14 of this policy regarding Changes to Purchase Orders and Contracts.

2.14 Written Records of Procurement History:

YCIPTA will maintain records detailing the history of each procurement. See Procurement History Form - Appendix A. This is required for ALL procurements, regardless of the procurement type and/or dollar amount, including piggyback purchases. At a minimum, these records shall include:

- 1) The rationale for the method of procurement;
- 2) Selection of contract type; (if a Time & Materials type of contract is selected it must be documented to file that no other type of contract is suitable and that a ceiling price is set for the contract);
- 3) Reasons for contractor selection or rejection;
- 4) The basis for the contract price; and
- 5) A determination that the price offered is fair and reasonable.

2.15 Dividing Procurements Prohibited:

The requirements outlined in this Purchasing and Procedures document apply to the total purchase amount of supplies, equipment, materials, construction or services. Related parts of procurement are not to be divided for the express purpose of avoiding bidding requirements (e.g. bid-splitting).

2.16 Ensuring Most Efficient and Economic Purchase:

Each proposed procurement will be reviewed by staff to avoid purchase of unnecessary or duplicative items. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase.

Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach.

2.17 No Advance Payments:

Advance payments utilizing FTA funds are prohibited without prior written FTA concurrence. Progress payments may be made for receipt of deliverables, percentage of work completed, milestones, or titles received. The Project Manager or Contract Administrator shall make determinations regarding work completed and milestones achieved as part of the invoice payment process.

2.18 Liquidated Damages:

Liquidated Damage assessments must be calculated at a specific rate per day for each day of overrun, and must be credited to the project unless written permission to do otherwise is obtained from FTA. Calculations for liquidated damages must be based on data showing how delay causes damage.

2.19 Authority to Contract:

Authority to purchase and contract is held by the YCIPTA Board of Directors and currently delegated to the YCIPTA Transit Director for all purchases in the amount of \$100,000 and less which are not subject to formal competitive bidding procedures and for all service contracts for which there are appropriated funds in the YCIPTA Board of Directors approved budget.

The YCIPTA Transit Director shall have the authority to issue request for proposals and/or invitation for bids necessary to procure the necessary services and supplies for YCIPTA.

If the YCIPTA Transit Director determines that operational efficiency and effectiveness may be negatively impacted by a delay in obtaining YCIPTA Board of Directors approval, the YCIPTA Transit Director is delegated the authority to make such necessary purchases and/or contracts for all purchases or services up to \$150,000 for which there are appropriated funds in the YCIPTA Board of Directors approved budget. Such determination shall be made in writing and provided to the YCIPTA Board of Directors at the next regularly scheduled Board of Directors meeting.

The YCIPTA Transit Director may delegate this authority, wholly or in part pursuant to a letter of delegation filed with the Board Secretary.

For purchases and contracts which are above \$40250,000, including public works projects in an amount above \$40250,000, and all other goods and services which must be competitively bid either because the YCIPTA Bylaws require it, or because the Arizona state procurement statutes requires it, or because the Federal guidelines require such competitive bidding, YCIPTA will look to its bylaws and this policy for purposes of determining whether the authority to approve any purchase or enter into any contract exists.

Under no circumstances will a subcontractor or consultant have signatory authority to enter into any contract on behalf of YCIPTA. For goods and services which are competitively bid, and whose final contract price exceeds \$100,000, the award must be made by the YCIPTA Board of Directors. Awards for competitively bid or otherwise quoted good and services whose final contract

price is less than \$100,000, may be made by the YCIPTA Transit Director or the YCIPTA Board of Directors.

2.20 Independent Cost Estimates:

The Financial Services Operations Manager Operations Manager and/or Finance Manager must make and document independent costs estimates before receiving bids or proposals on all procurements over the Federal Simplified Acquisition Threshold of \$250,000 to be placed in the procurement file. Independent Cost Estimate (ICE) form – Appendix B. These estimates may be obtained from published competitive prices, results of competitive procurements, historical prices and trends, or by the Financial Service Operations Manager estimates or outside estimators. Further, on all procurements over the Federal Simplified Acquisition Threshold, YCIPTA must also perform a cost or price analysis in connection with every procurement action, including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation (FTA Circular 4420.1F Section 10).

The Cost or Price Analysis Form – Appendix C– must be submitted to the Financial Services Operations Manager Operations Manager and/or Finance Manager after issuing any solicitation, but prior to award, to be placed in the procurement file.

1. Cost Analysis

- a. A cost analysis must be performed when the offeror is required to submit the elements (i.e.,
 - Labor Hours, Overhead, Materials, etc.) of the estimated cost, e.g., under professional consulting and architectural and engineering services contracts.
- b. A cost analysis will be necessary when adequate price competition is lacking and for sole source procurements, including contract modifications or change orders, unless price reasonableness can be established on the basis of a catalog or market price of a commercial product sold in substantial quantities to the general public or on the basis of prices set by law or regulation.

2. Price Analysis

- a. A price analysis may be used in all other instances to determine the reasonableness of the proposed contract price.
- 2. Profit
- a. The Financial Services Operations Manager and/or Financeial Services Operations Manager or Purchasing Agent will negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed.
- b. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.



the Federal Simplified Acquisition Threshold. YCIPTA can obtain contractual rights through assignment (via a piggyback purchase) after first determining that the contract price remains fair and reasonable, and the contract provisions are adequate for compliance with all Federal requirements. YCIPTA need not perform a second price analysis if a price analysis was performed for the original contract. However, FTA expects YCIPTA to determine whether the contract price or prices originally established are still fair and reasonable before using those rights. As with the piggyback purchases, YCIPTA should maintain respective documentation on file.

2.21 Full and Open Competition:

The principle of full and open competition has one primary and two secondary purposes. The primary purpose is to obtain the best quality and service at minimum cost, in other words, to get the best buy. The secondary purposes are to guard against favoritism and profiteering at public expense and to provide equal opportunities to participate in public business to every potential offeror.

YCIPTA staff must conduct all procurement in a manner providing full and open competition. This policy assures that all responsible bidders are permitted to compete for the procurement. In the case of sole or single source procurement, justification for use of the source must be documented on the Sole Source Justification Form.

Contracts with a value of more than \$40250,000 shall be awarded by sealed bid or by the competitive and noncompetitive proposal process unless there is an explicit exception. YCIPTA staff must refrain from the following practices, which are deemed restrictive of competition:

- Unreasonable requirements placed on firms in order for them to qualify to do business;
- b. Unnecessary experience and excessive bonding requirements;
- Noncompetitive pricing practices between firms or between affiliated companies:
- d. Noncompetitive awards to any person or firm on retainer contracts;
- e. Organizational conflicts of interest;
- f. Restrictive use of brand names;
- g. Any arbitrary action in the procurement process; and
- h. Geographic preferences.

2.22 Contract Provisions

All contracts shall include provisions to define a sound and complete agreement. In addition, contracts and subcontracts shall contain contractual provisions or conditions that allow for:

- a. Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, including sanctions and penalties as may be appropriate. (All contracts in excess of the small purchase threshold.)
 b. Termination for cause and for convenience by YCIPTA or subgrantee
- Termination for cause and for convenience by YCIPTA or subgranted including the manner by which it will be effected and the basis for settlement. (All contracts in excess of \$10,000.)

3 METHODS OF PROCUREMENT

Once authority to purchase or contract has been determined, the following methods of procurement may be used as appropriate:

3.1 Purchases for less than \$10,000 - Procurement by Micro-Purchases:

Micro-purchases are those purchases under \$10,000. Purchases below that threshold may be made without obtaining competitive quotations. Such purchases are exempt from Buy America requirements. There should be equitable distribution among qualified suppliers and no splitting of procurements to avoid competition. The Davis-Bacon Act applies to construction contracts above \$2,000. Minimum documentation required, but purchases must be documented as fair and reasonable.

These purchases may be accomplished by Petty Cash, if under \$50, by purchase through a purchasing card, or by Purchase Requisition and/or purchase order.

3.2 Purchases for amounts between \$10,000 and \$250,000 - Procurement by Small Purchase Procedures / Informal Quotes (IQ):

Small purchase procedures will be used for those relatively simple and informal procurement methods for securing services, supplies, or other property that cost more than \$10,000 but less than \$250,000. The Davis-Bacon Act applies to construction contracts above \$2,000. Minimum documentation is required. A determination that the price is fair and reasonable and how this determination was derived must be included in the file.

Purchase Requisitions are appropriate for purchases in this category. Purchase orders will be obtained. A Purchase Requisition, with the correct approval, must be completed before a purchase order can be prepared.

- **3.2.1 Minimum Number of Bids.** Wherever possible, small purchases will be based on at least three bids, and shall be awarded to the lowest responsible bidder. The requisitioner would need to give the approving authority a Requisition form with at least three vendors, if possible, and their contact information. If only two bids can be obtained, documentation must be provided by the requesting party that a total of five businesses have been solicited.
- **3.2.2 Notice Inviting Quotes** / Bids. The Operations Financial Services Operations Manager and/or, Finance Manager or Purchasing Agent will solicit bids or quotes by written or verbal requests to prospective vendors.
- **3.2.3** As an alternative to Small Purchase Procedures, materials, equipment or supplies may be made by request from the State Purchasing Cooperative, which is a program of the Arizona Department of Administration, State Procurement Office, in accordance with the provisions of A.R.S. 11-254.01, Title 34-201.
- 3.3 Purchases of More than \$250,000 Procurement By Sealed Bids/Invitation For Bid (IFB):

Bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price. In order for sealed bidding to be feasible, the following conditions should be present:

- 1) A complete, adequate, and realistic specification or purchase description is available;
- 2) Two or more responsible bidders are willing and able to compete effectively for the business;
- 3) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price; and
- 4) No discussion with bidders is needed.

3.3.1 Requirements. If this procurement method is used, the following requirements apply:

- a) Technical specifications and requirements for the Invitation for Bids (IFB) will be prepared by the appropriate requisitioner and submitted to YCIPTA Transit Director or his or her designee. If approved, the YCIPTA Transit Director or his or her designee will forward the information to the appropriate staff member who will work with the requisitioner to draft the appropriate Invitation for Bids (IFBs). The IFB will be reviewed for FTA, local and state law compliance and accuracy before release.
- b) The invitation for bids will be publicly advertised and bids shall be solicited from an adequate number of known suppliers, providing them sufficient time to prepare bids prior to the date set for opening the bids; advertising for sealed proposals shall at a minimum be by publication in the official newspaper by at least one insertion made by at least ten days prior to the time for opening of bids and publication on the YCIPTA website. Notices inviting bids shall at least include a general description of work, equipment, materials or supplies, and shall refer for details to bid specifications. Location of bid specifications shall be released in the notice inviting bids and may include physical or internet addresses or both.
- c) The invitation for bids, which will include any specifications and pertinent attachments, shall define the items or services sought in order for the bidder to properly respond.
- d) Any change or modification in plans or specifications will occur by way of addenda issued to contractors who have signed up to be on the project planholder's list. Addenda will be posted to the YCIPTA website and notice sent to contractors appearing on the planholder's list.

- e) Sealed bids shall be submitted to the person and address appearing in the notice to contractors and shall be identified as "Bids-[insert solicitation number and short title]" on the envelope or package.
- f) All proposals shall be made in accordance with the solicitation documents and furnished to interested bidders as provided in the "Notice Inviting Bids/Proposals" with a non-collusion affidavit and any other forms / bonds as required by the solicitation documents. Each bid shall have thereon the affidavit of the bidder that this is genuine and not sham or collusive, or made in the interest of, or in behalf of any persons not therein named, and that the bidder has not directly or indirectly induced or solicited any other bidder to put in a sham bid, or any other person, or corporation, or firm to refrain from bidding, and that the bidder has not in any manner sought by collusion to secure to himself an advantage over other bidders.
- g) Any bid made without such affidavits or other documents as required by the solicitation documents or in violation thereof and any contract let as a result shall be void.
- h) If, at any time, discovery is made that a contract has been let to a bidder who has violated or evaded this oath, the contract shall be canceled and no recovery shall be had thereon, and the YCIPTA Board of Directors shall at once proceed as before to award a new contract.
- i) All proposals or bids offered, except as provided below, shall be accompanied by a bank cashier's check, or by a check certified by a responsible bank, payable to YCIPTA, in an amount as specified in the notice inviting bids, or by a bidder's bond for the amount and so payable, signed by the bidder and any one or more sureties authorized to transact surety business in the state of Arizona, acceptable to the Operations Manager and/or FF inanceial Services Operations. Manager or Purchasing Agent and YCIPTA Legal Counsel. No proposal shall be considered unless accompanied by such check or bond; provided, however, that in the case of proposals or bids concerning a contract for the purchase of materials, supplies, equipment or services, the Financial Services Operations Manager Operations Manager and/or Finance Manager—or Purchasing Agent may:
 - 1. Eliminate the requirement that the bids or proposals for a contract be accompanied by a bidder's check or bond; or
 - 2. Set the amount of security required to accompany bids for a contract on a purchase-by-purchase basis.
- j) Construction or facility improvement contract and subcontract bids over \$250,000 have the following additional requirements:
 - A bid guarantee equivalent to five (5) percent of the bid price.
 The bid guarantee shall consist of a firm commitment such as a bid
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bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified;

- 2. A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract; and
- 3. A payment bond on the part of the contractor. A payment bond is one executed in connection with a contract to assure payment, as required by law, of all persons supplying labor and material in the execution of the work provided for in the contract. Payment bond amounts determined to adequately protect the federal interest are as follows:
- 4. Fifty percent of the contract price if the contract price is not more than \$1 million;
- 5. Forty percent of the contract price if the contract price is more than \$1 million but not more than \$5 million; or
- 6. Two and a half million dollars if the contract price is more than \$5 million.
- k) The Operations Manager and/or Financeial Services Operations Manager-or Purchasing Agent shall direct opening of sealed bids at the time and place designated in the invitation for bids as stated in the public notices. The opening shall occur in the presence of any two of the following officers: a member of the YCIPTA Board of Directors, the Operations Manager or Financeial Services Operations Manager, or Purchasing Agent, the YCIPTA legal counsel, or the YCIPTA Transit Director, and all other interested parties and bidders who desire to be present. As each bid is opened, it shall be read aloud so that all persons interested in the bidding may become acquainted with the contents thereof. From and after the time of opening, the Operations Manager and/or Financeial Services Operations Manager or Purchasing Agent shall, upon the request of any interested party, read or give such further information from the said bid as may be requested. A tabulation of all bids received shall be open for public inspection at the office of the Operations Manager and/or Financigal Services Operations Manager or Purchasing Agent during business hours for a period of one year after the bid opening.
- I) After they have been opened, all bids shall be referred to the YCIPTA Transit Director together with a price and cost analysis and, if appropriate, a staff report to the YCIPTA Board of Directors together with such recommendations as may be deemed appropriate. (Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of.

- m) Any or all bids may be rejected if there is a sound documented business reason.
- n) Upon execution of the contract, the contractor will deliver to the Financial Services Operations Manager Operations Manager and/or Finance Manager or Purchasing Agent security to guarantee performance of the requirements and obligations to be performed by the contractor.
- o) The sealed bid method is the preferred method for procuring construction if the conditions in paragraph (a) above apply.

3.4 Procurement By Competitive Proposal/Request for Proposals (RFP):

This method is appropriate when conditions are not appropriate for the use of sealed bids because one of the following reasons exists and the method is not prohibited by state or local law:

- 1) A complete, adequate, and realistic specification or purchase description is not available.
- 2) Two or more responsible bidders are not willing and able to compete effectively for the business.
- 3) The procurement does not lend itself to a firm fixed price contract and the selection of the successful bidder cannot be made principally on the basis of price.
- 4) Discussion with the bidders is needed.
- **3.4.1** Requests for proposals will be publicized, which shall require at a minimum publication on the YCIPTA website. All evaluation factors will be identified along with their relative importance; technical specifications and requirements.
- **3.4.2** Awards will be made to the responsible firm whose proposal is most advantageous and of best value to YCIPTA's program with price and other factors considered.
- 3.4.3-In determining which proposals is most advantageous, YCIPTA may award to the proposer whose proposals offer the greatest business value to YCIPTA based upon an analysis of a tradeoff of qualitative technical factors and price/cost to derive which proposal represents the "Best Value" to YCIPTA. "Best Value" is a selection process in which proposals contain both price and qualitative components, and award is based upon a combination of price and qualitative considerations. The award selection is based upon consideration of a combination of technical and price factors to determine {or derive} the offer deemed most advantageous and of the greatest value to YCIPTA if the Financial Services Operations Manager Operations Manager and/or Finance Manager elects to use the best value selection method as the basis for award,

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3.4.43.4.3 however, the solicitation must contain language which establishes that an award will be made on a "best value" basis. Publication of evaluation criteria with the RFP will serve as notice to proposers that a "best value" method will be used.

3.5 Procurement of Architectural and Engineering Services (A&E):

YCIPTA will use qualifications-based competitive proposal procedures when contracting for A&E services as defined in 40 U.S.C. §541and 49 U.S.C. §5325(d). Services subject to this requirement are program management, construction management, feasibility studies, preliminary engineering, design, architectural, engineering, surveying, mapping, and related services.

Qualifications-based competitive proposal procedures require that:

- 1) An offeror's qualifications be evaluated;
- 2) Price be excluded as an evaluation factor;
- 3) Negotiations be conducted with only the most qualified offeror; and
- 4) Failing agreement on price, negotiations with the next most qualified offeror be conducted until a contract award can be made to the most qualified offeror whose price is fair and reasonable to YCIPTA.

These qualifications-based competitive proposal procedures can only be used for the procurement of the services listed above. This method of procurement cannot be used to obtain other types of services even though a firm that provides A&E services is also a potential source to perform other types of services.

3.6 Procurement of Design-Bid-Build:

YCIPTA may procure design-bid-build services through means of sealed bidding or competitive negotiations. These services must be procured in a manner that conforms to applicable state and local law, the requirements of the appropriate FTA guidance relative to the method of procurement used and all other applicable federal requirements.

3.7 Procurement of Design-Build:

YCIPTA may procure services using the design-build delivery method. YCIPTA must procure design-build services through means of qualifications-based competitive proposal procedures based on the Brooks Act when the preponderance of the work to be performed is considered to be for architectural and engineering (A&E) services. Qualifications-based competitive proposal procedures should not be used to procure design-build services when the preponderance of the work to be performed is not of an A&E nature, unless required by State law.

3.8 Procurement By Noncompetitive Proposals (Sole Source):

Sole source procurements are accomplished through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. A contract change that is not within the scope of the original contract is considered a sole source procurement that must comply with this subparagraph.

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- **3.8.1 Other Than Full and Open Competition (Federally Funded Purchases).** Normally, the recipient must provide for full and open competition when soliciting bids or proposals. The Common Grant Rule for governmental recipients, however, acknowledges that under certain circumstances, a recipient may conduct procurements without providing for full and open competition.
 - 1.) When appropriate, YCIPTA may use noncompetitive proposals only when the procurement is inappropriate for small purchase procedures, sealed bids, or competitive proposals, and at least one of the following circumstances are present:
 - a. Competition Adequacy. After soliciting several sources, the Financial Services Operations Manager Operations Manager and/or Finance Manager or Purchasing Agent will review its specifications to determine if they are unduly restrictive or if changes can be made to encourage submission of more bids or proposals. Review may also involve conducting After the Financial Services Operations Manager Operations Manager and/or Finance Manager or Purchasing Agent determines that the specifications are not unduly restrictive and changes cannot be made to encourage greater competition, the Financial Services Operations Manager Operations Manager and/or Finance Manager or Purchasing Agent may determine the competition adequate. A cost analysis must be performed in lieu of a price analysis when this situation occurs.
 - **b. Sole Source.** When YCIPTA requires supplies or services available from only one responsible source, and no other supplies or services will satisfy its requirements, YCIPTA may make a sole source award. When the YCIPTA requires an existing contractor to make a change to its contract that is beyond the scope of that contract, YCIPTA has made a sole source award that must be justified.
 - **i. Unique Capability or Availability.** The property or services are available from one source if one of the conditions described below is present:
 - 1. Unique or Innovative Concept. The offeror demonstrates a unique or innovative concept or capability not available from another source. Unique or innovative concept means a new, novel, or changed concept, approach, or method that is the product of original thinking, the details of which are kept confidential or are patented or copyrighted, and is available to YCIPTA only from one source and has not in the past been available to YCIPTA from another source.

- **2. Patents or Restricted Data Rights.** Patent or data rights restrictions preclude competition.
- **3. Substantial Duplication Costs.** In the case of a follow-on contract for the continued development or production of highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in substantial duplication of costs that are not expected to be recovered through competition.
- **4. Unacceptable Delay.** In the case of a follow-on contract for the continued development or production of a highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in unacceptable delays in fulfilling the recipient's needs.
- ii. Single Bid or Proposal. Upon receiving a single bid or proposal in response to a solicitation, the Financial Services Operations Manager Operations Manager and/or Finance Manager or Purchasing Agent should determine if competition was adequate. This should include a review of the specifications for undue restrictiveness and might include a survey of potential sources that chose not to submit a bid or proposal.
 - 1. Adequate Competition. Competition is acknowledged to be adequate when the reasons for few responses were caused by conditions beyond the control of YCIPTA. Many unrelated factors beyond YCIPTA's control might cause potential sources not to submit a bid or proposal. If the competition can be determined adequate, competition requirements will be fulfilled, and the procurement will qualify as a valid sole source.
 - 2. Inadequate Competition. Competition is inadequate when, caused by conditions within YCIPTA's control. For example, if the specifications used were within the YCIPTA's control and those specifications were unduly restrictive, competition will be inadequate.
- c. Unusual and Compelling Urgency. YCIPTA may limit the number of sources from which it solicits bids or proposals when a YCIPTA has such an unusual and urgent need for the property or services that YCIPTA would be seriously injured unless it were permitted to limit the solicitation. YCIPTA may also limit the solicitation when the public exigency or emergency will not permit a 20 | Page

delay resulting from competitive solicitation for the property, supplies, or services.

- **d.** Associated Capital Maintenance Item Exception Repealed. Any sole source procurement of associated capital maintenance items must qualify for an exception under the same standards that would apply to other sole source acquisitions.
- **e. Authorized by FTA.** The Common Grant Rules provide Federal agencies authority to permit a recipient to use noncompetitive proposals. Under this authority, FTA has made the following determinations:
 - i. Consortium, Joint Venture, Team, Partnership. With some exceptions, when FTA awards a grant agreement or enters into a cooperative agreement with a consortium, joint venture, team, or partnership, or provides FTA assistance for a research project in which FTA has approved the participation of a particular firm or combination of firms in the project work, the grant agreement or cooperative agreement constitutes approval of those arrangements. In such cases, FTA expects the recipient to use competition, as feasible, to select other participants in the project.
 - ii. Federal Acquisition Regulation (FAR) Standards. To ensure that the recipient has flexibility equal to that of Federal contracting officers, FTA authorizes procurement by noncompetitive proposals in all of the circumstances authorized by FAR Part 6.3. In addition to circumstances discussed in the Common Grant Rules, the FAR authorizes less than full and open competitive procurements in one or more of the following circumstances:
 - 1. Statutory Authorization or Requirement. To comply with Department of Transportation (DOT) appropriations laws that include specific statutory requirements, with the result that only a single contractor can perform certain project work.
 - **2. National Emergency.** To maintain a facility, producer, manufacturer, or other supplier available to provide supplies or services in the event of a national emergency or to achieve industrial mobilization.

- **3.** To establish or maintain an educational or other non-profit institution or a federally funded research and development center that has or will have an essential engineering, research, or development capability.
- **4. Protests, Disputes, Claims, Litigation.** To acquire the services of an expert or neutral person for any current or anticipated protest, dispute, claim, or litigation.
- **5. International Arrangements.** When precluded by the terms of an international agreement or a treaty between the United States and a foreign government or international organization, or when prohibited by the written directions of a foreign government reimbursing the recipient for the cost of the acquisition of the supplies or services for that government.
- **6. National Security.** When the disclosure of the recipient's needs would compromise the national security.
- **7. Public Interest.** When the recipient determines that full and open competition in connection with a particular acquisition is not in the public interest.
- 2.) When prohibited, less than full and open competition is not justified based on:
 - a. Failure to Plan. YCIPTA's lack of advance planning, or
 - **b. Limited Availability of Federal Assistance**. Concerns about the amount of Federal assistance available to support the procurement (for example, expiration of Federal assistance previously available for award).
- 3.) **Procurement Procedures.** When less than full and open competition is available to YCIPTA will:
 - **a. Potential Sources**. Solicit offers from as many potential sources as is practicable under the circumstances.
 - **b. Sole Source Justification.** If YCIPTA decides to solicit an offer from only one source, YCIPTA must justify its decision adequately in light of the standards of subparagraph (1)(b) of this Chapter. The Sole source justification must be in writing.Non-competitive Procurement Justification form (Appendix E) must be completed and kept on file.
 - **c. Cost Analysis.** Prepare or obtain a cost analysis verifying the proposed cost data, the projections of the data, and the evaluation of the costs and profits.

d. Preaward Review. Submit the proposed procurement to FTA for preaward review if FTA so requests.

3.9 Options:

YCIPTA may include options in contracts. An option is a unilateral right in a contract by which, for a specified time, YCIPTA may elect to purchase additional equipment, supplies, or services called for by the contract, or may elect to extend the term of the contract. If an option is included in a contract, the requirements below apply:

1) **Evaluation of Options.** The option quantities or periods contained in the contractor's bid or offer must be evaluated in order to determine contract award. When options have not been evaluated as part of the award, the exercise of such options will be considered a sole source procurement.

2) Exercise of Options.

- a. YCIPTA will ensure that the exercise of an option is in accordance with the terms and conditions of the option stated in the initial contract awarded.
- b. An option may not be exercised unless YCIPTA has determined that the option price is better than prices available in the market or that the option is the more advantageous offer at the time the option is exercised.

3.10 Capital Purchases:

For financial purposes, items over \$5,000 with a useful life of over one (1) year are defined as capital purchases. In addition to any other requirements which may apply, such expenditures must be charged against capital accounts, rather than operating accounts. The YCIPTA Board of Directors must approve all budgeted capital expenditures for the current fiscal year along with the operating budget. Un-budgeted capital expenditures must be submitted to the YCIPTA Board of Directors for approval. The YCIPTA Transit Director or designee must approve all capital expenditures. The YCIPTA Transit Director may delegate this authority to approve capital purchases. If this authority is delegated, the YCIPTA Transit Director must specify the dollar limit for purchases that the authorized staff may approve.

4 CONTRACT COST OR PRICE ANALYSIS FOR EVERY ACTION

YCIPTA will perform a cost or price analysis in connection with every procurement action, including contract modifications. A cost or price analysis must be performed beforeafter Bids or Proposals are received. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, YCIPTA must make independent estimates before receiving bids or proposals. Responsibility for ensuring that an independent estimate is completed will reside with the person issuing the solicitation. No solicitation will be issued prior to conducting an independent

estimate regarding the anticipated cost of the item or service to be procured. The estimate will include the methodology used to make the estimate.

4.1 Cost Analysis:

A cost analysis must be performed when the offeror is required to submit the elements (i.e., labor hours, overhead, materials, etc.) of the estimated cost, (e.g., under professional consulting and architectural and engineering services contracts, etc.). A cost analysis will be necessary when adequate price competition is lacking and for sole source procurements, including contract modifications or change orders, unless price reasonableness can be established on the basis of a catalog or market price of a commercial product sold in substantial quantities to the general public or on the basis of prices set by law or regulation.

4.2 Price Analysis:

A price analysis may be used in all other instances to determine the reasonableness of the proposed contract price.

4.3 Profit:

YCIPTA will negotiate profit as a separate element of the price for each contract in which there is no price competition and, in all cases, where cost analysis is performed. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

4.4 Federal Cost Principles:

Costs or prices based on estimated costs for contracts under grants will be allowable only to the extent that costs incurred or cost estimates included in negotiated prices are consistent with Federal cost principles. Grantees may reference their own cost principles that comply with applicable Federal cost principles.

4.5 Cost Plus Percentage of Cost Prohibited:

The cost plus a percentage of cost and percentage of construction cost methods of contracting shall not be used.

5 REJECTION OF BIDS

Invitations for bids may be canceled after opening but prior to award, and all bids rejected, where it is consistent with Federal, State, and local procurement regulations. A written determination must be included in the invitation for bid file stating that cancellation is in the best interest of YCIPTA for reasons such as the following:

- a) Inadequate, ambiguous, or otherwise deficient specifications were cited in the invitation for bids;
- b) The supplies or services are no longer required;
- c) The invitation for bids did not provide for consideration of all factors of cost to YCIPTA;
- d) Bids received indicate that the needs of YCIPTA can be satisfied by a less expensive item differing from that on which bids were received;
- e) All otherwise acceptable bids received are at unreasonable prices;
- f) The bids were not independently arrived at in open competition, were collusive, or were submitted in bad faith. Such situation must be substantiated and reported to YCIPTA Legal Counsel;
- g) The bids received did not provide competition, which was adequate to ensure reasonable prices. A price or cost analysis may be used to establish the reasonableness of price; or
- h) Adequate funding is not available to enter into and administer the contract.

5.1 Rejection of Individual Bids:

Normally, any bid which fails to conform to the essential requirements of the invitation for bids, such as specifications, delivery schedule, warranty, or the required bid documents, shall be rejected as non-responsive.

A bid shall be rejected where the bidder imposes conditions, which modify requirements of the invitation for bids. For example, bids may be rejected in which the bidder:

- 1) Attempts to protect himself against future changes in conditions such as increased costs, if a total price to YCIPTA cannot be determined for bid evaluation:
- 2) Fails to state a price and in lieu thereof states that price shall be "price
- 3) States a price but qualifies such price as being subject to "price in effect at time of delivery";
- 4) Where not authorized by the invitation for bid, conditions or qualifies his/her bid by stipulating that the bid is to be considered only if, prior to date of award, bidder received or does not receive award under a separate procurement;
- 5) Limits rights of YCIPTA under any contract clause;
- 6) Fails to comply with all of the requirements of the IFB.

- **5.1.1** Bids received from any person or firm debarred or ineligible shall be rejected if the period of debarment or ineligibility has not expired.
- **5.1.1.1** The Excluded Parties Listing System (EPLS) shall be verified for all procurements over \$25,000 is made to ensure that the vendor is not debarred suspended, ineligible or voluntary excluded from participation in Federally assisted transactions or procurements. Visit https://www.epls.gov/ for the EPLS.
- **5.1.1.2** A copy of the printed screen should be included in the procurement file showing that the vendor selected is not showing up in the EPLS.
- **5.1.2** Low bids received from firms determined to be not responsible pursuant to Federal, State or local procurement regulations shall be rejected.
 - **5.1.2.1** A determination of responsibility will be made and documented to file prior to award, and the review used to make that determination shall consist of an analysis of the bidder's ability to provide the appropriate financial backing, equipment, facility and personnel; ability to meet the delivery schedule, a satisfactory period of performance, record of integrity (suspension or debarred list checks), and receipt of all necessary data from the supplier.
- **5.1.3** A bid may be rejected if a bid guarantee and / or insurance is required and a bidder fails to furnish it in accordance with the requirement of the invitation for bids
- **5.1.4** The originals of all rejected bids, and any written findings with respect to such rejections, shall be preserved in the file relating to the procurement.
- **5.1.5** After submitting a bid, if a bidder transfers all of his/her assets or that part of his/her assets related to the bid during the period between the bid opening and the award, the transferee may not take over the bid, thus, YCIPTA may reject the bid

6 AWARD OF CONTRACT/COMPETITIVELY BID CONTRACTS

In the event of a purchase subject to sealed bids, after considering the report of the YCIPTA Transit Director, the YCIPTA Board of Directors shall award the contract to the lowest responsible bidder, or reject all bids, and may readvertise in its discretion. A firm fixed-price contract award will be made in writing to the lowest responsive and responsible bidder. When specified in bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Contracts for goods or services based on other procurement methods allowed as described above in section 3 may be awarded as follows:

6.1 Contracts for procurement of goods and services for amounts of \$100,001 and above:

Contracts in this range will be awarded by YCIPTA Board of Directors authorizing the YCIPTA Transit Director to enter into such contract.

6.2 Contracts for Procurement of goods and services for amounts between \$0 and \$100,000:

Contracts for procurements of goods and services for amounts between \$0 and \$100,000 shall be awarded by the YCIPTA Transit Director, in his/her discretion and as authorized by YCIPTA bylaws, or any other YCIPTA Board of Directors action or resolution.

6.3 Contract Term Limitation

YCIPTA shall not enter into any contract for rolling stock or replacement parts with a period of performance exceeding five (5) years inclusive of options. All other types of contracts (supply, service, leases of real property, revenue and construction, etc.) will be based on sound business judgment. Length of contracts shall be for not more than the amount of time required to accomplish the purpose of the contract, and will also include consideration for competition, pricing, fairness, and public perception. Once a contract has been awarded, an extension of the contract term length that amounts to an out of scope change will require a sole source justification.

6.4 Revenue Contract

Revenue contracts are those third party contracts whose primary purpose is to either generate revenues in connection with a transit related activity, or to create business opportunities utilizing an FTA funded asset. FTA requires these contracts to be awarded utilizing competitive selection procedures and principles. The extent of and type of competition required is within the discretionary judgment of YCIPTA.

7 DETERMINATION - LOWEST RESPONSIBLE BIDDER EVALUATION

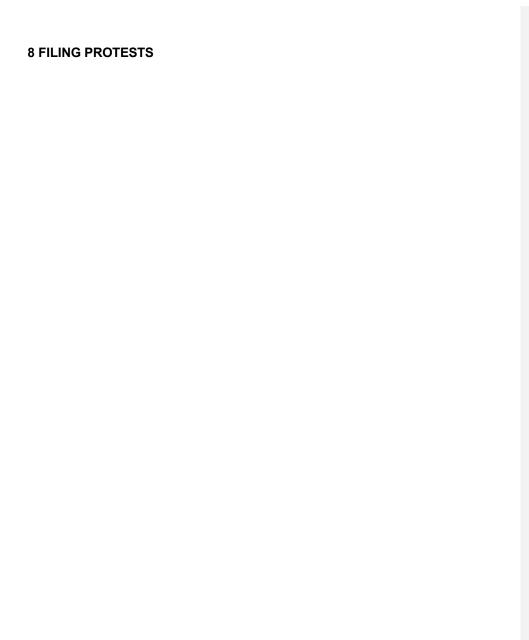
Before the YCIPTA Board of Directors awards the contract, or the YCIPTA Transit Director authorizes the procurement, YCIPTA shall make a determination that a prospective contractor is responsible and the prices are reasonable prior to award of contract. To determine whether a contractor is responsible, the YCIPTA Operations Manager and/or Finance Manager will complete the Bidder's Responsibility Checklist – Appendix D for procurements over the micro-purchase threshold. Note, for piggyback purchases meeting the micro-purchase threshold, responsibility determinations must also be kept on file. This information will be given to the Financial Services Operations Manager Operations Manager and/or Finance Manager—or Purchasing Agent to be placed in the procurement file. A responsible prospective contractor is one who meets the standards forth below:

a)—Has adequate financial resources, or the ability to obtain such resources as required during the performance of the contract;

- <u>a)</u>
- b) Is not listed on the Federal "List of Parties Excluded from Federal Procurement or Nonprocurement Programs (Debarred List)" located at http://www.epls.gov/
- c) Is able to comply with the required or proposed deliver or performance schedule, taking into consideration all existing business commitments, commercial as well as governmental;
- d) Has a satisfactory record of performance. Contractors who are, or have been seriously deficient in current or recent contract performance, when the number of contracts and the extent of deficiency of each are considered, will be considered non-responsive;
- e) Has a satisfactory record of integrity and business ethics;
- f) Is otherwise qualified and eligible to receive an award under applicable laws and regulations;
- g) Has the necessary organizational, experience, operational controls; and technical skills, or the ability to obtain them; or
- h) Has the necessary production, construction, and technical equipment and facilities, or the ability to obtain them.

Evaluation of the responsibility of prospective contractors may be made based upon the following sources:

- 1) A list of debarred, suspended or ineligible firms or individuals;
- 2) From the prospective contractor's bids and proposals, replies to questionnaires, financial data such as balance sheets, profits & loss statements, cash forecasts, and financial histories of the contractor and affiliated concerns; current and past production records, list of tolls, equipment, and facilities, written statements of commitments concerning financial assistance and subcontracting arrangements;
- 3) Publications, including credit ratings, trade and financial journals, and business directories may also be used;
- 4) References such as suppliers, subcontractors, customers or the prospective contractor, banks and financial institutions, commercial credit agencies, other government agencies, purchasing and trade associations, and better business bureaus and chamber of commerce; or
- 5) Documented past performance on contracts with YCIPTA.



8.1 Definitions

1) Awarding Authority: The YCIPTA Board of Directors or Transit Director or Financial Services Operations Manager Operations Manager and/or Finance Manager or Purchasing Agent possessing the authorization to make final decisions regarding selection of bidders or proposers.

8.2 Filing Procedure:

Protests dealing with restrictive specifications or alleged improprieties in solicitation must be filed no later than ten (10) working days prior to bid opening or closing date for receipt of proposals. Any other protest must be filed no later than three (3) working days after:

- 1. Notification of Intent to Award is issued for award of contract if the contract is awarded by YCIPTA Board of Directors and YCIPTA Board of Directors follows staff recommendation; or
- 2. Notification of Award is issued if the YCIPTA Board of Directors has delegated award authority to the Financial Services Operations Manager and/or Finance Manager or Purchasing Agent or YCIPTA Board of Directors does not award the contract according to the Notification of Intent to Award.

Protests shall be in writing and addressed to the YCIPTA Transit Director.

The protest shall identify the protestor, contain a statement officially declaring a protest and describing the reasons for the protest, and provide any supporting documentation. Additional materials in support of the initial protest will only be considered if filed within the time limit specified above. The protest shall indicate the ruling or relief desired from YCIPTA.

8.3 Confidentiality:

Materials submitted by a protester will not be withheld from any interested party, except to the extent that the withholding of information is permitted or required by law or regulation. If the protest contains proprietary material, a statement advising of this fact may be affixed to the front page of the protest document and the alleged proprietary information must be so identified wherever it appears.

8.4 Withholding of Award:

When a protest is filed before opening of bids or closing date of proposals, the bids will not be opened prior to resolution of the protest, and when the protest is filed before award, the award will not be made prior to resolution of the protest, unless the Awarding Authority determines that:

- a) Items to be procured are urgently needed, or delivery or performance will be unduly delayed by failure to make award promptly; or
- b) Failure to make award will cause undue harm to YCIPTA.

In the event an award is to be made while a protest is pending, the FTA shall be notified if Federal funding is involved.

8.5 Processing the Request:

- a) The YCIPTA Transit Director shall respond to the protestor within five
 (5) working days of receiving the protest. A conference on the merits of the protest may be held with the protester.
- b) Any additional information required by YCIPTA from the protester shall be submitted as expeditiously as possible, but no later than three (3) days after receipt of such request.

8.6 Notification:

The YCIPTA Transit Director shall notify the protester of a decision regarding the protest no later than ten (10) days following receipt of all relevant information.

8.7 Appeal:

If a protester is not satisfied with the decision made by the YCIPTA Transit Director the protester may appeal the decision to the Awarding Authority by way of a letter to the YCIPTA Transit Director no later than three (3) working days after notification of denial of the protest by the YCIPTA Transit Director. If the YCIPTA Transit Director is the Awarding Authority the protester will be deemed to have exhausted its appeals to YCIPTA upon receipt of the initial rejection of the protest by the YCIPTA Transit Director. If Federal funds are involved, the protester may file protest with the FTA and/or Arizona Department of Transportation (ADOT) appealing the final decision of the Awarding Authority.

Review by FTA and/or ADOT will be limited to:

- a) Violation of Federal law or regulations.
- b) Violation of YCIPTA's protests procedures described herein, or failure
- by YCIPTA to review protest.

Protests must be filed with FTA (with a concurrent copy to YCIPTA) within five (5) days after the Awarding Authority renders a final decision, or five (5) days after the protester knows, or has reason to know, that the Awarding Authority failed to render a final decision.

After five (5) days, YCIPTA will confirm with FTA that FTA has not received protest on the contract in question.

Circular 4220.1F is available for review at YCIPTA office or online on YCIPTA's website. A copy also may be obtained from FTA or ADOT at the following addresses:

Federal Transit Administration Region IX 201 Mission Street – Suite 2210

San Francisco, Arizona 94105

Arizona Department of Transportation Multimodal Planning Division 206 South 17th Avenue, MD 310 B Phoenix, AZ 85007

YCIPTA shall not be responsible for any protests not filed in a timely manner with FTA and/or ADOT.

In the event an award is to be made while a protest is pending, FTA and/or ADOT shall be notified if Federal funding is involved.

9 PURCHASE REQUISITION APPROVAL AND PURCHASE ORDERS

- a) All purchase orders between \$1,000 to \$100,000 require the approval of the YCIPTA Transit Director, or his/her designee.
- b) Purchase orders greater than \$1040,000 require the approval of the YCIPTA Board of Directors.
- c) Purchase orders are not required for medical, legal, insurance, payroll, petty cash, travel reimbursements, utility payments, postage, temporary help, conferences and subscription renewals.
- d) Purchase Requisition forms are filled out by the party requesting goods or services, and then input into the YCIPTA's automated purchasing system by administrative staff to begin the approval process.

9.1 Purchase Orders:

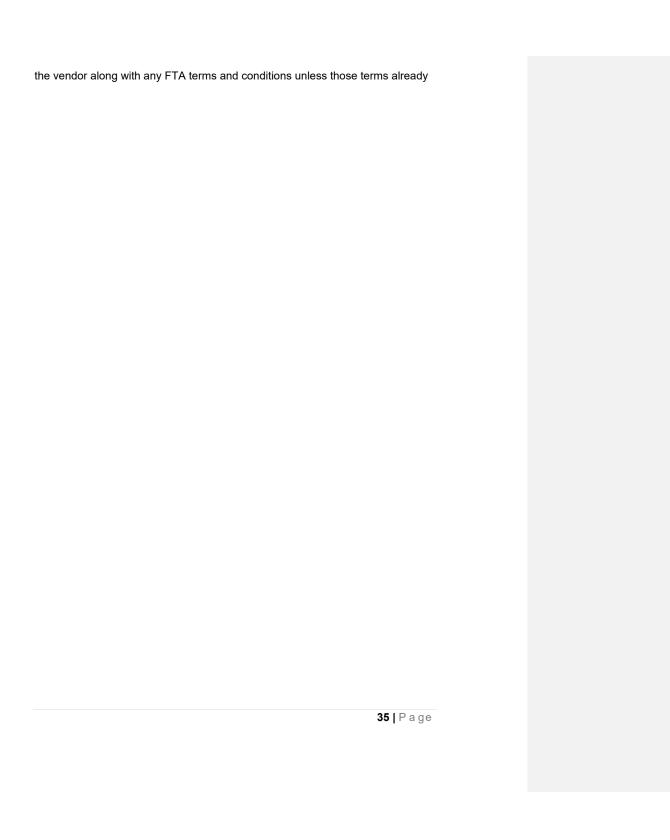
Purchase order numbers are assigned by the YCIPTA' automated purchasing system after receipt and approval of a purchase requisition by the appropriate parties with proper authorization.

The YCIPTA Transit Director will review the purchase requisition and all documentation to ensure its completeness, accuracy and compliance with FTA regulations.

9.2 Purchase Order Approval:

YCIPTA automated purchasing system will route purchase requisitions to the correct authorization levels, and upon final authorization, assign a purchase order number. YCIPTA Financial Services Operations Manager Operations Manager and/or Finance Manager will sign the generated purchase order and notify the requestor that the purchase order has been authorized and provide the requestor with the purchase order.

The Requisitioner may either fax or orally notify the vendor of the approved purchase order number. A copy of the approval purchase order shall be sent to



exist in a formal contract. The method of purchase shall be specified on the Purchase Requisition.

Vendors shall be told to include their purchase order number on all correspondence, including packages, invoices, credit memos, etc.

9.3 Receiving/Approval to Pay:

Only authorized persons may receive goods. Upon receipt, the packing slip is compared to the goods received.

If correct, the packing slip is signed and dated as received.

If the packing slip is also an invoice, these documents will then be sent to YCIPTA Financial Services Operations Manager Operations Manager and/or Finance Manager for payment.

If the packing slip is not an invoice, requisitioner will check invoice file. If the invoice has been received, it should be matched against the packing slip. If it does not match the vendor should be notified. When a correct invoice is received, it should be attached to the rest of the procurement documentation and sent to YCIPTA Financial Services Operations Manager Operations Manager and/or Finance Manager for payment.

For the receipt of services, the responsibility to deem the service completed will rest with the requisitioner. Upon completion, sign all documents that confirm the proper completion of services performed and forward the receiving document to the YCIPTA Transit Director for payment.

9.4 Blanket Purchase Orders:

YCIPTA does not authorize the use of this type of purchase order unless Board of Directors approval has been provided and the appropriate method of procurement has been followed as directed in this manual.

9.5 Releasing Purchase Order Numbers:

YCIPTA does not authorize the practice of giving Purchase Order numbers to requisitioners over the telephone without adherence to the policies contained herein.

10 CHECK REQUEST POLICY

Check request forms are used to request payment for materials or services.

Check requests will be granted on the following circumstances:

- Checks will be cut in accordance with the Yuma County Accounts Payable schedule.
- 2. Original invoice must be attached.

3. All receiving documents must be attached. **37 |** Page

- All requests must be signed by the YCIPTA Transit Director and YCIPTA Financial Services Operations Manager Operations Manager and/or Finance Manager.
- 5. Purchase order must be referenced, if applicable.

11 PETTY CASH POLICY

Purchases of up to \$15 may be made through petty cash. However, this is a privilege that should never be used to circumvent the procurement procedures. A petty cash voucher shall be obtained from YCIPTA Financial Services Operations Manager Operations Manager and/or Finance Manager and approved by the YCIPTA Transit Director. All receipts, and any change received in the transaction, shall be returned to YCIPTA Financial Services Operations Manager Operations Manager and/or Finance Manager immediately upon return to the facility.

12 EMERGENCY ACQUISITIONS

For internal control purposes, deviations from the process outlined in this section are permitted only in emergency situations, and only with the approval of the YCIPTA Transit Director. Whether an emergency exists will be determined by the YCIPTA Transit Director. Emergency procurements are those which, due to unusual circumstances beyond the control of the requisitioner, cannot be foreseen or otherwise provided for in the routine manner, but which must be accomplished without delay. Emergencies usually involve urgent repair of revenue vehicles, facilities or utilities, correction of unsafe conditions, which if left uncorrected would result in immediate financial loss, and the like.

When a purchase order is issued in an emergency situation, the responsibility for following through with a Purchase Requisition is not relieved when the purchase is accomplished through emergency channels. A properly executed and approved Purchase Requisition must be provided in order to complete the requisition.

When an emergency arises, the requester may inform the YCIPTA Transit Director or his/her authorized designee of the requirements, including the vendor's name and the approximate amount of the procurement. It is then the responsibility of the requisitioner to coordinate completion of the confirming Purchase Requisition. If the requester does not know which vendor will be used, the YCIPTA Transit Director or his/her authorized designee shall be notified as soon as a vendor is located.

In instances where a valid emergency exists and goods or services may be obtained after normal working hours, the requester may follow one of the several options:

- 1) Make the purchase from a firm willing to accept an oral purchase order;
- Pay cash and be reimbursed from petty cash (if less than \$15), or by check, the following business day; or

3) Charge the purchase and present the sales slip the following day to have a Purchase Requisition processed and a check issued for reimbursement.

13 SERVICE CONTRACTS AND/OR MAINTENANCE AGREEMENTS

Service contracts and maintenance agreements are legally binding documents stating that a particular vendor will perform the specified services on equipment as agreed upon and described. These contracts should be obtained by whichever procurement method is applicable, depending on amount and/or circumstances. All contracts, including service and maintenance, shall be submitted to the YCIPTA Legal Counsel for review and approval.

Repairs of equipment not covered by service contracts or maintenance agreements must have a purchase order number issued before the equipment can be repaired. If the equipment is to be shipped or hand carried for repair, a Purchase Requisition should be prepared (including estimates) for proper record keeping prior to shipment.

For all repairs, the following information is required:

- a) Make, model and serial number of equipment;
- b) Inventory tag number;
- c) Department where equipment is located;
- d) Hourly or flat rate to be charged; and
- e) If the item being repaired is an accessory to a major piece of equipment, provide the above information from the equipment to which it is an accessory.

(NOTE: If a purchase order number was orally given because of an on-site emergency repair, the Purchase Requisition must have that number affixed, include all the information shown above, and have a written service report of the incident attached before sending to YCIPTA Financial Services Operations Manager Operations Manager and/or Finance Manager.)

14 PROCEDURES FOR CHANGE ORDERS/CONTRACT MODIFICATION

This section describes the steps to take when changes or cancellations must be made to existing purchase orders or contracts.

14.1 Changes to Purchase Orders and Contracts:

Changes are made to existing purchase orders and contracts either by issuing a purchase order change or a contract amendment (and sometimes both). Examples of circumstances that warrant making a change to a purchase order or contract are:

- 1) When there is a substantial change in the description of the supplies or services to be delivered against the purchase order or contract.
- When there is a change in the scope, price and/or quantity or delivery of supplies or services to be delivered against the purchase order or contract.
- 3) When the specifications, terms or conditions are in error or need to be modified.
- 4) When there is a change in funding.

All purchase order and contract modifications for purchases over \$3,000 must be approved by the YCIPTA Transit Director. The YCIPTA Transit Director may approve changes and modifications that do not exceed the project budget and do not exceed a one-time increase of 10% above the originally–approved contract price, with a limit of \$100,000. Changes/Modifications that exceed \$100,000 must be approved by the YCIPTA Board of Directors.

14.1.1 Processing Time Required: Changes to purchase orders and contracts will usually be completed within five (5) working days after a Request for Correction/Change to Purchase Order is received by the YCIPTA Transit Director.

NOTE: Changes that require approval of the YCIPTA Board of Directors require a longer period of time. If YCIPTA Board of Directors approval is required, a minimum of three (3) weeks may be required before a change can be completed.

- **14.1.2** Information Required by the YCIPTA Transit Director: A completed memo stating the request for correction/change to purchase order or contract must be submitted to the YCIPTA Transit Director. The Request should include a complete description of all needed changes and the reason for the changes. It must be signed by the Project Manager.
- **14.1.3** Changes to purchase orders and contracts that constitute an "out of scope" or "Cardinal change" to the purchase order or contract are considered "Tag-ons" and are prohibited unless accompanied by a sole source justification. A determination that a change to a purchase order or contract does not constitute an out of scope change is required prior to authorization and that determination must be documented to the contract file

14.2 Cancellations of Purchase Orders:

Purchase orders are canceled either by issuing a purchase order change or a letter of cancellation (or both). Such cancellations can be made by the YCIPTA Transit Director when the necessary information regarding the need for the cancellation is provided.

- **14.2.1 Processing Time Required:** Cancellations of purchase orders and contracts will usually be completed within five (5) working days after the YCIPTA Transit Director receives a memo regarding a request for correction or change to a purchase order. The requesting organization will receive a copy of the purchase order marked CANCELED or a copy of the letter canceling the contract after the cancellation has been completed.
- **14.2.2 Information Required by YCIPTA Transit Director:** A Request for Cancellation must be submitted to the YCIPTA Transit Director. The Request should ask that the purchase order or contract be canceled and should give the reason for the cancellation. It must be signed by requisitioner.
- 14.2.3 Description of Process: Upon receipt of the Request for Cancellation, the YCIPTA Transit Director will review the information and approve/disapprove, as appropriate. If cancellation is approved, the purchase order/contract will be forwarded to the YCIPTA Financial Services Operations Manager Operations Manager and/or Finance Manager who will effect the cancellation. The requesting organization and the vendor will receive a copy of the purchase order marked "CANCELED" and/or letter notifying them of contract cancellation

15 PURCHASING PROCEDURE AMENDMENT

From time to time, the U.S. Department of Transportation, FTA or other governing bodies may set forth new procurement standards, issue supplementary directives, or revise certain procurement regulations or procedures. The amended policy or procedures will then be incorporated into YCIPTA's Procurement Policy.

16 CONTRACT PROVISIONS FOR FTA GRANTEES

A number of general contract provisions are required by the FTA for FTA funded contracts. These provisions are intended to establish minimum guidelines to which grantees must adhere when purchasing supplies, equipment and construction and professional services. Additionally, a number or provisions are required by State law and local practice.

YCIPTA will work with the YCIPTA Legal Counsel's office to include all necessary contract clauses in each contract. Special attention will be given to the applicability and inclusion of model contract clauses from the FTA's Best Practices Procurement Manual. These contract requirements change from time to time, so when drafting a contract check the latest contract clause requirements from FTA.

FTA C 4220.1F, Appendix D, Federally Required And Other Model Clauses stated the necessary clauses and forms for inclusion in YCIPTA contracts and purchase orders. The YCIPTA Operations Manager and/or Finance Manager shall perform an annual review of the CORTAP Manuel, FTA Master Agreement and 2 CFR Part 200 to ensure the inclusion of all FTA-required third party contract clauses. The YCIPTA Operations Manager and/or Finance Manager may use Procurement Pro from the National Rural Transit Assistance Program as a resource for the necessary clauses and forms.

17 SURPLUS PROPERTY

17.1 Purpose

The intent of this policy is to establish uniform guidelines for the disposal or transfer of surplus, or obsolete YCIPTA equipment and supplies. This policy shall apply to all tangible personal property, including rolling stock and technology equipment.

17.2 Definitions

"Equipment" shall mean all tangible personal property that has a useful life of more than one (1) year and an acquisition cost of \$1,000 or more per unit. This definition includes rolling stock and other tangible (movable) property used in the provision of public transit service.

"Supplies" shall mean all tangible personal property of YCIPTA other than Equipment having a useful life of less than one (1) year and an acquisition cost under \$1,000.

"Surplus or obsolete equipment" means tangible personal property which YCIPTA determines is no longer required for its needs or for the fulfillment of its responsibilities.

"Market Value" means the most probable price which equipment or supplies should bring in a competitive and open market.

"Net proceeds from the sale of surplus or excess property" means the amount realized from the sale of property no longer needed for transit purposes less the expenses of any actual and reasonable selling and fixing-up expenses.

"Service Life or Useful Life" of rolling stock begins on the date the vehicle is placed in revenue service and continues until it is removed from service.

"Straight Line Depreciation" means the method by which the value of YCIPTA equipment is depreciated (reduced) over its service or useful life as a percentage of its cost.

17.3 Disposition Authorization

The YCIPTA Transit Director may authorize the disposal of any surplus or obsolete equipment or supplies having an original acquisition cost not exceeding \$100,000, providing the useful life of said equipment or supplies have been met

The YCIPTA Transit Director is authorized to sell or dispose of surplus or obsolete equipment or supplies, when it is judged to be in the best interest of the organization that the property concerned is an estimated market value of up to \$25,000 per unit.

The Board of Directors may authorize the disposal of any surplus or obsolete equipment or supplies having an original acquisition cost exceeding \$1040,000 or any real property owned by YCIPTA.

The YCIPTA Transit Director shall prepare a report to the YCIPTA Board of Directors recommending disposition shall include acquisition cost, source of funding, funding agency and reimbursement to the funding agency, if required.

17.4 Disposition of FTA Funded Tangible Personal Property

17.4.1 Rolling Stock: With respect to rolling stock originally funded by FTA funds, any disposition before the end of its service life requires prior FTA approval. In addition, if rolling stock is removed from service and disposed of before the end of its useful life, the return to FTA is the greater of the FTA share of the unamortized value of the remaining service life per unit, based on straight line depreciation of the original acquisition cost, or the Federal share of the sales price (even though the unamortized value is \$5,000 or less).

17.4.2 Equipment and Supplies over \$5,000 value: After the service life of equipment is reached, equipment with a current market value exceeding \$5,000 per unit, or unused supplies with a total aggregate fair market value of more than \$5,000, may be retained or sold, with reimbursement to FTA of an amount calculated by multiplying the total aggregate fair market value at the time of disposition, or the net sale proceeds, by the percentage of FTA's participation in the original acquisition.

17.4.3 Equipment and Supplies less than \$5,000 value: Equipment with a unit market value of \$5,000 or less, or supplies with a total aggregate market value of \$5,000 or less, may be retained, sold or otherwise disposed of with no obligation to reimburse FTA, providing the useful service life requirements have been met. Records of this action must be retained.

17.5 Methods of Disposition of Tangible Personal Property

Approved methods for the disposition of surplus or obsolete tangible personal property shall include: (1) trade-in as part of a new procurement; (2) transfer or sale to other public agencies; (3) transfer to non-profit agencies or organizations consistent with established legal parameters; (4) sale by auction open to the public; (5) solicitation of sealed bids or negotiated sale; whichever maximizes the disposal value to YCIPTA; or (6) disposal through scrapping.

17.6 Prohibited Sale	S
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Except in the case where surplus or obsolete YCIPTA property is sold at public auction conducted by an independent third party auctioneer, members of the Board of Directors and/or employees of YCIPTA, or persons acting as agents of the foregoing, shall not be permitted to purchase at the sale.

17.7 Reports to the Board of Directors

Approved:

Transit Director

On a bi-annual basis, the YCIPTA Transit Director shall provide, as an information item to the Board, a report of the activities relating to the disposal of surplus or obsolete property describing the identification of property, type of items disposed of, original purchase price information and dates, the gross sales price, and the net proceeds to YCIPTA.

Shetchar		
	08/25/25	 Commented [DG1]: Approval date needs to be updated
Shelly Kreger	Date	

PROCUREMENT FILE CHECKLIST

	<u>Date</u>	<u>Initials</u>
 Requisition		
 ICE		
 Federal Clauses		
 Advertised		
Bid abstract		
Cost/Price Analysis		
Bonds:		
 Bid		
 Performance		
 Payment		
 Responsibility Determination		
 Fair & Reasonable Determination		

PROCUREMENT FILE CHECKLIST

	<u>Date</u>	<u>Initials</u>
SAM		
Excluded Parties		
Buy America		
Pre-Award		
Post Delivery		
Options		
(Evaluated at time of award)		
Options		
(Pricing determined best price	before exercising)	

APPENDIX A

PROCUREMENT HISTORY FORM

Pro	oject Descri	ption:					
Со	ntract Offic	er:					
Re Da	quisition #: te Rec'd: _				Fundi	ng #:	
Pro	oc. Type:		Formal RFP		Informal/RFQ		Construction/P.
VVa	age		Formal IFB/P. Wage		Sole Source		
1.	Project:						
2.	Rationale	for the I	Method of Procurement:				
3	Selection	of Contr	ract Tyne:				
0.	Colocion	01 001111	<u>иостуро.</u>				
4	Reasons	for Cont	ractor Selection or Reject	ion·			
	reacono	ior com	radio Galdalari ar Rajodi	<u>1011.</u>			
5	Basis for t	the Cont	tract Price				
0.	<u>Baolo loi l</u>		<u></u>				
6.	Level of D	ocumer	ntation reasonableness:				
			cer Signature:				
	Date.						

Appendix B

INDEPENDENT COST ESTIMATE (ICE) SUMMARY FORM

Requisition	n Number:	Dat	e of Estin	nate:	
Description	n of Goods/Servi	ices:			
-					
	_ New Procurem	ent Con	tract Mod	lification (0	Change Order)
	_Exercise of Op	tion			
Method of	Obtaining Estim	ate:			
	ach additional (ation su	ch as pr	revious
	ocumentation,				
estimates	on letterhead, et	tc.			
	Published Pr	rice List (a	attach sou	irce and d	ate)
	 Historical	Pricing	(attach	сору	of
documenta	ation from previo	ous PO/Co	ontract)		
correspond		Purchas	es by Otl	her Agend	cies (attach email
	Engineering	or Techn	ical Estim	ate (attacl	n)
-	Independent	t Third-Pa	rty Estima	ate (attach	1)
	Other (speci	fy)			_
	(attach docu	mentatior	າ)		_Pre-
establishe	d pricing resul	ting fron	n compe	tition (Co	ontract
Modification	on only)				
	nod(s) stated abo s/services is \$		been det	ermined t	he estimated total
The prece	ding independen	t cost esti	mate was	prepared	by:
Name				_	
Signature_			Date_		
					49 Page

APPENDIX C

Cost and Price Analyses

Price Analysis:	
Price Analysis/Reasonableness	
PO/Contract#:	
Project Name: Vendor Name:	
Dollar Value:	
Description:	
Rationale:	
Analysis: Prices for this PO/Contract were reviewed by the Contract Administrator and determined to be fair and reasonable for the following reason(s):	
☐ Award based on lowest, responsive and responsible bid	
received - see attached quotes	
☐ Compared with prices paid for similar goods or services	
☐ Award based on availability (as stated in procurement docs)	
☐ Pricing deemed reasonable based on past purchase history attached	t
Contract Administrator Procurement Director/Manager	

Cost Analysis		
PO:	Prepared by:	
Amount:		
Description:		
Unit of Meas	ure:	
Cost:		
Total:		_
ICE:		
Description:		
Quantity:		
Cost:		

Cost for the services is quoted at \$x,xxx and was estimated by Agency' Project Manager at \$y,yyy. It is determined that the cost for this effort is fair and reasonable since total cost difference is within x% of the Independent Cost Estimate (ICE).

APPENDIX D

BIDDER'S RESPONSIBILITY CHECKLIST

YCIPTA Doc No.:	
Project Name:	
Bidder's Name:	
	Responsibility By:

A. BIDDER RESPONSIBILITY DETERMINATION [FTA Circular 4220.1F, Chapter VI, 8.(b)]:

(For each of the areas described below, check that the appropriate research has been accomplished and provide a short description of the research and the results).

	# REQUIREMENT		TABLE	COMMISSION
#	REQUIREMENT	YES	NO	COMMENTS
1	The review of the BID indicates Integrity and Ethics. Bidder is deemed to have a satisfactory record of integrity and business ethics, in compliance with 49 U.S.C. Section 5325(j)(2)(A)			
2	The ability to meet the required delivery or performance schedule, taking into consideration all existing commercial and governmental business commitments.			
	Debarment and Suspension: The review of the BID and a check of the SAM indicate Bidder is neither debarred	After rece	eipt of Bid	
3	nor suspended from Federal programs under DOT regulations, "Non-Procurement Suspension and Debarment," 2 CFR Parts 180 and 1200, or under the FAR at 48 CFR Chapter 1, Part 9.4. [for Prime and Subcontractors – (as applicable)]			
4	Affirmative Action and DBE: The review of the BID indicates Bidder is either in compliance with the Common Grant Rules' affirmative action and FTA's Disadvantaged Business Enterprise requirements (based on review of prior agreements) or intends to comply with the same if awarded a Contract under this IFB.			
5	Public Policy: Bidder is in compliance or affirms to comply with the public policies of the Federal Government, as required by 49 U.S.C. Section 5325(j)(2)(B).			

DIDDED DECD	ONGIDII ITV D	ETERMINATION	continued

	DECHIDENTAL		TABLE	
#	REQUIREMENT	YES	NO	COMMENTS
6	Administrative and Technical Capacity: The review of the BID indicates the Bidder has or will have the necessary organization, experience, accounting, and operational controls, and technical skills, or the ability to obtain them, in compliance with 49 U.S.C. Section 5325(j)(2)(D).			
7	Licensing and Taxes: The review of the BID indicates Bidder is in compliance with applicable licensing and tax laws and regulations, FTA C 4220.1F Page VI-23 11/01/2008.			
8	Financial Responsibility Documentation (Bank Reference Check) [to be completed for the "Apparent Lowest Responsive Bidder]			
9	Reference Check Documentation [to be completed for the "Apparent Lowest Responsive Bidder]			
10	Receipt of all necessary data from the Bidder/Supplier			
11	Other:			
	ser deemed YES Notes	S :		

APPENDIX E

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Non-Competitive Procurement Justification

Bidder Name	
Project	
<u>Date</u>	
Value of noncompetitive contract	

1. Describe the facts and circumstances which led to the determination that a non-competitive contract is justified. In the event of inadequate competition, describe steps taken to ensure the solicitation is not unduly restrictive (e.g. surveys, inquiries, solicitation review, consultant feedback etc.). In the event of a sole-source procurement, list all sources identified and investigated to determine that no other source exists for similar products capable of meeting requirement. Please limit your response to 500 words.

Describe activities performed by the agency to determine that competitive contract are fair and reasonable. (e.g. cost/price a	costs associated with the non- analysis, research, past	4	Formatted: Numbered + Level: 1 + Numbering Style: 2, 3, + Start at: 1 + Alignment: Left + Aligned at:
experience, etc.). Please limit your response to 500 words.			0.25" + Indent at: 0.5"
Describe procedures performed by the agency to confirm that between the bidder and the agency. Please limit your response	no conflicts of interest exist se to 500 words.	*	Formatted: Numbered + Level: 1 + Numbering Style 2, 3, + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"
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Yuma County Intergovernmental Public Transportation Authority

2715 East 14th Street, Yuma, AZ 85365-1900, Telephone: 928-539-7076 Fax: 928-783-0309, email: info@ycipta.az.gov, Web: www.ycipta.az.gov

Procurement Policy Adopted: October 1, 2011 Revised: July 15, 2025

(A.R.S. 11-254.01, Title 34-201)

1 SCOPE AND PURPOSE

1.1 Scope:

This Purchasing Policy addresses the purchase of all goods and services by the Yuma County Intergovernmental Public Transportation Authority (YCIPTA). It includes policy direction about how to handle these transactions in their various forms and within the constraints of legal and policy requirements.

1.2 Purpose:

The purpose of this Policy is to provide guidance and uniformity for purchases of goods and services. It also serves to assist staff with preparing procedures to comply with the requirements of the YCIPTA bylaws, the laws of the State of Arizona, and Federal Transit Administration (FTA) regulations relating to purchases of goods and services. Unless otherwise specified in this Policy, applicable State or Federal laws shall apply.

1.3 Compliance:

When procurement involves the expenditure of FTA grant funds, the Operations Manager and/or Finance Manager, or authorized authority, shall comply with Code of Federal Regulations Title 49, Subtitle A, Part 18, and U.S. Department of Transportation Circulars (i.e. FTA C 4220.1F) for full compliance with terms of the grant. Additionally, procurement shall comply with local guidelines as set forth in the YCIPTA bylaws, any local administrative rule, and any written established internal procedure as well as applicable Arizona law. In the event of a conflict, the Federal guidelines shall govern. If there is no State law on a particular aspect of procurement, then Federal contract law principles apply.

The FTA Best Practices Procurement Manual shall be used when making procurement decisions when utilizing Federal funds.

1.4 Contracting Party:

Throughout this manual, "YCIPTA" is the contracting and procuring party.

1.5 Responsibility:

YCIPTA is responsible for the management of a public transportation system. This includes the planning, design and programming of transportation projects. YCIPTA receives funding from both Federal and state government. Therefore, YCIPTA must follow procurement policies and procedures that are consistent with local and federal regulations and the laws of the State of Arizona. Additional guidance on specific contractual actions is provided by OMB Circular A-102, Attachment O and FTA Circular 4220.1F as well as the FTA Best Practices Procurement Manual.

1.6 Standards:

The purpose of this policy is to provide standards for YCIPTA and its staff in the procurement of supplies, equipment, construction and other services. These standards have been developed and will be adopted by YCIPTA to ensure that such materials and services are obtained in an effective manner and in compliance with the provisions of all applicable federal, state, and local laws and regulations. This policy includes guidelines for the solicitation, award and administration of formally advertised contracts as well as small purchases.

1.7 Review of Purchases:

The Chairman or a delegated member of the Board of Directors shall review purchases made by the YCIPTA Transit Director on a monthly basis for accountability and financial oversight prior to submission to Yuma County Financial Services.

2 GENERAL STANDARDS - THIRD PARTY PROCUREMENTS

2.1 Contract Administration System:

YCIPTA will maintain a contract administration system that ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

2.2 Full and Open Competition:

All procurement transactions will be conducted in a manner providing full and open competition. Some situations considered to be restrictive of competition include, but are not limited to:

2.2.1 Prohibition Against Geographic Preferences: YCIPTA shall conduct procurements in a manner that prohibits the use of statutorily or administratively imposed in-State or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. This does not preempt State licensing laws. However, geographic location may be a selection criterion in procurements for architectural and engineering (A&E) services provided its application leaves an appropriate

number of qualified firms, given the nature and size of the project, to compete for the contract. The criterion may only be used to account for the benefits that can be brought to the project by specialized knowledge of local geography, geology, or architecture.

2.2.2 In order to promote full and open competition, no unreasonable requirements will be placed on firms in order to qualify to do business within the jurisdiction of YCIPTA.

2.3 Written Procurement Selection Procedures:

YCIPTA shall have written selection procedures for procurement transactions. All solicitations shall:

- 1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features that unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equal" description may be used as a means to define the performance or other salient characteristics of a procurement. The specific features of the named brand which must be met by offerors shall be clearly stated.
- 2) Identify all requirements that offerors must fulfill and all other factors to be used in evaluating bids or proposals.

2.4 Prequalification Criteria:

YCIPTA shall not preclude potential bidders from qualifying during the solicitation period, which is from the issuance of the solicitation to its closing date. All procurement transactions will be conducted in a manner providing full and open competition.

2.5 Written Standards and Code of Conduct:

The standards established in this Policy shall apply to all employees engaged in the award and administration of contracts and contractors, consultants or advisors who provide advice on the selection and award of contracts. No employee, contractor, consultant, advisor, officer, agent, immediate family member, or Board member of YCIPTA shall participate in the selection, award, or administration of a contract for YCIPTA if a conflict of interest, real or apparent, would be involved.

2.6 Personal Conflict of Interest:

Conflict of interests arises, whether real or apparent, may arise when any of the following has a financial or other interest in the firm(s) considered or selected for award:

- a) An employee, officer, director, or agent of YCIPTA;
- b) Any member of his/her immediate family, including but not limited to, husband, wife, father, mother, brother, sister, son, daughter, father-in-law, mother-in-law, son-in-law, and daughter-in-law;
- c) His/her business associate; or
- d) A company or organization, which is about to employ any of the above.

Employees, officers, directors, and agents of YCIPTA shall be subject to the laws of the State of Arizona concerning conflicts of interest. Anyone found to violate the standards established by such laws may be subject to the penalties, sanctions, or other disciplinary actions as provided by law.

In cases where an employee, officer, director, or agent of YCIPTA may have a conflict or potential conflict of interest, YCIPTA's policy is that such individual(s) must promptly report the conflict in writing to the YCIPTA Transit Director. If the YCIPTA Transit Director has a conflict or potential conflict, they must promptly report the conflict in writing to the Chair of the YCIPTA Board of Directors. Failure to adhere to this requirement shall constitute a violation of policy and may subject the violator to disciplinary action, up to and including discharge.

2.7 Organizational Conflict of Interest:

An organizational conflict of interest occurs where - because of other activities, financial interests, relationships, or contracts - a contractor is unable, or potentially unable, to render impartial assistance or advice to the grantee; the contractor's objectivity in performing the contract work is or might be impaired; or a contractor has an unfair competitive advantage.

Where a real or apparent organizational conflict of interest is detected by staff steps will be taken to mitigate or avoid the conflict. Every effort will be made to ensure a level playing field for all potential contractors is maintained by making all pertinent non-proprietary information available to all parties.

A fairly won competitive advantage is not an organizational conflict of interest. A contractor may have a fair competitive advantage by virtue of its prior experience, its expertise, its more efficient operations, etc. Occasionally an incumbent contractor may have what appears to be an insurmountable competitive advantage by virtue of its previous work for the grantee. An advantage of this type may not necessarily be unfair.

2.8 Gifts and Gratuities:

No employee, officer, director, or agent of YCIPTA may solicit or accept, either directly of indirectly, any gift, gratuity, loan, or other item or service of value from a contractor or potential contractors, or parties to sub agreements.

Notwithstanding the above, this section shall not apply to the following:

- a) An occasional non-monetary gift of nominal (\$50) value accepted in the ordinary course of a business meeting; or
- b) Unsolicited advertising or promotional material of nominal value.

1 See also State of Arizona Secretary of State (http://www.azsos.gov/) for State law concerning limitations on Gifts, Honoraria, Travel, and Loans.

Failure to adhere to the provisions of this section shall constitute a violation of YCIPTA policy and may subject the violator to disciplinary action, up to and including discharge.

2.9 Contacts with Vendor, Bidders and Proposers:

Prior to the issuance of a procurement solicitation, informational and research contacts with prospective vendors may be made for the purpose of gathering data. However, in making such contacts, employees, officers, directors, and agents shall adhere to these written guidelines, and avoid any commitment, or implication, of a possible future award.

Accordingly, requests for substantial complimentary services or supplies, which may imply an obligation on the part of YCIPTA, shall be prohibited. Requests for testing services, product samples, or demonstrations, for which YCIPTA shall have no obligations to purchase said items or services may be allowed.

Whenever procurement is in process (e.g., during the solicitation, evaluation, negotiation, and award phases) all contacts with potential contractors or vendors shall be made through the designated staff person identified in the solicitation or the YCIPTA Transit Director.

2.10 Releases and Use of Information:

All technical and price information received from a vendor will be treated as confidential during the bid/quotation period. These documents will become public information only after the bid/purchase has been awarded, with the exception of sealed bid pricing during bid opening. During the bidding/quotation period extreme care will be taken to avoid giving a bidder an advantage over another through an unequal exchange of information. Vendors should be informed that it is YCIPTA's practice to make competitive choices for Invitations for Bid (IFBs) on the basis of the first price submitted and no revised prices will be solicited or accepted.

No employee, officer, director, or agent of YCIPTA shall use such confidential information for the actual or anticipated benefit for themselves, their relatives, or persons with whom they have a common financial interest.

2.11 Disadvantaged Business Enterprise (DBE):

YCIPTA will file, as prescribed by law, a DBE program which describes YCIPTA's procedures and obligations regarding DBE's.

For the purpose of this program, a DBE is defined as a small business concern, which is both owned and controlled by socially and economically disadvantaged

persons. This means that disadvantaged individuals must own at least 51% of the business and control the management and daily operations of the business. Included in the classification of disadvantaged individuals are United States citizens who are Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, Asian-Indian Americans, women or members of other groups or individuals who the Small Business Administration (SBA) has determined are economically and socially disadvantaged under 49 CFR Part 26. The following affirmative steps shall be taken to assure that small and minority businesses are utilized when possible as sources of supplies, equipment, construction and services:

- a) Including qualified small and minority businesses on solicitation lists:
- b) Assuring that small and minority businesses are solicited whenever they are potential sources;
- c) When economically feasible, dividing total requirements into smaller tasks or quantities so as to permit maximum small and minority business participation;
- d) Where the requirement permits, establishing delivery schedules which will encourage participation by small and minority businesses;
- e) Using the services and assistance of the Small Business Administration, the Office of Minority Business Enterprises of the Department of Commerce and the Community Services Administration as required; or
- f) If any subcontracts are to be let, requesting that the prime contractor take the affirmative steps listed above. If separate contract goals are established, the prime contractor is required to take the affirmative steps listed above.

YCIPTA does not certify DBEs. DBEs will be identified through the database maintained by the Arizona Department of Transportation at http://www.azdot.gov/azdbe/index.asp.

2.12 Equal Employment Opportunity (EEO) Policy:

YCIPTA has adopted an Equal Employment Opportunity (EEO) Policy, which applies to both internal hiring and promotion practices as well as to vendors who do business with YCIPTA. All invitations for Bids and Requests for Proposal issued by YCIPTA require the Bidder or Proposer to certify that:

- a) It does not discriminate against any employee or applicant for employment, because of race, religion, sex, age, creed, color, disability, or national origin;
- b) It is in compliance with all Executive Orders and federal, state and local laws regarding fair employment practices and non-discrimination in employment; and
- c) It agrees to demonstrate positively and aggressively the principle of equal opportunity in employment.

2.13 Intergovernmental Procurements:

- **2.13.1** Whenever feasible YCIPTA will utilize available federal, state, and local intergovernmental agreements for procurement or use of common goods and services, including purchases from available Federal General Services Administration (GSA) and State of Arizona ProcureAZ cooperative procurements. When obtaining goods or services in this manner, YCIPTA will ensure all federal requirements, required clauses, and certifications (including Buy America) are properly followed and included, in the contract.
- **2.13.2** Whenever feasible, YCIPTA will procure goods and services jointly with other FTA grantees. When obtaining goods or services in this manner, YCIPTA must ensure all federal requirements, required clauses, and certifications are properly followed and included in the resulting joint solicitation and contract documents.
- **2.13.3** Any procurement obtained thorough use of this section must not be obtained by any partnering government engaging in a prohibited "Tag-on" process as defined in section 14 of this policy regarding Changes to Purchase Orders and Contracts.

2.14 Written Records of Procurement History:

YCIPTA will maintain records detailing the history of each procurement. See Procurement History Form - Appendix A. This is required for ALL procurements, regardless of the procurement type and/or dollar amount, including piggyback purchases. At a minimum, these records shall include:

- 1) The rationale for the method of procurement;
- 2) Selection of contract type; (if a Time & Materials type of contract is selected it must be documented to file that no other type of contract is suitable and that a ceiling price is set for the contract);
- 3) Reasons for contractor selection or rejection;
- 4) The basis for the contract price; and
- 5) A determination that the price offered is fair and reasonable.

2.15 Dividing Procurements Prohibited:

The requirements outlined in this Purchasing and Procedures document apply to the total purchase amount of supplies, equipment, materials, construction or services. Related parts of procurement are not to be divided for the express purpose of avoiding bidding requirements (e.g. bid-splitting).

2.16 Ensuring Most Efficient and Economic Purchase:

Each proposed procurement will be reviewed by staff to avoid purchase of unnecessary or duplicative items. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase.

Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach.

2.17 No Advance Payments:

Advance payments utilizing FTA funds are prohibited without prior written FTA concurrence. Progress payments may be made for receipt of deliverables, percentage of work completed, milestones, or titles received. The Project Manager or Contract Administrator shall make determinations regarding work completed and milestones achieved as part of the invoice payment process.

2.18 Liquidated Damages:

Liquidated Damage assessments must be calculated at a specific rate per day for each day of overrun, and must be credited to the project unless written permission to do otherwise is obtained from FTA. Calculations for liquidated damages must be based on data showing how delay causes damage.

2.19 Authority to Contract:

Authority to purchase and contract is held by the YCIPTA Board of Directors and currently delegated to the YCIPTA Transit Director for all purchases in the amount of \$100,000 and less which are not subject to formal competitive bidding procedures and for all service contracts for which there are appropriated funds in the YCIPTA Board of Directors approved budget.

The YCIPTA Transit Director shall have the authority to issue request for proposals and/or invitation for bids necessary to procure the necessary services and supplies for YCIPTA.

If the YCIPTA Transit Director determines that operational efficiency and effectiveness may be negatively impacted by a delay in obtaining YCIPTA Board of Directors approval, the YCIPTA Transit Director is delegated the authority to make such necessary purchases and/or contracts for all purchases or services up to \$150,000 for which there are appropriated funds in the YCIPTA Board of Directors approved budget. Such determination shall be made in writing and provided to the YCIPTA Board of Directors at the next regularly scheduled Board of Directors meeting.

The YCIPTA Transit Director may delegate this authority, wholly or in part pursuant to a letter of delegation filed with the Board Secretary.

For purchases and contracts which are above \$250,000, including public works projects in an amount above \$250,000, and all other goods and services which must be competitively bid either because the YCIPTA Bylaws require it, or because the Arizona state procurement statutes requires it, or because the Federal guidelines require such competitive bidding, YCIPTA will look to its bylaws and this policy for purposes of determining whether the authority to approve any purchase or enter into any contract exists.

Under no circumstances will a subcontractor or consultant have signatory authority to enter into any contract on behalf of YCIPTA. For goods and services which are competitively bid, and whose final contract price exceeds \$100,000, the award must be made by the YCIPTA Board of Directors. Awards for competitively bid or otherwise quoted good and services whose final contract

price is less than \$100,000, may be made by the YCIPTA Transit Director or the YCIPTA Board of Directors.

2.20 Independent Cost Estimates:

The Operations Manager and/or Finance Manager must make and document independent costs estimates before receiving bids or proposals on all procurements over the Federal Simplified Acquisition Threshold of \$250,000 to be placed in the procurement file. Independent Cost Estimate (ICE) form – Appendix B. These estimates may be obtained from published competitive prices, results of competitive procurements, historical prices and trends, or by the Financial Service Operations Manager estimates or outside estimators. Further, on all procurements over the Federal Simplified Acquisition Threshold, YCIPTA must also perform a cost or price analysis in connection with every procurement action, including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation (FTA Circular 4420.1F Section 10).

The Cost or Price Analysis Form – Appendix C– must be submitted to the Operations Manager and/or Finance Manager after issuing any solicitation, but prior to award, to be placed in the procurement file.

1. Cost Analysis

- a. A cost analysis must be performed when the offeror is required to submit the elements (i.e.,
 - Labor Hours, Overhead, Materials, etc.) of the estimated cost, e.g., under professional consulting and architectural and engineering services contracts.
- b. A cost analysis will be necessary when adequate price competition is lacking and for sole source procurements, including contract modifications or change orders, unless price reasonableness can be established on the basis of a catalog or market price of a commercial product sold in substantial quantities to the general public or on the basis of prices set by law or regulation.

2. Price Analysis

- a. A price analysis may be used in all other instances to determine the reasonableness of the proposed contract price.
- 2. Profit
- a. The Operations Manager and/or Finance Manager will negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed.
- b. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Note, the Independent Cost Estimate and Cost/Price Analysis requirements apply when YCIPTA is completing a piggyback purchase for a procurement over

the Federal Simplified Acquisition Threshold. YCIPTA can obtain contractual rights through assignment (via a piggyback purchase) after first determining that the contract price remains fair and reasonable, and the contract provisions are adequate for compliance with all Federal requirements. YCIPTA need not perform a second price analysis if a price analysis was performed for the original contract. However, FTA expects YCIPTA to determine whether the contract price or prices originally established are still fair and reasonable before using those rights. As with the piggyback purchases, YCIPTA should maintain respective documentation on file.

2.21 Full and Open Competition:

The principle of full and open competition has one primary and two secondary purposes. The primary purpose is to obtain the best quality and service at minimum cost, in other words, to get the best buy. The secondary purposes are to guard against favoritism and profiteering at public expense and to provide equal opportunities to participate in public business to every potential offeror.

YCIPTA staff must conduct all procurement in a manner providing full and open competition. This policy assures that all responsible bidders are permitted to compete for the procurement. In the case of sole or single source procurement, justification for use of the source must be documented on the Sole Source Justification Form.

Contracts with a value of more than \$250,000 shall be awarded by sealed bid or by the competitive and noncompetitive proposal process unless there is an explicit exception. YCIPTA staff must refrain from the following practices, which are deemed restrictive of competition:

- Unreasonable requirements placed on firms in order for them to qualify to do business;
- b. Unnecessary experience and excessive bonding requirements;
- c. Noncompetitive pricing practices between firms or between affiliated companies;
- d. Noncompetitive awards to any person or firm on retainer contracts;
- e. Organizational conflicts of interest:
- f. Restrictive use of brand names;
- g. Any arbitrary action in the procurement process; and
- h. Geographic preferences.

2.22 Contract Provisions

All contracts shall include provisions to define a sound and complete agreement. In addition, contracts and subcontracts shall contain contractual provisions or conditions that allow for:

- Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, including sanctions and penalties as may be appropriate. (All contracts in excess of the small purchase threshold.)
- Termination for cause and for convenience by YCIPTA or subgrantee including the manner by which it will be effected and the basis for settlement. (All contracts in excess of \$10,000.)

3 METHODS OF PROCUREMENT

Once authority to purchase or contract has been determined, the following methods of procurement may be used as appropriate:

3.1 Purchases for less than \$10,000 - Procurement by Micro-Purchases:

Micro-purchases are those purchases under \$10,000. Purchases below that threshold may be made without obtaining competitive quotations. Such purchases are exempt from Buy America requirements. There should be equitable distribution among qualified suppliers and no splitting of procurements to avoid competition. The Davis-Bacon Act applies to construction contracts above \$2,000. Minimum documentation required, but purchases must be documented as fair and reasonable.

These purchases may be accomplished by Petty Cash, if under \$50, by purchase through a purchasing card, or by Purchase Requisition and/or purchase order.

3.2 Purchases for amounts between \$10,000 and \$250,000 - Procurement by Small Purchase Procedures / Informal Quotes (IQ):

Small purchase procedures will be used for those relatively simple and informal procurement methods for securing services, supplies, or other property that cost more than \$10,000 but less than \$250,000. The Davis-Bacon Act applies to construction contracts above \$2,000. Minimum documentation is required. A determination that the price is fair and reasonable and how this determination was derived must be included in the file.

Purchase Requisitions are appropriate for purchases in this category. Purchase orders will be obtained. A Purchase Requisition, with the correct approval, must be completed before a purchase order can be prepared.

- **3.2.1 Minimum Number of Bids.** Wherever possible, small purchases will be based on at least three bids, and shall be awarded to the lowest responsible bidder. The requisitioner would need to give the approving authority a Requisition form with at least three vendors, if possible, and their contact information. If only two bids can be obtained, documentation must be provided by the requesting party that a total of five businesses have been solicited.
- **3.2.2 Notice Inviting Quotes / Bids.** The Operations Manager and/or, Finance Manager will solicit bids or quotes by written or verbal requests to prospective vendors.
- **3.2.3** As an alternative to Small Purchase Procedures, materials, equipment or supplies may be made by request from the State Purchasing Cooperative, which is a program of the Arizona Department of Administration, State Procurement Office, in accordance with the provisions of A.R.S. 11-254.01, Title 34-201.
- 3.3 Purchases of More than \$250,000 Procurement By Sealed Bids/Invitation For Bid (IFB):

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Bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price. In order for sealed bidding to be feasible, the following conditions should be present:

- 1) A complete, adequate, and realistic specification or purchase description is available;
- 2) Two or more responsible bidders are willing and able to compete effectively for the business;
- 3) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price; and
- 4) No discussion with bidders is needed.

3.3.1 Requirements. If this procurement method is used, the following requirements apply:

- a) Technical specifications and requirements for the Invitation for Bids (IFB) will be prepared by the appropriate requisitioner and submitted to YCIPTA Transit Director or his or her designee. If approved, the YCIPTA Transit Director or his or her designee will forward the information to the appropriate staff member who will work with the requisitioner to draft the appropriate Invitation for Bids (IFBs). The IFB will be reviewed for FTA, local and state law compliance and accuracy before release.
- b) The invitation for bids will be publicly advertised and bids shall be solicited from an adequate number of known suppliers, providing them sufficient time to prepare bids prior to the date set for opening the bids; advertising for sealed proposals shall at a minimum be by publication in the official newspaper by at least one insertion made by at least ten days prior to the time for opening of bids and publication on the YCIPTA website. Notices inviting bids shall at least include a general description of work, equipment, materials or supplies, and shall refer for details to bid specifications. Location of bid specifications shall be released in the notice inviting bids and may include physical or internet addresses or both.
- c) The invitation for bids, which will include any specifications and pertinent attachments, shall define the items or services sought in order for the bidder to properly respond.
- d) Any change or modification in plans or specifications will occur by way of addenda issued to contractors who have signed up to be on the project planholder's list. Addenda will be posted to the YCIPTA website and notice sent to contractors appearing on the planholder's list.

- e) Sealed bids shall be submitted to the person and address appearing in the notice to contractors and shall be identified as "Bids-[insert solicitation number and short title]" on the envelope or package.
- f) All proposals shall be made in accordance with the solicitation documents and furnished to interested bidders as provided in the "Notice Inviting Bids/Proposals" with a non-collusion affidavit and any other forms / bonds as required by the solicitation documents. Each bid shall have thereon the affidavit of the bidder that this is genuine and not sham or collusive, or made in the interest of, or in behalf of any persons not therein named, and that the bidder has not directly or indirectly induced or solicited any other bidder to put in a sham bid, or any other person, or corporation, or firm to refrain from bidding, and that the bidder has not in any manner sought by collusion to secure to himself an advantage over other bidders.
- g) Any bid made without such affidavits or other documents as required by the solicitation documents or in violation thereof and any contract let as a result shall be void.
- h) If, at any time, discovery is made that a contract has been let to a bidder who has violated or evaded this oath, the contract shall be canceled and no recovery shall be had thereon, and the YCIPTA Board of Directors shall at once proceed as before to award a new contract.
- i) All proposals or bids offered, except as provided below, shall be accompanied by a bank cashier's check, or by a check certified by a responsible bank, payable to YCIPTA, in an amount as specified in the notice inviting bids, or by a bidder's bond for the amount and so payable, signed by the bidder and any one or more sureties authorized to transact surety business in the state of Arizona, acceptable to the Operations Manager and/or Finance Manager and YCIPTA Legal Counsel. No proposal shall be considered unless accompanied by such check or bond; provided, however, that in the case of proposals or bids concerning a contract for the purchase of materials, supplies, equipment or services, the Operations Manager and/or Finance Manager may:
 - 1. Eliminate the requirement that the bids or proposals for a contract be accompanied by a bidder's check or bond; or
 - 2. Set the amount of security required to accompany bids for a contract on a purchase-by-purchase basis.
- j) Construction or facility improvement contract and subcontract bids over \$250,000 have the following additional requirements:
 - 1. A bid guarantee equivalent to five (5) percent of the bid price. The bid guarantee shall consist of a firm commitment such as a bid

bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified;

- 2. A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract; and
- 3. A payment bond on the part of the contractor. A payment bond is one executed in connection with a contract to assure payment, as required by law, of all persons supplying labor and material in the execution of the work provided for in the contract. Payment bond amounts determined to adequately protect the federal interest are as follows:
- 4. Fifty percent of the contract price if the contract price is not more than \$1 million;
- 5. Forty percent of the contract price if the contract price is more than \$1 million but not more than \$5 million; or
- 6. Two and a half million dollars if the contract price is more than \$5 million.
- k) The Operations Manager and/or Finance Manager shall direct opening of sealed bids at the time and place designated in the invitation for bids as stated in the public notices. The opening shall occur in the presence of any two of the following officers: a member of the YCIPTA Board of Directors, the Operations Manager or Finance Manager, the YCIPTA legal counsel, or the YCIPTA Transit Director, and all other interested parties and bidders who desire to be present. As each bid is opened, it shall be read aloud so that all persons interested in the bidding may become acquainted with the contents thereof. From and after the time of opening, the Operations Manager and/or Finance Manager shall, upon the request of any interested party, read or give such further information from the said bid as may be requested. A tabulation of all bids received shall be open for public inspection at the office of the Operations Manager and/or Finance Manager during business hours for a period of one year after the bid opening.
- I) After they have been opened, all bids shall be referred to the YCIPTA Transit Director together with a price and cost analysis and, if appropriate, a staff report to the YCIPTA Board of Directors together with such recommendations as may be deemed appropriate. (Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of.

- m) Any or all bids may be rejected if there is a sound documented business reason.
- n) Upon execution of the contract, the contractor will deliver to the Operations Manager and/or Finance Manager security to guarantee performance of the requirements and obligations to be performed by the contractor.
- o) The sealed bid method is the preferred method for procuring construction if the conditions in paragraph (a) above apply.

3.4 Procurement By Competitive Proposal/Request for Proposals (RFP):

This method is appropriate when conditions are not appropriate for the use of sealed bids because one of the following reasons exists and the method is not prohibited by state or local law:

- 1) A complete, adequate, and realistic specification or purchase description is not available.
- 2) Two or more responsible bidders are not willing and able to compete effectively for the business.
- 3) The procurement does not lend itself to a firm fixed price contract and the selection of the successful bidder cannot be made principally on the basis of price.
- 4) Discussion with the bidders is needed.
- **3.4.1** Requests for proposals will be publicized, which shall require at a minimum publication on the YCIPTA website. All evaluation factors will be identified along with their relative importance; technical specifications and requirements.
- **3.4.2** Awards will be made to the responsible firm whose proposal is most advantageous and of best value to YCIPTA's program with price and other factors considered.
- **3.4.3** In determining which proposals is most advantageous, YCIPTA may award to the proposer whose proposals offer the greatest business value to YCIPTA based upon an analysis of a tradeoff of qualitative technical factors and price/cost to derive which proposal represents the "Best Value" to YCIPTA. "Best Value" is a selection process in which proposals contain both price and qualitative components, and award is based upon a combination of price and qualitative considerations. The award selection is based upon consideration of a combination of technical and price factors to determine {or derive} the offer deemed most advantageous and of the greatest value to YCIPTA if the Operations Manager and/or Finance Manager elects to use the best value selection method as the basis for award, however, the solicitation must contain language which

establishes that an award will be made on a "best value" basis. Publication of evaluation criteria with the RFP will serve as notice to proposers that a "best value" method will be used.

3.5 Procurement of Architectural and Engineering Services (A&E):

YCIPTA will use qualifications-based competitive proposal procedures when contracting for A&E services as defined in 40 U.S.C. §541and 49 U.S.C. §5325(d). Services subject to this requirement are program management, construction management, feasibility studies, preliminary engineering, design, architectural, engineering, surveying, mapping, and related services.

Qualifications-based competitive proposal procedures require that:

- 1) An offeror's qualifications be evaluated;
- 2) Price be excluded as an evaluation factor;
- 3) Negotiations be conducted with only the most qualified offeror; and
- 4) Failing agreement on price, negotiations with the next most qualified offeror be conducted until a contract award can be made to the most qualified offeror whose price is fair and reasonable to YCIPTA.

These qualifications-based competitive proposal procedures can only be used for the procurement of the services listed above. This method of procurement cannot be used to obtain other types of services even though a firm that provides A&E services is also a potential source to perform other types of services.

3.6 Procurement of Design-Bid-Build:

YCIPTA may procure design-bid-build services through means of sealed bidding or competitive negotiations. These services must be procured in a manner that conforms to applicable state and local law, the requirements of the appropriate FTA guidance relative to the method of procurement used and all other applicable federal requirements.

3.7 Procurement of Design-Build:

YCIPTA may procure services using the design-build delivery method. YCIPTA must procure design-build services through means of qualifications-based competitive proposal procedures based on the Brooks Act when the preponderance of the work to be performed is considered to be for architectural and engineering (A&E) services. Qualifications-based competitive proposal procedures should not be used to procure design-build services when the preponderance of the work to be performed is not of an A&E nature, unless required by State law.

3.8 Procurement By Noncompetitive Proposals (Sole Source):

Sole source procurements are accomplished through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. A contract change that is not within the scope of the original contract is considered a sole source procurement that must comply with this subparagraph.

- **3.8.1 Other Than Full and Open Competition (Federally Funded Purchases).** Normally, the recipient must provide for full and open competition when soliciting bids or proposals. The Common Grant Rule for governmental recipients, however, acknowledges that under certain circumstances, a recipient may conduct procurements without providing for full and open competition.
 - 1.) When appropriate, YCIPTA may use noncompetitive proposals only when the procurement is inappropriate for small purchase procedures, sealed bids, or competitive proposals, and at least one of the following circumstances are present:
 - a. Competition Adequacy. After soliciting several sources, the Operations Manager and/or Finance Manager will review its specifications to determine if they are unduly restrictive or if changes can be made to encourage submission of more bids or proposals. Review may also involve conducting After the Operations Manager and/or Finance Manager determines that the specifications are not unduly restrictive and changes cannot be made to encourage greater competition, the Operations Manager and/or Finance Manager may determine the competition adequate. A cost analysis must be performed in lieu of a price analysis when this situation occurs.
 - **b. Sole Source.** When YCIPTA requires supplies or services available from only one responsible source, and no other supplies or services will satisfy its requirements, YCIPTA may make a sole source award. When the YCIPTA requires an existing contractor to make a change to its contract that is beyond the scope of that contract, YCIPTA has made a sole source award that must be justified.
 - i. Unique Capability or Availability. The property or services are available from one source if one of the conditions described below is present:
 - 1. Unique or Innovative Concept. The offeror demonstrates a unique or innovative concept or capability not available from another source. Unique or innovative concept means a new, novel, or changed concept, approach, or method that is the product of original thinking, the details of which are kept confidential or are patented or copyrighted, and is available to YCIPTA only from one source and has not in the past been available to YCIPTA from another source.

- **2. Patents or Restricted Data Rights.** Patent or data rights restrictions preclude competition.
- **3. Substantial Duplication Costs.** In the case of a follow-on contract for the continued development or production of highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in substantial duplication of costs that are not expected to be recovered through competition.
- **4. Unacceptable Delay.** In the case of a follow-on contract for the continued development or production of a highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in unacceptable delays in fulfilling the recipient's needs.
- **ii. Single Bid or Proposal.** Upon receiving a single bid or proposal in response to a solicitation, the Operations Manager and/or Finance Manager should determine if competition was adequate. This should include a review of the specifications for undue restrictiveness and might include a survey of potential sources that chose not to submit a bid or proposal.
 - 1. Adequate Competition. Competition is acknowledged to be adequate when the reasons for few responses were caused by conditions beyond the control of YCIPTA. Many unrelated factors beyond YCIPTA's control might cause potential sources not to submit a bid or proposal. If the competition can be determined adequate, competition requirements will be fulfilled, and the procurement will qualify as a valid sole source.
 - **2. Inadequate Competition.** Competition is inadequate when, caused by conditions within YCIPTA's control. For example, if the specifications used were within the YCIPTA's control and those specifications were unduly restrictive, competition will be inadequate.
- c. Unusual and Compelling Urgency. YCIPTA may limit the number of sources from which it solicits bids or proposals when a YCIPTA has such an unusual and urgent need for the property or services that YCIPTA would be seriously injured unless it were permitted to limit the solicitation. YCIPTA may also limit the solicitation when the public exigency or emergency will not permit a

delay resulting from competitive solicitation for the property, supplies, or services.

- **d.** Associated Capital Maintenance Item Exception Repealed. Any sole source procurement of associated capital maintenance items must qualify for an exception under the same standards that would apply to other sole source acquisitions.
- **e. Authorized by FTA.** The Common Grant Rules provide Federal agencies authority to permit a recipient to use noncompetitive proposals. Under this authority, FTA has made the following determinations:
 - i. Consortium, Joint Venture, Team, Partnership. With some exceptions, when FTA awards a grant agreement or enters into a cooperative agreement with a consortium, joint venture, team, or partnership, or provides FTA assistance for a research project in which FTA has approved the participation of a particular firm or combination of firms in the project work, the grant agreement or cooperative agreement constitutes approval of those arrangements. In such cases, FTA expects the recipient to use competition, as feasible, to select other participants in the project.
 - **ii.** Federal Acquisition Regulation (FAR) Standards. To ensure that the recipient has flexibility equal to that of Federal contracting officers, FTA authorizes procurement by noncompetitive proposals in all of the circumstances authorized by FAR Part 6.3. In addition to circumstances discussed in the Common Grant Rules, the FAR authorizes less than full and open competitive procurements in one or more of the following circumstances:
 - **1. Statutory Authorization or Requirement.** To comply with Department of Transportation (DOT) appropriations laws that include specific statutory requirements, with the result that only a single contractor can perform certain project work.
 - **2. National Emergency.** To maintain a facility, producer, manufacturer, or other supplier available to provide supplies or services in the event of a national emergency or to achieve industrial mobilization.

- **3.** To establish or maintain an educational or other non-profit institution or a federally funded research and development center that has or will have an essential engineering, research, or development capability.
- **4. Protests, Disputes, Claims, Litigation.** To acquire the services of an expert or neutral person for any current or anticipated protest, dispute, claim, or litigation.
- **5. International Arrangements.** When precluded by the terms of an international agreement or a treaty between the United States and a foreign government or international organization, or when prohibited by the written directions of a foreign government reimbursing the recipient for the cost of the acquisition of the supplies or services for that government.
- **6. National Security.** When the disclosure of the recipient's needs would compromise the national security.
- **7. Public Interest.** When the recipient determines that full and open competition in connection with a particular acquisition is not in the public interest.
- 2.) When prohibited, less than full and open competition is not justified based on:
 - a. Failure to Plan. YCIPTA's lack of advance planning, or
 - **b. Limited Availability of Federal Assistance**. Concerns about the amount of Federal assistance available to support the procurement (for example, expiration of Federal assistance previously available for award).
- 3.) **Procurement Procedures.** When less than full and open competition is available to YCIPTA will:
 - **a. Potential Sources**. Solicit offers from as many potential sources as is practicable under the circumstances.
 - **b. Sole Source Justification.** If YCIPTA decides to solicit an offer from only one source, YCIPTA must justify its decision adequately in light of the standards of subparagraph (1)(b) of this Chapter. The Non-competitive Procurement Justification form (Appendix E) must be completed and kept on file.
 - **c. Cost Analysis.** Prepare or obtain a cost analysis verifying the proposed cost data, the projections of the data, and the evaluation of the costs and profits.

d. Preaward Review. Submit the proposed procurement to FTA for preaward review if FTA so requests.

3.9 Options:

YCIPTA may include options in contracts. An option is a unilateral right in a contract by which, for a specified time, YCIPTA may elect to purchase additional equipment, supplies, or services called for by the contract, or may elect to extend the term of the contract. If an option is included in a contract, the requirements below apply:

1) **Evaluation of Options.** The option quantities or periods contained in the contractor's bid or offer must be evaluated in order to determine contract award. When options have not been evaluated as part of the award, the exercise of such options will be considered a sole source procurement.

2) Exercise of Options.

- a. YCIPTA will ensure that the exercise of an option is in accordance with the terms and conditions of the option stated in the initial contract awarded.
- b. An option may not be exercised unless YCIPTA has determined that the option price is better than prices available in the market or that the option is the more advantageous offer at the time the option is exercised.

3.10 Capital Purchases:

For financial purposes, items over \$5,000 with a useful life of over one (1) year are defined as capital purchases. In addition to any other requirements which may apply, such expenditures must be charged against capital accounts, rather than operating accounts. The YCIPTA Board of Directors must approve all budgeted capital expenditures for the current fiscal year along with the operating budget. Un-budgeted capital expenditures must be submitted to the YCIPTA Board of Directors for approval. The YCIPTA Transit Director or designee must approve all capital expenditures. The YCIPTA Transit Director may delegate this authority to approve capital purchases. If this authority is delegated, the YCIPTA Transit Director must specify the dollar limit for purchases that the authorized staff may approve.

4 CONTRACT COST OR PRICE ANALYSIS FOR EVERY ACTION

YCIPTA will perform a cost or price analysis in connection with every procurement action, including contract modifications. A cost or price analysis must be performed after Bids or Proposals are received. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, YCIPTA must make independent estimates before receiving bids or proposals. Responsibility for ensuring that an independent estimate is completed will reside with the person issuing the solicitation. No solicitation will be issued prior to conducting an independent

estimate regarding the anticipated cost of the item or service to be procured. The estimate will include the methodology used to make the estimate.

4.1 Cost Analysis:

A cost analysis must be performed when the offeror is required to submit the elements (i.e., labor hours, overhead, materials, etc.) of the estimated cost, (e.g., under professional consulting and architectural and engineering services contracts, etc.). A cost analysis will be necessary when adequate price competition is lacking and for sole source procurements, including contract modifications or change orders, unless price reasonableness can be established on the basis of a catalog or market price of a commercial product sold in substantial quantities to the general public or on the basis of prices set by law or regulation.

4.2 Price Analysis:

A price analysis may be used in all other instances to determine the reasonableness of the proposed contract price.

4.3 Profit:

YCIPTA will negotiate profit as a separate element of the price for each contract in which there is no price competition and, in all cases, where cost analysis is performed. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

4.4 Federal Cost Principles:

Costs or prices based on estimated costs for contracts under grants will be allowable only to the extent that costs incurred or cost estimates included in negotiated prices are consistent with Federal cost principles. Grantees may reference their own cost principles that comply with applicable Federal cost principles.

4.5 Cost Plus Percentage of Cost Prohibited:

The cost plus a percentage of cost and percentage of construction cost methods of contracting shall not be used.

5 REJECTION OF BIDS

Invitations for bids may be canceled after opening but prior to award, and all bids rejected, where it is consistent with Federal, State, and local procurement regulations. A written determination must be included in the invitation for bid file stating that cancellation is in the best interest of YCIPTA for reasons such as the following:

- a) Inadequate, ambiguous, or otherwise deficient specifications were cited in the invitation for bids;
- b) The supplies or services are no longer required;
- c) The invitation for bids did not provide for consideration of all factors of cost to YCIPTA;
- d) Bids received indicate that the needs of YCIPTA can be satisfied by a less expensive item differing from that on which bids were received;
- e) All otherwise acceptable bids received are at unreasonable prices;
- f) The bids were not independently arrived at in open competition, were collusive, or were submitted in bad faith. Such situation must be substantiated and reported to YCIPTA Legal Counsel;
- g) The bids received did not provide competition, which was adequate to ensure reasonable prices. A price or cost analysis may be used to establish the reasonableness of price; or
- h) Adequate funding is not available to enter into and administer the contract.

5.1 Rejection of Individual Bids:

Normally, any bid which fails to conform to the essential requirements of the invitation for bids, such as specifications, delivery schedule, warranty, or the required bid documents, shall be rejected as non-responsive.

A bid shall be rejected where the bidder imposes conditions, which modify requirements of the invitation for bids. For example, bids may be rejected in which the bidder:

- 1) Attempts to protect himself against future changes in conditions such as increased costs, if a total price to YCIPTA cannot be determined for bid evaluation;
- 2) Fails to state a price and in lieu thereof states that price shall be "price
- 3) States a price but qualifies such price as being subject to "price in effect at time of delivery";
- 4) Where not authorized by the invitation for bid, conditions or qualifies his/her bid by stipulating that the bid is to be considered only if, prior to date of award, bidder received or does not receive award under a separate procurement;
- 5) Limits rights of YCIPTA under any contract clause;
- 6) Fails to comply with all of the requirements of the IFB.

- **5.1.1** Bids received from any person or firm debarred or ineligible shall be rejected if the period of debarment or ineligibility has not expired.
- **5.1.1.1** The Excluded Parties Listing System (EPLS) shall be verified for all procurements over \$25,000 is made to ensure that the vendor is not debarred suspended, ineligible or voluntary excluded from participation in Federally assisted transactions or procurements. Visit https://www.epls.gov/ for the EPLS.
- **5.1.1.2** A copy of the printed screen should be included in the procurement file showing that the vendor selected is not showing up in the EPLS.
- **5.1.2** Low bids received from firms determined to be not responsible pursuant to Federal, State or local procurement regulations shall be rejected.
 - **5.1.2.1** A determination of responsibility will be made and documented to file prior to award, and the review used to make that determination shall consist of an analysis of the bidder's ability to provide the appropriate financial backing, equipment, facility and personnel; ability to meet the delivery schedule, a satisfactory period of performance, record of integrity (suspension or debarred list checks), and receipt of all necessary data from the supplier.
- **5.1.3** A bid may be rejected if a bid guarantee and / or insurance is required and a bidder fails to furnish it in accordance with the requirement of the invitation for bids.
- **5.1.4** The originals of all rejected bids, and any written findings with respect to such rejections, shall be preserved in the file relating to the procurement.
- **5.1.5** After submitting a bid, if a bidder transfers all of his/her assets or that part of his/her assets related to the bid during the period between the bid opening and the award, the transferee may not take over the bid, thus, YCIPTA may reject the bid.

6 AWARD OF CONTRACT/COMPETITIVELY BID CONTRACTS

In the event of a purchase subject to sealed bids, after considering the report of the YCIPTA Transit Director, the YCIPTA Board of Directors shall award the contract to the lowest responsible bidder, or reject all bids, and may readvertise in its discretion. A firm fixed-price contract award will be made in writing to the lowest responsive and responsible bidder. When specified in bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Contracts for goods or services based on other procurement methods allowed as described above in section 3 may be awarded as follows:

6.1 Contracts for procurement of goods and services for amounts of \$100,001 and above:

Contracts in this range will be awarded by YCIPTA Board of Directors authorizing the YCIPTA Transit Director to enter into such contract.

6.2 Contracts for Procurement of goods and services for amounts between \$0 and \$100,000:

Contracts for procurements of goods and services for amounts between \$0 and \$100,000 shall be awarded by the YCIPTA Transit Director, in his/her discretion and as authorized by YCIPTA bylaws, or any other YCIPTA Board of Directors action or resolution.

6.3 Contract Term Limitation

YCIPTA shall not enter into any contract for rolling stock or replacement parts with a period of performance exceeding five (5) years inclusive of options. All other types of contracts (supply, service, leases of real property, revenue and construction, etc.) will be based on sound business judgment. Length of contracts shall be for not more than the amount of time required to accomplish the purpose of the contract, and will also include consideration for competition, pricing, fairness, and public perception. Once a contract has been awarded, an extension of the contract term length that amounts to an out of scope change will require a sole source justification.

6.4 Revenue Contract

Revenue contracts are those third party contracts whose primary purpose is to either generate revenues in connection with a transit related activity, or to create business opportunities utilizing an FTA funded asset. FTA requires these contracts to be awarded utilizing competitive selection procedures and principles. The extent of and type of competition required is within the discretionary judgment of YCIPTA.

7 DETERMINATION - LOWEST RESPONSIBLE BIDDER EVALUATION

Before the YCIPTA Board of Directors awards the contract, or the YCIPTA Transit Director authorizes the procurement, YCIPTA shall make a determination that a prospective contractor is responsible and the prices are reasonable prior to award of contract. To determine whether a contractor is responsible, the YCIPTA Operations Manager and/or Finance Manager will complete the Bidder's Responsibility Checklist – Appendix D for procurements over the micro-purchase threshold. Note, for piggyback purchases meeting the micro-purchase threshold, responsibility determinations must also be kept on file. This information will be given to the Operations Manager and/or Finance Manager to be placed in the procurement file. A responsible prospective contractor is one who meets the standards forth below:

a) Has adequate financial resources, or the ability to obtain such **25** | P a ge

resources as required during the performance of the contract;

- b) Is not listed on the Federal "List of Parties Excluded from Federal Procurement or Nonprocurement Programs (Debarred List)" located at http://www.epls.gov/
- c) Is able to comply with the required or proposed deliver or performance schedule, taking into consideration all existing business commitments, commercial as well as governmental;
- d) Has a satisfactory record of performance. Contractors who are, or have been seriously deficient in current or recent contract performance, when the number of contracts and the extent of deficiency of each are considered, will be considered non-responsive;
- e) Has a satisfactory record of integrity and business ethics;
- f) Is otherwise qualified and eligible to receive an award under applicable laws and regulations;
- g) Has the necessary organizational, experience, operational controls; and technical skills, or the ability to obtain them; or
- h) Has the necessary production, construction, and technical equipment and facilities, or the ability to obtain them.

Evaluation of the responsibility of prospective contractors may be made based upon the following sources:

- 1) A list of debarred, suspended or ineligible firms or individuals:
- 2) From the prospective contractor's bids and proposals, replies to questionnaires, financial data such as balance sheets, profits & loss statements, cash forecasts, and financial histories of the contractor and affiliated concerns; current and past production records, list of tolls, equipment, and facilities, written statements of commitments concerning financial assistance and subcontracting arrangements;
- 3) Publications, including credit ratings, trade and financial journals, and business directories may also be used;
- 4) References such as suppliers, subcontractors, customers or the prospective contractor, banks and financial institutions, commercial credit agencies, other government agencies, purchasing and trade associations, and better business bureaus and chamber of commerce; or
- 5) Documented past performance on contracts with YCIPTA.

8 FILING PROTESTS

8.1 Definitions

1) Awarding Authority: The YCIPTA Board of Directors or Transit Director or Operations Manager and/or Finance Manager possessing the authorization to make final decisions regarding selection of bidders or proposers.

8.2 Filing Procedure:

Protests dealing with restrictive specifications or alleged improprieties in solicitation must be filed no later than ten (10) working days prior to bid opening or closing date for receipt of proposals. Any other protest must be filed no later than three (3) working days after:

- 1. Notification of Intent to Award is issued for award of contract if the contract is awarded by YCIPTA Board of Directors and YCIPTA Board of Directors follows staff recommendation; or
- 2. Notification of Award is issued if the YCIPTA Board of Directors has delegated award authority to the Operations Manager and/or Finance Manager or YCIPTA Board of Directors does not award the contract according to the Notification of Intent to Award.

Protests shall be in writing and addressed to the YCIPTA Transit Director. The protest shall identify the protestor, contain a statement officially declaring a protest and describing the reasons for the protest, and provide any supporting documentation. Additional materials in support of the initial protest will only be considered if filed within the time limit specified above. The protest shall indicate the ruling or relief desired from YCIPTA.

8.3 Confidentiality:

Materials submitted by a protester will not be withheld from any interested party, except to the extent that the withholding of information is permitted or required by law or regulation. If the protest contains proprietary material, a statement advising of this fact may be affixed to the front page of the protest document and the alleged proprietary information must be so identified wherever it appears.

8.4 Withholding of Award:

When a protest is filed before opening of bids or closing date of proposals, the bids will not be opened prior to resolution of the protest, and when the protest is filed before award, the award will not be made prior to resolution of the protest, unless the Awarding Authority determines that:

- a) Items to be procured are urgently needed, or delivery or performance will be unduly delayed by failure to make award promptly; or
- b) Failure to make award will cause undue harm to YCIPTA.

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In the event an award is to be made while a protest is pending, the FTA shall be notified if Federal funding is involved.

8.5 Processing the Request:

- a) The YCIPTA Transit Director shall respond to the protestor within five (5) working days of receiving the protest. A conference on the merits of the protest may be held with the protester.
- b) Any additional information required by YCIPTA from the protester shall be submitted as expeditiously as possible, but no later than three (3) days after receipt of such request.

8.6 Notification:

The YCIPTA Transit Director shall notify the protester of a decision regarding the protest no later than ten (10) days following receipt of all relevant information.

8.7 Appeal:

If a protester is not satisfied with the decision made by the YCIPTA Transit Director the protester may appeal the decision to the Awarding Authority by way of a letter to the YCIPTA Transit Director no later than three (3) working days after notification of denial of the protest by the YCIPTA Transit Director. If the YCIPTA Transit Director is the Awarding Authority the protester will be deemed to have exhausted its appeals to YCIPTA upon receipt of the initial rejection of the protest by the YCIPTA Transit Director. If Federal funds are involved, the protester may file protest with the FTA and/or Arizona Department of Transportation (ADOT) appealing the final decision of the Awarding Authority.

Review by FTA and/or ADOT will be limited to:

- a) Violation of Federal law or regulations.
- b) Violation of YCIPTA's protests procedures described herein, or failure by YCIPTA to review protest.

Protests must be filed with FTA (with a concurrent copy to YCIPTA) within five (5) days after the Awarding Authority renders a final decision, or five (5) days after the protester knows, or has reason to know, that the Awarding Authority failed to render a final decision.

After five (5) days, YCIPTA will confirm with FTA that FTA has not received protest on the contract in question.

Circular 4220.1F is available for review at YCIPTA office or online on YCIPTA's website. A copy also may be obtained from FTA or ADOT at the following addresses:

Federal Transit Administration Region IX 201 Mission Street – Suite 2210 San Francisco, Arizona 94105

Arizona Department of Transportation Multimodal Planning Division 206 South 17th Avenue, MD 310 B Phoenix, AZ 85007

YCIPTA shall not be responsible for any protests not filed in a timely manner with FTA and/or ADOT.

In the event an award is to be made while a protest is pending, FTA and/or ADOT shall be notified if Federal funding is involved.

9 PURCHASE REQUISITION APPROVAL AND PURCHASE ORDERS

- a) All purchase orders between \$1,000 to \$100,000 require the approval of the YCIPTA Transit Director, or his/her designee.
- b) Purchase orders greater than \$100,000 require the approval of the YCIPTA Board of Directors.
- c) Purchase orders are not required for medical, legal, insurance, payroll, petty cash, travel reimbursements, utility payments, postage, temporary help, conferences and subscription renewals.
- d) Purchase Requisition forms are filled out by the party requesting goods or services, and then input into the YCIPTA's automated purchasing system by administrative staff to begin the approval process.

9.1 Purchase Orders:

Purchase order numbers are assigned by the YCIPTA' automated purchasing system after receipt and approval of a purchase requisition by the appropriate parties with proper authorization.

The YCIPTA Transit Director will review the purchase requisition and all documentation to ensure its completeness, accuracy and compliance with FTA regulations.

9.2 Purchase Order Approval:

YCIPTA automated purchasing system will route purchase requisitions to the correct authorization levels, and upon final authorization, assign a purchase order number. YCIPTA Operations Manager and/or Finance Manager will sign the generated purchase order and notify the requestor that the purchase order has been authorized and provide the requestor with the purchase order.

The Requisitioner may either fax or orally notify the vendor of the approved purchase order number. A copy of the approval purchase order shall be sent to the vendor along with any FTA terms and conditions unless those terms already exist in a formal contract. The method of purchase shall be specified on the Purchase Requisition.

Vendors shall be told to include their purchase order number on all correspondence, including packages, invoices, credit memos, etc.

9.3 Receiving/Approval to Pay:

Only authorized persons may receive goods. Upon receipt, the packing slip is compared to the goods received.

If correct, the packing slip is signed and dated as received.

If the packing slip is also an invoice, these documents will then be sent to YCIPTA Operations Manager and/or Finance Manager for payment.

If the packing slip is not an invoice, requisitioner will check invoice file. If the invoice has been received, it should be matched against the packing slip. If it does not match the vendor should be notified. When a correct invoice is received, it should be attached to the rest of the procurement documentation and sent to YCIPTA Operations Manager and/or Finance Manager for payment.

For the receipt of services, the responsibility to deem the service completed will rest with the requisitioner. Upon completion, sign all documents that confirm the proper completion of services performed and forward the receiving document to the YCIPTA Transit Director for payment.

9.4 Blanket Purchase Orders:

YCIPTA does not authorize the use of this type of purchase order unless Board of Directors approval has been provided and the appropriate method of procurement has been followed as directed in this manual.

9.5 Releasing Purchase Order Numbers:

YCIPTA does not authorize the practice of giving Purchase Order numbers to requisitioners over the telephone without adherence to the policies contained herein.

10 CHECK REQUEST POLICY

Check request forms are used to request payment for materials or services.

Check requests will be granted on the following circumstances:

- 1. Checks will be cut in accordance with the Yuma County Accounts Payable schedule.
- 2. Original invoice must be attached.

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- 3. All receiving documents must be attached.
- 4. All requests must be signed by the YCIPTA Transit Director and YCIPTA Operations Manager and/or Finance Manager.
- 5. Purchase order must be referenced, if applicable.

11 PETTY CASH POLICY

Purchases of up to \$15 may be made through petty cash. However, this is a privilege that should never be used to circumvent the procurement procedures. A petty cash voucher shall be obtained from YCIPTA Operations Manager and/or Finance Manager and approved by the YCIPTA Transit Director. All receipts, and any change received in the transaction, shall be returned to YCIPTA Operations Manager and/or Finance Manager immediately upon return to the facility.

12 EMERGENCY ACQUISITIONS

For internal control purposes, deviations from the process outlined in this section are permitted only in emergency situations, and only with the approval of the YCIPTA Transit Director. Whether an emergency exists will be determined by the YCIPTA Transit Director. Emergency procurements are those which, due to unusual circumstances beyond the control of the requisitioner, cannot be foreseen or otherwise provided for in the routine manner, but which must be accomplished without delay. Emergencies usually involve urgent repair of revenue vehicles, facilities or utilities, correction of unsafe conditions, which if left uncorrected would result in immediate financial loss, and the like.

When a purchase order is issued in an emergency situation, the responsibility for following through with a Purchase Requisition is not relieved when the purchase is accomplished through emergency channels. A properly executed and approved Purchase Requisition must be provided in order to complete the requisition.

When an emergency arises, the requester may inform the YCIPTA Transit Director or his/her authorized designee of the requirements, including the vendor's name and the approximate amount of the procurement. It is then the responsibility of the requisitioner to coordinate completion of the confirming Purchase Requisition. If the requester does not know which vendor will be used, the YCIPTA Transit Director or his/her authorized designee shall be notified as soon as a vendor is located.

In instances where a valid emergency exists and goods or services may be obtained after normal working hours, the requester may follow one of the several options:

- 1) Make the purchase from a firm willing to accept an oral purchase order;
- 2) Pay cash and be reimbursed from petty cash (if less than \$15), or by check, the following business day; or

3) Charge the purchase and present the sales slip the following day to have a Purchase Requisition processed and a check issued for reimbursement.

13 SERVICE CONTRACTS AND/OR MAINTENANCE AGREEMENTS

Service contracts and maintenance agreements are legally binding documents stating that a particular vendor will perform the specified services on equipment as agreed upon and described. These contracts should be obtained by whichever procurement method is applicable, depending on amount and/or circumstances. All contracts, including service and maintenance, shall be submitted to the YCIPTA Legal Counsel for review and approval.

Repairs of equipment not covered by service contracts or maintenance agreements must have a purchase order number issued before the equipment can be repaired. If the equipment is to be shipped or hand carried for repair, a Purchase Requisition should be prepared (including estimates) for proper record keeping prior to shipment.

For all repairs, the following information is required:

- a) Make, model and serial number of equipment;
- b) Inventory tag number;
- c) Department where equipment is located;
- d) Hourly or flat rate to be charged; and
- e) If the item being repaired is an accessory to a major piece of equipment, provide the above information from the equipment to which it is an accessory.

(NOTE: If a purchase order number was orally given because of an on-site emergency repair, the Purchase Requisition must have that number affixed, include all the information shown above, and have a written service report of the incident attached before sending to YCIPTA Operations Manager and/or Finance Manager.)

14 PROCEDURES FOR CHANGE ORDERS/CONTRACT MODIFICATION

This section describes the steps to take when changes or cancellations must be made to existing purchase orders or contracts.

14.1 Changes to Purchase Orders and Contracts:

Changes are made to existing purchase orders and contracts either by issuing a purchase order change or a contract amendment (and sometimes both). Examples of circumstances that warrant making a change to a purchase order or contract are:

- 1) When there is a substantial change in the description of the supplies or services to be delivered against the purchase order or contract.
- 2) When there is a change in the scope, price and/or quantity or delivery of supplies or services to be delivered against the purchase order or contract.
- 3) When the specifications, terms or conditions are in error or need to be modified.
- 4) When there is a change in funding.

All purchase order and contract modifications for purchases over \$3,000 must be approved by the YCIPTA Transit Director. The YCIPTA Transit Director may approve changes and modifications that do not exceed the project budget and do not exceed a one-time increase of 10% above the originally–approved contract price, with a limit of \$100,000. Changes/Modifications that exceed \$100,000 must be approved by the YCIPTA Board of Directors.

14.1.1 Processing Time Required: Changes to purchase orders and contracts will usually be completed within five (5) working days after a Request for Correction/Change to Purchase Order is received by the YCIPTA Transit Director.

NOTE: Changes that require approval of the YCIPTA Board of Directors require a longer period of time. If YCIPTA Board of Directors approval is required, a minimum of three (3) weeks may be required before a change can be completed.

- **14.1.2** Information Required by the YCIPTA Transit Director: A completed memo stating the request for correction/change to purchase order or contract must be submitted to the YCIPTA Transit Director. The Request should include a complete description of all needed changes and the reason for the changes. It must be signed by the Project Manager.
- **14.1.3** Changes to purchase orders and contracts that constitute an "out of scope" or "Cardinal change" to the purchase order or contract are considered "Tag-ons" and are prohibited unless accompanied by a sole source justification. A determination that a change to a purchase order or contract does not constitute an out of scope change is required prior to authorization and that determination must be documented to the contract file.

14.2 Cancellations of Purchase Orders:

Purchase orders are canceled either by issuing a purchase order change or a letter of cancellation (or both). Such cancellations can be made by the YCIPTA Transit Director when the necessary information regarding the need for the cancellation is provided.

- **14.2.1 Processing Time Required:** Cancellations of purchase orders and contracts will usually be completed within five (5) working days after the YCIPTA Transit Director receives a memo regarding a request for correction or change to a purchase order. The requesting organization will receive a copy of the purchase order marked CANCELED or a copy of the letter canceling the contract after the cancellation has been completed.
- **14.2.2 Information Required by YCIPTA Transit Director:** A Request for Cancellation must be submitted to the YCIPTA Transit Director. The Request should ask that the purchase order or contract be canceled and should give the reason for the cancellation. It must be signed by requisitioner.
- **14.2.3 Description of Process:** Upon receipt of the Request for Cancellation, the YCIPTA Transit Director will review the information and approve/disapprove, as appropriate. If cancellation is approved, the purchase order/contract will be forwarded to the YCIPTA Operations Manager and/or Finance Manager who will effect the cancellation. The requesting organization and the vendor will receive a copy of the purchase order marked "CANCELED" and/or letter notifying them of contract cancellation

15 PURCHASING PROCEDURE AMENDMENT

From time to time, the U.S. Department of Transportation, FTA or other governing bodies may set forth new procurement standards, issue supplementary directives, or revise certain procurement regulations or procedures. The amended policy or procedures will then be incorporated into YCIPTA's Procurement Policy.

16 CONTRACT PROVISIONS FOR FTA GRANTEES

A number of general contract provisions are required by the FTA for FTA funded contracts. These provisions are intended to establish minimum guidelines to which grantees must adhere when purchasing supplies, equipment and construction and professional services. Additionally, a number or provisions are required by State law and local practice.

YCIPTA will work with the YCIPTA Legal Counsel's office to include all necessary contract clauses in each contract. Special attention will be given to the applicability and inclusion of model contract clauses from the FTA's Best Practices Procurement Manual. These contract requirements change from time to time, so when drafting a contract check the latest contract clause requirements from FTA.

FTA C 4220.1F, Appendix D, Federally Required And Other Model Clauses stated the necessary clauses and forms for inclusion in YCIPTA contracts and purchase orders. The YCIPTA Operations Manager and/or Finance Manager shall perform an annual review of the CORTAP Manuel, FTA Master Agreement and 2 CFR Part 200 to ensure the inclusion of all FTA-required third party contract clauses. The YCIPTA Operations Manager and/or Finance Manager may use Procurement Pro from the National Rural Transit Assistance Program as a resource for the necessary clauses and forms.

17 SURPLUS PROPERTY

17.1 Purpose

The intent of this policy is to establish uniform guidelines for the disposal or transfer of surplus, or obsolete YCIPTA equipment and supplies. This policy shall apply to all tangible personal property, including rolling stock and technology equipment.

17.2 Definitions

"Equipment" shall mean all tangible personal property that has a useful life of more than one (1) year and an acquisition cost of \$1,000 or more per unit. This definition includes rolling stock and other tangible (movable) property used in the provision of public transit service.

"Supplies" shall mean all tangible personal property of YCIPTA other than Equipment having a useful life of less than one (1) year and an acquisition cost under \$1,000.

"Surplus or obsolete equipment" means tangible personal property which YCIPTA determines is no longer required for its needs or for the fulfillment of its responsibilities.

"Market Value" means the most probable price which equipment or supplies should bring in a competitive and open market.

"Net proceeds from the sale of surplus or excess property" means the amount realized from the sale of property no longer needed for transit purposes less the expenses of any actual and reasonable selling and fixing-up expenses.

"Service Life or Useful Life" of rolling stock begins on the date the vehicle is placed in revenue service and continues until it is removed from service.

"Straight Line Depreciation" means the method by which the value of YCIPTA equipment is depreciated (reduced) over its service or useful life as a percentage of its cost.

17.3 Disposition Authorization

The YCIPTA Transit Director may authorize the disposal of any surplus or obsolete equipment or supplies having an original acquisition cost not exceeding \$100,000, providing the useful life of said equipment or supplies have been met.

The YCIPTA Transit Director is authorized to sell or dispose of surplus or obsolete equipment or supplies, when it is judged to be in the best interest of the organization that the property concerned is an estimated market value of up to \$25,000 per unit.

The Board of Directors may authorize the disposal of any surplus or obsolete equipment or supplies having an original acquisition cost exceeding \$100,000 or any real property owned by YCIPTA.

The YCIPTA Transit Director shall prepare a report to the YCIPTA Board of Directors recommending disposition shall include acquisition cost, source of funding, funding agency and reimbursement to the funding agency, if required.

17.4 Disposition of FTA Funded Tangible Personal Property

17.4.1 Rolling Stock: With respect to rolling stock originally funded by FTA funds, any disposition before the end of its service life requires prior FTA approval. In addition, if rolling stock is removed from service and disposed of before the end of its useful life, the return to FTA is the greater of the FTA share of the unamortized value of the remaining service life per unit, based on straight line depreciation of the original acquisition cost, or the Federal share of the sales price (even though the unamortized value is \$5,000 or less).

17.4.2 Equipment and Supplies over \$5,000 value: After the service life of equipment is reached, equipment with a current market value exceeding \$5,000 per unit, or unused supplies with a total aggregate fair market value of more than \$5,000, may be retained or sold, with reimbursement to FTA of an amount calculated by multiplying the total aggregate fair market value at the time of disposition, or the net sale proceeds, by the percentage of FTA's participation in the original acquisition.

17.4.3 Equipment and Supplies less than \$5,000 value: Equipment with a unit market value of \$5,000 or less, or supplies with a total aggregate market value of \$5,000 or less, may be retained, sold or otherwise disposed of with no obligation to reimburse FTA, providing the useful service life requirements have been met. Records of this action must be retained.

17.5 Methods of Disposition of Tangible Personal Property

Approved methods for the disposition of surplus or obsolete tangible personal property shall include: (1) trade-in as part of a new procurement; (2) transfer or sale to other public agencies; (3) transfer to non-profit agencies or organizations consistent with established legal parameters; (4) sale by auction open to the public; (5) solicitation of sealed bids or negotiated sale; whichever maximizes the 36 | P a ge

disposal value to YCIPTA; or (6) disposal through scrapping.

17.6 Prohibited Sales

Except in the case where surplus or obsolete YCIPTA property is sold at public auction conducted by an independent third party auctioneer, members of the Board of Directors and/or employees of YCIPTA, or persons acting as agents of the foregoing, shall not be permitted to purchase at the sale.

17.7 Reports to the Board of Directors

On a bi-annual basis, the YCIPTA Transit Director shall provide, as an information item to the Board, a report of the activities relating to the disposal of surplus or obsolete property describing the identification of property, type of items disposed of, original purchase price information and dates, the gross sales price, and the net proceeds to YCIPTA.

Approved:		
Austra	07/15/2025	
Shelly Kreger Transit Director	Date	

PROCUREMENT FILE CHECKLIST

	<u>Date</u>		<u>Initials</u>
 Requisition		-	
 _ ICE		-	
 Federal Clauses		-	
 _ Advertised		-	
Bid abstract		-	
Cost/Price Analysis		-	
Bonds:			
Bid		-	
Performance		-	
Payment		-	
Responsibility Determination		-	
 Fair & Reasonable Determination		-	

PROCUREMENT FILE CHECKLIST

	<u>Date</u>	<u>Initials</u>
SAM Excluded Parties		
Buy America		
Pre-Award		
Post Delivery		
Options (Evaluated at time of award)		
Options (Pricing determined best price b	pefore exercising)	

APPENDIX A

PROCUREMENT HISTORY FORM

Project Description:							
Contract Officer:							
Re Da	equisition #: _				Fundin	g #:	
	oc. Type: age		Formal RFP		Informal/RFQ		Construction/P.
1.	Project:	Ц	Formal IFB/P. Wage		Sole Source		
2.	2. Rationale for the Method of Procurement:						
3.	3. Selection of Contract Type:						
4.	4. Reasons for Contractor Selection or Rejection:						
5.	5. Basis for the Contract Price:						
6.	6. <u>Level of Documentation reasonableness:</u>						
			er Signature:				

Appendix B

INDEPENDENT COST ESTIMATE (ICE) SUMMARY FORM

Requisition Number:	Date of Estimate:
Description of Goods/Servic	es:
	nt Contract Modification (Change Order)
Exercise of Opti	on
Method of Obtaining Estima	te:
Attach additional de	ocumentation such as previous
pricing documentation, e	mails, internet screen shots,
estimates on letterhead, etc	
Published Pri	ce List (attach source and date)
Historical F	Pricing (attach copy of
documentation from previou	s PO/Contract)
Comparable correspondence)	Purchases by Other Agencies (attach email
Engineering of	or Technical Estimate (attach)
Independent	Гhird-Party Estimate (attach)
Other (specify	<u> </u>
(attach docun	nentation)Pre-
established pricing resulting	ng from competition (Contract
Modification only)	
ugh the method(s) stated above of the goods/services is \$	ve, it has been determined the estimated total
The preceding independent	cost estimate was prepared by:
Name	
	Date

APPENDIX C

Cost and Price Analyses

Price A	Analysis:	
	Price Analysis/Reasonableness	
	PO/Contract#:	
	Project Name:	<u></u>
	Vendor Name:	<u> </u>
	Dollar Value:	_
	Description:	
	Rationale:	
	Analysis: Prices for this PO/Contract	were reviewed by the Contract
Admin	istrator and determined to be fair and	reasonable for the following reason(s):
	☐ Award based on lowest, re	sponsive and responsible bid
	received - see attached quotes	
	☐ Compared with prices paid	l for similar goods or services
	☐ Award based on availabilit	y (as stated in procurement docs)
	☐ Pricing deemed reasonable	e based on past purchase history attached
	Contract Administrator	Procurement Director/Manager

Cost Analysis

PO:	Prepared by:
Amount:	
Description:	
Vendor: Description:	
Unit of Measure:	
Cost:	
Total:	
ICE:	
Description:	
Quantity:	
Cost:	
Total:	

Cost for the services is quoted at \$x,xxx and was estimated by Agency' Project Manager at \$y,yyy. It is determined that the cost for this effort is fair and reasonable since total cost difference is within x% of the Independent Cost Estimate (ICE).

APPENDIX D

BIDDER'S RESPONSIBILITY CHECKLIST

YCIPTA Doc No.:	
Project Name:	
Bidder's Name:	
	Responsibility By:

A. BIDDER RESPONSIBILITY DETERMINATION [FTA Circular 4220.1F, Chapter VI, 8.(b)]:

(For each of the areas described below, check that the appropriate research has been accomplished and provide a short description of the research and the results).

#	REQUIREMENT	ACCEP	TABLE	COMMENTS
#	REQUIREIVIENT	YES	NO	COMMENTS
1	The review of the BID indicates Integrity and Ethics. Bidder is deemed to have a satisfactory record of integrity and business ethics, in compliance with 49 U.S.C. Section 5325(j)(2)(A)			
2	The ability to meet the required delivery or performance schedule, taking into consideration all existing commercial and governmental business commitments.			
	Debarment and Suspension: The review of the BID and a check of the SAM indicate Bidder is neither debarred	After rece	eipt of Bid	
3	nor suspended from Federal programs under DOT regulations, "Non-Procurement Suspension and Debarment," 2 CFR Parts 180 and 1200, or under the FAR at 48 CFR Chapter 1, Part 9.4. [for Prime and Subcontractors – (as applicable)]			
4	Affirmative Action and DBE: The review of the BID indicates Bidder is either in compliance with the Common Grant Rules' affirmative action and FTA's Disadvantaged Business Enterprise requirements (based on review of prior agreements) or intends to comply with the same if awarded a Contract under this IFB.			
5	Public Policy: Bidder is in compliance or affirms to comply with the public policies of the Federal Government, as required by 49 U.S.C. Section 5325(j)(2)(B).			

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B. BIDDER RESPONSIBILITY DETERMINATION - continued

				ACCEP	TABLE		
#		QUIREMENT		YES	NO	COMMENTS	
6	the BID indicates the Bio necessary organization, operational controls, and	nical Capacity: The review dder has or will have the experience, accounting, a technical skills, or the abuse with 49 U.S.C. Section	and ility to				
7	Bidder is in compliance v	ne review of the BID indica with applicable licensing a A C 4220.1F Page VI-23	ates nd tax				
8	Financial Responsibility Reference Check) [to be Lowest Responsive Bidd	completed for the "Appar	ent				
9	Reference Check Docun the "Apparent Lowest Re	nentation [to be completed esponsive Bidder]	d for				
10	Receipt of all necessary	data from the Bidder/Sup	olier				
11	Other:						
	ser deemed nsible?	☐ YES ☐ NO	Notes	:			
iture				Date			
iture				Date	;	:	;

<u>APPENDIX E</u>

Non-Competitive Procurement Justification

Bidder Name	
Project	
Date	
Value of noncompetitive contract	
contract is justified. In the even solicitation is not unduly rest feedback etc.). In the event	stances which led to the determination that a non-competitive to finadequate competition, describe steps taken to ensure the rictive (e.g. surveys, inquiries, solicitation review, consultant of a sole-source procurement, list all sources identified and no other source exists for similar products capable of meeting esponse to 500 words.

2.	Describe activities performed by the agency to determine that costs associated with the non-competitive contract are fair and reasonable. (e.g. cost/price analysis, research, past experience, etc.). <i>Please limit your response to 500 words</i> .
3.	Describe procedures performed by the agency to confirm that no conflicts of interest exist between the bidder and the agency. <i>Please limit your response to 500 words</i> .
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2715 East 14th Street, Yuma, AZ 85365-1900, Telephone: 928-539-7076 Fax: 928-783-0309, email: info@ycipta.az.gov, Web: www.ycat.az.gov

August 19, 2025

Discussion and Action Item 2

To: Yuma County Intergovernmental Public Transportation Authority Board

of Directors

From: David Garcia, Transit Operations Manager

Subject: Discussion and or action regarding the contract with Samsara/Swiftley to

provide rea-time information.

Requested Action: N/A

<u>Background and Summary:</u> At the Boards request, staff has completed the procurement of a real-time tracking platform.

YCIPTA entered into an agreement with Samsara, a GPS tracking device provider and Swiftly, a transit data platform provider. We received a trial period of 60 days from Samsara with fifteen devices installed on the fleet. During the trial period, we were able to take advantage of all the GPS and vehicle diagnostic features without any issue.

The data from the devices will feed to Swiftly which will provide reports and a dashboard with current and historical route data that assist with monitoring ontime performance and real-time passenger information. Swiftly will publish our static and real-time GTFS to Google, Apple and Transit App to allow riders to track arrivals and departures in real-time through their mobile map applications or our website. Swiftly allows staff to push timely alerts to riders. We are currently in the implementation process and expect to go live by November.

Attached are some screen shots of what some of the reports will look like as well as passenger update screenshot.

<u>Financial Impacts:</u> Budgeted in FY2026 – First year implementation costs is around \$65,000 and approximately \$45,000 per year after.

Recommended Motion: N/A

Yuma County Intergovernmental Public Transportation Authority Board Of Directors

Legal Counsel Review: N/A

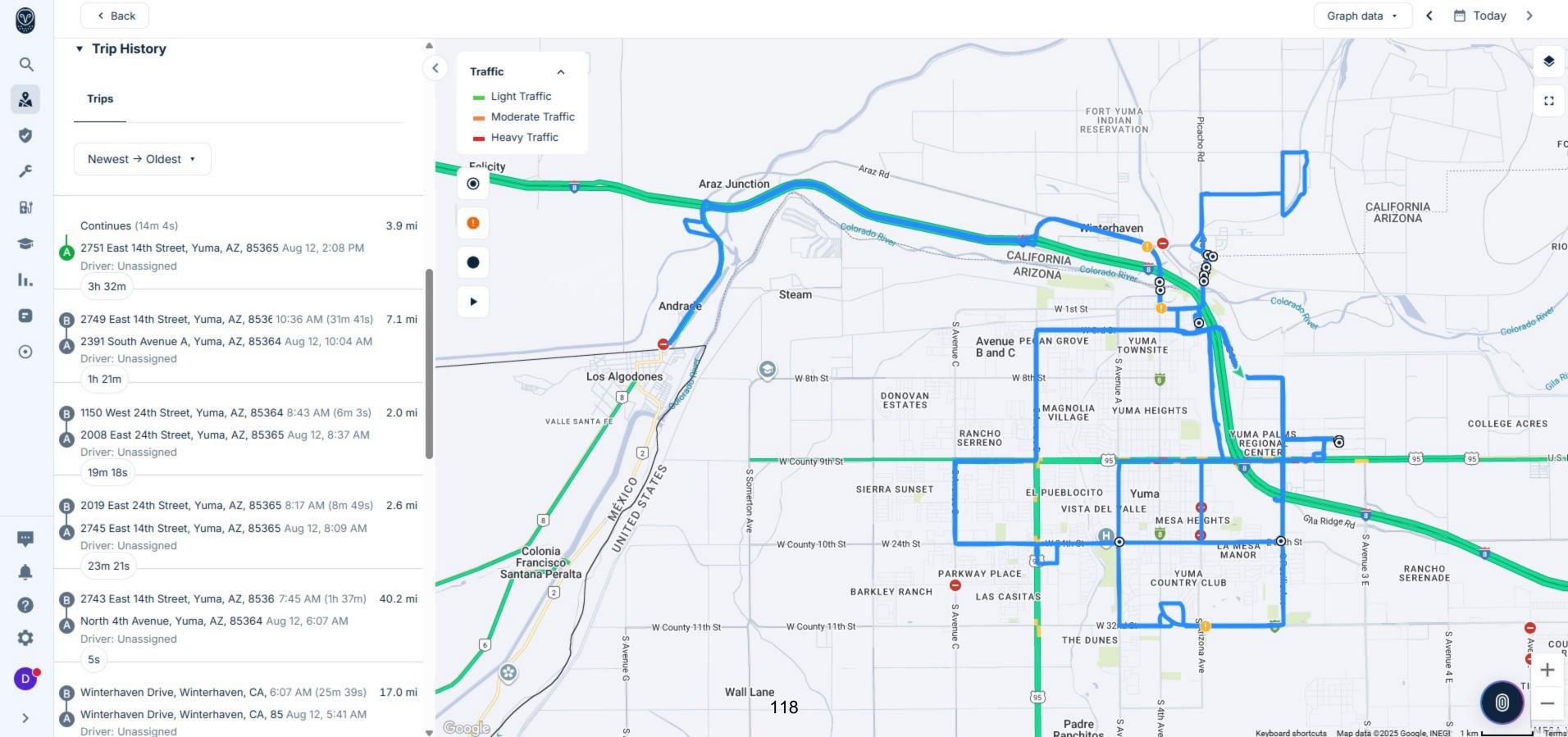
<u>Attachments:</u> Screen shots of Samsara and Swiftly reports and passenger updates.

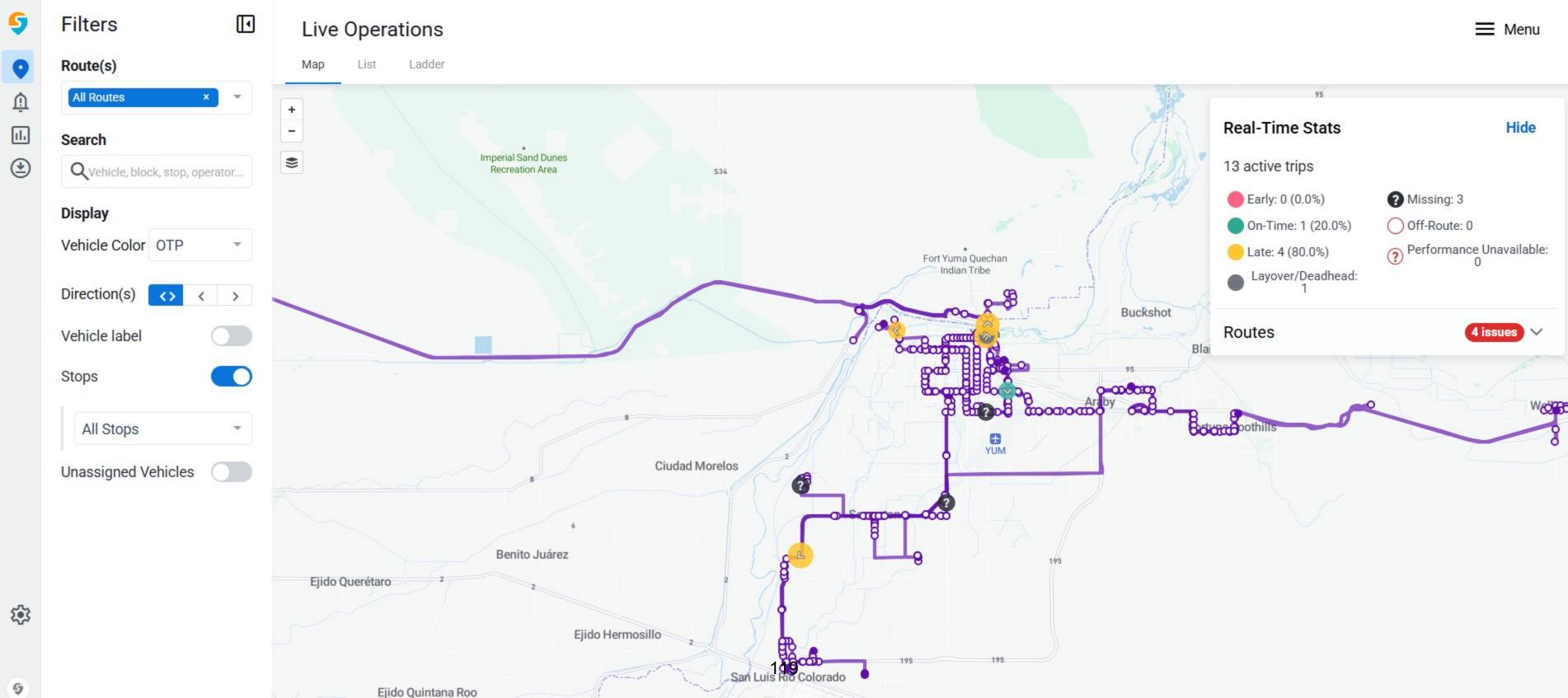
For information regarding this agenda item, please contact Shelly Kreger via email to: skreger@ycipta.az.gov or call 928-539-7076, extension 101.

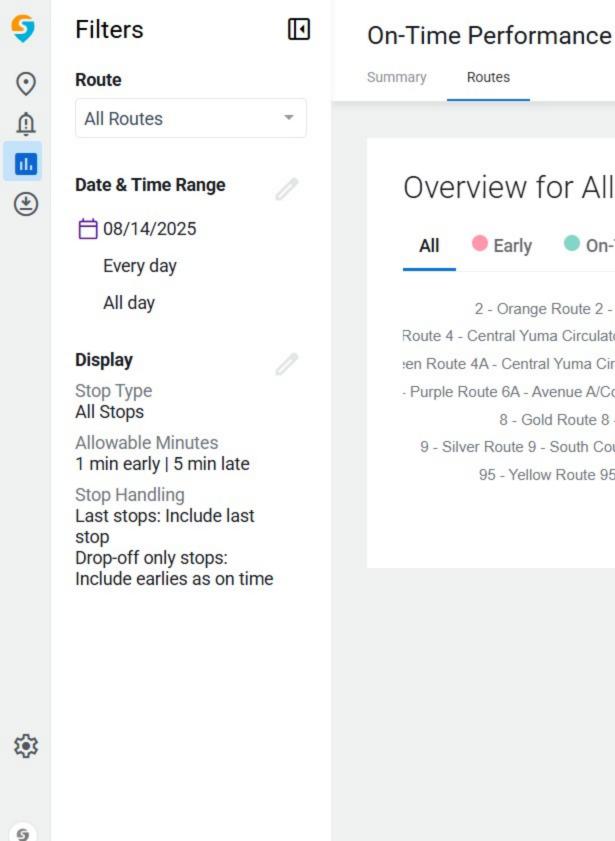
Approved for submission:

Tags •	Asset Types ▼ Mak	xe/Model/Year ▼	Lamp Codes 🔻	Faults •						Q Search assets < 1 of 2
Asset	Current Driver	Make	Model	Year	Battery Voltage	Engine Hours	Odometer (mi)	Lamp Codes	Unresolved Defects	Active Faults
148	-	DODGE	GRAND CARAVAN	2014	13.5	7	63,799	On		P0305 - Cylinder 5 Misfire Detected
211	·	GILLIG	LOW FLOOR BUS	2022	0	9,609	174,784	Warning and Emissions	-	Low Severity Txld: 0 SPN: 3058 – Engine Exhaust Gas Recirculation Monitor FMI: 18 (Low—moderate severity) Count: 1 Low Severity Txld: 0 SPN: 102 – Engine Intake Manifold #1 Pressure 10 (Abnormal Rate of Change) Count: 1 Low Severity Txld: 0 SPN: 102 – Engine Intake Manifold #1 Pressure 18 (Low—moderate severity) Count: 1
250		GILLIG	LOW FLOOR BUS	2022	13.7	8,422	149,282	Emissions	-	Low Severity Txld: 0 SPN: 102 - Engine Intake Manifold #1 Pressure 10 (Abnormal Rate of Change) Count: 1
212	-	GILLIG	LOW FLOOR BUS	2022	13.8	1,209	21,937	Emissions	-	Low Severity Txld: 0 SPN: 1327 – Engine Cylinder 5 Misfire Rate FM (Other Failure Mode) Count: 4 Low Severity

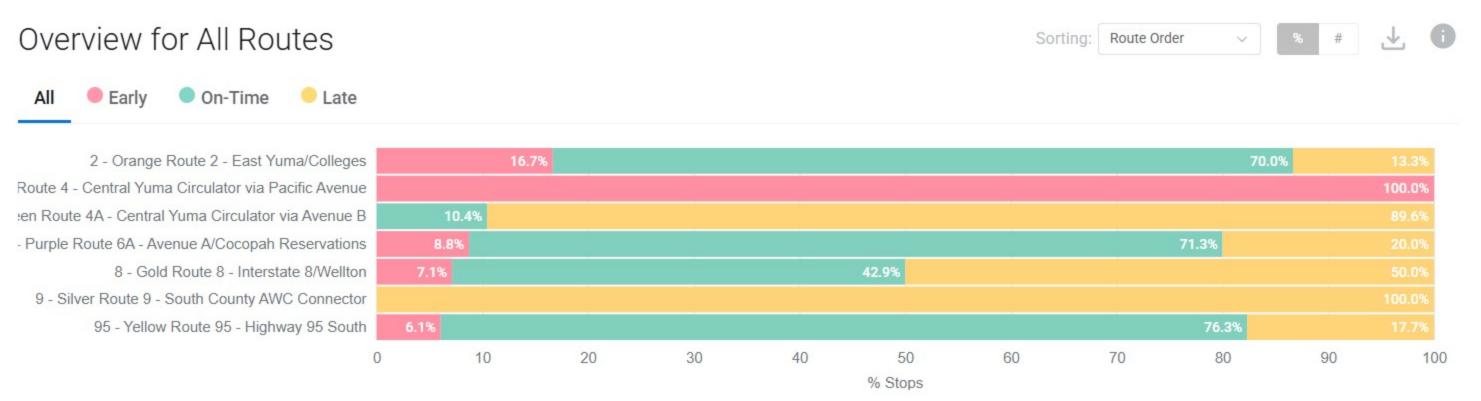








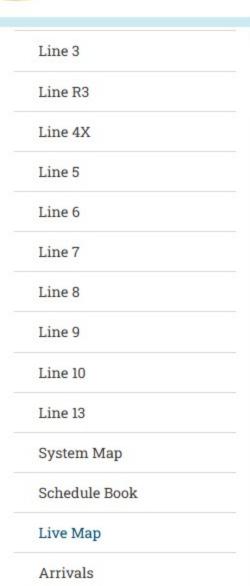




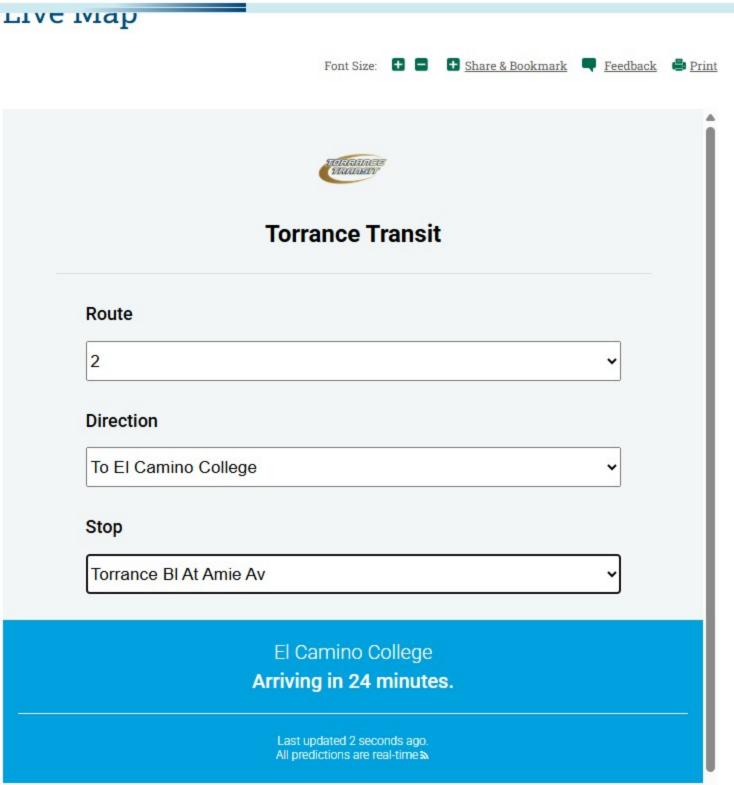
■ Menu



What's New Routes & Schedules Rider Information Fares About Us



Holiday Schedule



Get the Transit mobile ann



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August 19, 2025

Discussion and Action Item 3

To: Yuma County Intergovernmental Public Transportation Authority Board

of Directors

From: Shelly Kreger, Transit Director

Subject: Discussion and or action regarding the new YCIPTA website.

Requested Action: N/A

Background and Summary: The YCIPTA website was created in 2012 and has served the community faithfully. However, the platform on which it was built is outdated and no longer serviceable. Our current website developers have been able to apply certain fixes and patches to the website to keep it running, but it is fragile at best. At a recent conference, YCIPTA staff learned about a free website builder offered by The National Rural Transit Assistance Program (NRTAP). The program offers all the necessary tools to build the website in addition to serving as a host. Website creation has already begun and is expected to be completed and live before the end of the year. This will save YCIPTA the cost of a website developer and keep staff in the driver's seat when it comes to its management.

<u>Financial Impacts:</u> Saving of \$1,200 per year on website hosting and cost for a new website developer.

Recommended Motion: N/A

Legal Counsel Review: N/A

Attachments: N/A

For information regarding this agenda item, please contact Shelly Kreger via email to: skreger@ycipta.az.gov or call 928-539-7076, extension 101. Approved for submission: Shelly Kreger, Transit Director

lan McGaughey – Yuma County, Czarina Gallegos – Arizona Western College, Richard Marsh – Town of Wellton, Lizeth Servin – City of San Luis



2715 East 14th Street, Yuma, AZ 85365-1900, Telephone: 928-539-7076 Fax: 928-783-0309, email: info@ycipta.az.gov, Web: www.ycat.az.gov

August 19, 2025

Discussion and Action Item 4

To: Yuma County Intergovernmental Public Transportation Authority Board

of Directors

From: Shelly Kreger, Transit Director

Subject: Discussion and or action regarding IT infrastructure.

Requested Action: N/A

<u>Background and Summary:</u> The IT infrastructure has been receiving updates and fixes throughout the first half of 2025. This has included a new firewall and switch, new networking cables, updated security measures and server cleanups.

One of the major improvements involves server replacement. Our current server is using software and technology since 2012 and its replacement has been strongly recommended by our current and previous IT provider. The new server is currently being built and will be configured to streamline our server room, combining our three servers into one. This will bring much needed stability to our infrastructure.

Another major improvement will involve utilizing the security and efficiency of cloud-based technology. The first phase of this will involve migrating our emails from .gov to .org. This allows our IT provider to properly manage and secure our email activity. The next phase will involve the purchase of Office 365 licenses. This will provide the staff with access to all office products, such as processing programs, OneDrive, and SharePoint, from any workstation. Documents and projects will be stored on the cloud, creating the ability for efficient collaboration within the team.

<u>Financial Impacts:</u> Budgeted - \$15,000 for server and license of Office 365 - \$1,200 per year.

Recommended Motion: N/A

Legal Counsel Review: N/A

Attachments: N/A

For information regarding this agenda item, please contact Shelly Kreger via email to: skreger@ycipta.az.gov or call 928-539-7076, extension 101.

Approved for submission:

Shelter -



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August 19, 2025

Discussion and Action Item 5

To: Yuma County Intergovernmental Public Transportation Authority Board

of Directors

From: Shelly Kreger, Transit Director

Subject: Discussion and or action regarding the FY2025 Triennial Review

Findings Update.

Requested Action: N/A

<u>Background and Summary:</u> During April 28, 2025, Board meeting, the FY2025 Triennial Review Findings were presented to the Board.

Staff have been working on closing out the deficiencies and want to give the Board an update on the progress. Listed in the attachment to this staff report are the 14 findings and the status of each.

Financial Impacts: N/A

Recommended Motion: N/A

Legal Counsel Review: N/A

Attachments: FTA FY2025 Triennial Review Findings

For information regarding this agenda item, please contact Shelly Kreger via email to: skreger@ycipta.az.gov or call 928-539-7076, extension 101.

Approved for submission:

Deficiency Code	Review Area	Open Date	Original Due Date	Extended Due Date	Close Date	Status
ADA-GEN8-1 - Stop announcement/vehicle ID mechanisms deficiency	Americans with Disabilities Act - General	6/23/2025	6/23/2025		6/23/2025	Closed: Resolved
DBE2-1 - Inadequate designation of DBE Officer	Disadvantaged Business Enterprise	6/23/2025	6/23/2025		6/23/2025	Closed: Resolved
DBE3-1 - DBE goal submitted late	Disadvantaged Business Enterprise	6/23/2025	8/22/2025			Open
DBE5-1 - DBE uniform reports contain inaccuracies and/or are missing required information	Disadvantaged Business Enterprise	6/23/2025	9/22/2025			Open
DBE6-1 - DBE goal achievement analysis and corrective action plan not completed	Disadvantaged Business Enterprise	6/23/2025	9/22/2025			Open
F6-2 - Outstanding annual audit deficiencies	Financial Management and Capacity	6/23/2025	8/22/2025			Open
P11-1 - Missing FTA clauses	Procurement	6/23/2025	8/22/2025		8/14/2025	Closed: Resolved
P4-1 - Responsibility determination deficiencies	Procurement	6/23/2025	8/22/2025		7/25/2025	Closed: Resolved
P8-5 - Lacking required justification(s) and documentation for noncompetitive award(s)	Procurement	6/23/2025	8/22/2025		7/24/2025	Closed: Resolved
PTASP3-1 - ASP missing required element(s)	Public Transportation Agency Safety Plan	6/23/2025	7/7/2025		8/11/2025	Closed: Resolved
SCC8-3 - Inadequate equipment records	Satisfactory Continuing Control	6/23/2025	7/23/2025		8/15/2025	Closed: Resolved
TAM6-3 - Performance targets not approved by the accountable executive	Transit Asset Management	6/23/2025	7/23/2025		7/24/2025	Closed: Resolved
TC-AM2-1 - Incorrect FFR reporting	Technical Capacity - Award Management	6/23/2025	8/22/2025			Open
TC-PgM3-1 - Missing written agreements	Technical Capacity - Program Management and Subrecipient	6/23/2025	7/23/2025		7/25/2025	Closed: Resolved



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August 19, 2025

Discussion and Action Item 6

To: Yuma County Intergovernmental Public Transportation Authority Board

of Directors

From: Shelly Kreger, Transit Director

Subject: Discussion and or action regarding the contract with Kim Joyce &

Associates

Requested Action: N/A

Background and Summary: At the September 23, 2024, Board meeting it was approved to enter into contract with Kim Joyce & Associates (KJA) for up to \$25,000 to provide grant consulting services for YCIPTA. YCIPTA staff met with KJA virtually on February 6, 2025, as a meet and greet. Discussions consisted of funding needed to complete an Unmet Transit Study in San Luis. The representative from KJA stated that they have worked with Northern Arizona University (NAU) on studies before and that they were sure NAU would be interested in doing this kind of project again. Another meeting was held on February 27, March 3, 2025, in regard to this study. On March 6, 2025, staff met with KJA and Jenny Tores and Eulogio Vera from the City of San Luis. The City of San Luis stated that they could pay the match for a grant to complete this study.

KJA asked Jenny Tores to send information in regard to possible areas of growth within the City so to make an appropriate scope of work for the study for the estimated cost of the project. I do not know if anything was provided by Jenny Tores. I do have an email to her inquiring if she had.

I then heard from Kim Joyce, CEO, of KJA on April 30, 2025, stating that Mandy Rossi, the person working on our projects, is no working with KJA and that any future correspondence will be directed to her. On that same day I responded to her to let her know I was going to be out of town for a month and that if she needed anything to contact David or Carol in my absence. To my knowledge there was no other communication.

Financial Impacts: Total to date paid to KJA is \$612.50

Recommended Motion: N/A

Legal Counsel Review: N/A

Attachments: N/A

For information regarding this agenda item, please contact Shelly Kreger via email to: skreger@ycipta.az.gov or call 928-539-7076, extension 101.

Approved for submission:





Monthly YCIPTA Board Meeting Report RATP Dev

Anabel Teran GM RATP Dev USA

August 18, 2025

This monthly report summarizes operations, maintenance, management, finance, or other actions outside of normal YCAT public transit operations.

- Safety Update: Since the last board meeting, we have had one (1) at-fault collision.
 - The bus contacted a bicyclist on 6/19/25. The bicyclist, who sustained minor injuries, was able to walk away from the scene of the accident but sought medical attention.
 - On July 1^{st,} a passenger on a mobility device fell off his chair. The passenger did not sustain any injuries, and he declined the lap and shoulder belts.
 - On July 7th a truck sideswiped the bus at 4th Ave & 32nd St, minor damage.
 - On August 6th, our driver attempted a lane change on 3rd Street & 4th Ave, contacting a vehicle, resulting in minor damage.
 - On August 13th, our driver attempted a right turn, contacting a vehicle to their left at 16th Street & Pacific Ave, resulting in minor damage.
- 17 out of 28 drivers received a certificate and a bonus for practicing "Safe Driving Behaviors" in July (13 received it in June and 16 in May).
- Operations update: No routes have been cancelled.
- Staffing level update: A new class of two drivers began on 6/23/25 and were promoted on August 12, 2025. We currently have one driver in training who begins on 7/21/2025.
- Maintenance Update: Maintenance Manager Max Isbell- Down List Update.
 - Preventive Maintenance (PM) On-Time Performance (OTP): We had thirteen
 PMs scheduled. 19 (95%) on time and one late 1 (5%).
 - Long-Term Out-of-Service Vehicles:
 - Bus 205 is waiting for parts for the HVAC system.
 - Bus 150 trying to find a windshield seal.

• Maintenance training

• Thermo king came out to give training on their system for a better overview of the diagnostic program.

• EGR Campaign

 Truck Works came out and performed Emissions cleaning to help break down the soot build up. The chemical used was Diesel force 4/8 received the treatment.



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Transit Directors Report

- Met with the City of San Luis in regard to their Downtown Transit Hub Grant Application and FTA sub-recipient
- Kirt and I met with Elizabeth Punpayuk about the advertising lease agreements updates and corrections.
- Continued the regular Hotel Del Sol and the Yuma TMP.
- Met with Cocopah Council on July 29, 2025 to give them a presentation on YCAT and to discuss the updated MOU.
- Met with YMPO regarding the Short Range Transit Plan update and funding sources available to pay for it.
- Attended the Swiftly kick-off meeting on August 14, 2025.
- Carol Perez is assisting J.R. Aguilar with YMPO on translation services for the Travel Training program. Examples are attached.
- Staff has updated the PTASP to have the appropriate names of critical staff in the document. This was a finding as well and since the administrative update this finding has been closed.
- Submitted the FTA 5307 Urbanized area grant application for FY2026. FTA no longer allows for multiple years in a single grant. So YCIPTA will need to apply each year.
- YCAT will be providing free fares again to the people that are register for the Yuma Community Job Fair on October 8, 2025 to be held again at AWC.
- On August 8, 2025, received the NTD Report Year 2024 Closeout Letter stating that we have successfully reported and that the Independent Auditor's Statement for Financial Data (IAS-FD) for RY2024 indicated that YCIPTAs financial statement and reporting forms conform with the NTD Uniform System of Accounts. This audit is required every ten years. Since YCIPTA had a clear IAS-FD a new IAS-FD will be required in Report Year 2034.

Yuma County Intergovernmental Public Transportation Authority Board Of Directors

Brian Golding Sr. – Chairman – Quechan Tribe, Louie Galaviz – Vice Chairman – City of Somerton Arturo Durazo, Sr.- Sec/Treas – Cocopah Tribe, Jay Simonton – City of Yuma, Ian McGaughey – Yuma County, Czarina Gallegos – Arizona Western College, Richard Marsh – Town of Wellton, Lizeth Servin – City of San Luis



STEPS TO INDEPENDENT TRAVEL!

The **Yuma Metropolitan Planning Organization (YMPO)'s** Travel Training will ensure that you learn how to make the most out of YCAT's services! Gain the confidence you need to travel throughout Yuma County and to Imperial County Independently and safely.

GET STARTED TODAY!!

- **1 CONTACT** YMPO Travel Trainer at:

928-783-8911

- iraguilar@ympo.org
- **2 SCHEDULE** a time for your Travel Training. For individuals or groups.
- **PLAN** your trips and establish your travel goals.
- **TRAVEL** using YCAT, Travel Trainer will accompany you during the training program.

Travel Training teaches you to:

- Plan a trip and/or make reservations
- Read a schedule
- Transfer from one route to another
- Different ways to pay for your fare
- Understanding services for individuals with disabilities

Travel Training is available to all individuals or groups willing to learn for free! You only pay for your fare to ride the bus during your Travel Training sessions. If you are an eligible student or Cocopah tribal member, your fare is **FREE!**

Benefits to Travel Training:

- It's FREE!
- Access to low-cost transportation
- Knowledge of using public transportation safely
- Staying active in your community
- Gain independence





El **Entrenamiento Para Viajar de Yuma Metropolitan Planning Organization (YMPO)** le ayudará a aprender cómo aprovechar al máximo los servicios de YCAT. Obtenga la confianza que necesita para viajar de manera independiente y segura por todo el condado de Yuma y a el Condado de Imperial.

¡¡EMPIECE HOY!!

- **1 CONTACTE** al Instructor de Viajes de YMPO al:
 - 928-783-8911 jraguilar@ympo.org
- PROGRAME UNA CITA para su entramiento de viajes.
 Para individuos o grupos.

- **3 PLANIFICA** sus viajes y establezca sus objetivos de viaje.
- VIAJA utilizando YCAT, el Instructor de Viajes le acompañará durante el programa de entrenamiento.

El Entrenamiento de Viajes le enseña a:

- Planificar un viaje y/o hacer reservaciones
- Leer los horarios y rutas del autobús
- Traslado de rutas
- Diferentes formas de pagar su tarifa
- Conocimiento de los servicios para personas con discapacidades

Este entrenamiento está disponible para todas las personas o grupos que deseen aprender ¡gratuito! Solo paga su tarifa para viajar en autobús durante sus sesiones de entrenamiento de viaje. Si es un estudiante elegible o miembro de la tribu Cocopah, ¡su tarifa es **GRATIS!**

Beneficios del Entrenamiento de Viajes:

- ¡Es **GRATIS!**
- Acceso a transporte de bajo costo
- Conocimiento de usar transporte público de manera segura
- Mantenerse activo en su comunidad
- Obtener independencia







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Transit Operations Report

- Total ridership for June 2025 was 24,399 passengers
 - o Ridership is down from June 2024 ridership of 24,882 passengers
 - Pre-COVID ridership for June 2019 was 27,090 passengers
- Total ridership for July 2025 was 25,080 passengers
 - Ridership is up from July 2024 ridership of 24,848 passengers
 - o Pre-COVID ridership for July 2019 27,975
- Carol and I attended the SWTA Summer University event and participated in several relevant and useful training sessions.



Period: 6/1/2019 to 6/30/2019

		Cash Fa	ares	Day Passe	s Sold		Passes A	ccepted			Free	e			Sp	ecial Reve	nues			Statisti	cs	Total
Route	Basic Cash	Disc Cash	Devia- tions	Day Passes	Disc Day	Day Passes	31-Day Passes	10 Ride Passes	Single- Ride	< 5 & PCAs	Grey- hound	Promo	On Call ID	Aztec	YPIC	Colleges	Coco- pah	Vista	WC	Bikes	Guides	Pax
Orange 2	696	250	0	59	35	359	36	11	115	83	4	0	1	12	9	329	34	9	7	41	11	2,042
Brown 3	64	75	20	36	29	111	8	0	17	22	0	0	0	0	1	115	2	1	3	4	3	481
Green 4	280	290	13	73	75	480	10	0	220	24	1	0	0	16	9	105	111	34	10	37	2	1,728
Green 4A	189	187	0	45	48	263	14	0	78	87	0	0	0	15	3	82	58	24	6	8	6	1,093
Blue 5	362	203	4	94	83	416	8	0	78	111	1	0	0	2	2	43	55	14	13	7	1	1,472
Purple 6	336	287	0	56	50	203	8	0	34	166	2	0	2	24	3	144	1,719	13	68	47	3	3,047
Gold 8	24	22	6	16	20	41	6	0	14	11	0	0	1	0	0	46	0	0	0	6	4	201
Silver 9	54	19	0	5	6	4	1	0	68	4	0	0	0	0	0	30	15	1	0	0	0	207
Turquoise 10	199	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	12	10	1	200
Yellow 95	6,439	4,014	1	689	232	1,776	89	23	1,010	983	82	0	7	113	52	560	472	77	130	271	38	16,618
Grand Total:	8,644	5,347	44	1,073	578	3,653	180	34	1,634	1,492	90			182	79	1,454	2,466	173	249	431	69	27,090

REVENUE:

Total Revenue: \$28,737.99
Unclassified Revenue: \$1,082.89
As a % of Total: 3.77%



Period: 6/1/2024 to 6/30/2024

		Cash Fa	ares	Day Passe	es Sold		Passes A	ccepted			Free	e			Sp	ecial Reve	nues			Statisti	cs	Total
Route	Basic Cash	Disc Cash	Devia- tions	Day Passes	Disc Day	Day Passes	31-Day Passes	10 Ride Passes	Single- Ride	< 5 & PCAs	Grey- hound	Promo	On Call ID	Aztec	YPIC	Colleges	Coco- pah	Vista	WC	Bikes	Guides	Pax
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Orange 2	832	335	0	62	28	333	152	12	0	21	1	0	13	0	1	357	36	8	6	73	0	2,191
Green 4	379	283	0	82	81	469	164	22	0	49	0	0	15	2	8	65	84	64	8	62	0	1,767
Green 4A	228	211	0	31	55	330	99	13	0	32	0	0	9	3	1	43	52	38	13	21	0	1,145
Blue 5	269	129	2	92	53	345	198	0	0	11	0	0	7	0	0	11	59	0	1	99	0	1,174
Purple 6	277	185	0	69	27	195	104	2	0	50	0	0	8	0	2	71	1,011	36	9	51	0	2,037
Gold 8	24	27	4	7	15	34	10	1	0	0	0	0	2	1	0	24	1	4	2	0	0	150
Silver 9	3	0	0	0	0	0	6	4	0	0	0	0	0	0	0	87	4	0	0	15	0	104
Turquoise 10	233	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	4	5	0	235
Yellow 95	7,422	4,051	1	623	218	1,744	804	79	0	139	0	0	52	11	12	558	305	61	43	379	0	16,079
Specials	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Grand Total:	9,667	5,221	7	966	477	3,450	1,537	133	0	304	1		106	17	24	1,216	1,552	211	86	705		24,882

REVENUE:

Total Revenue: \$29,801.96 Unclassified Revenue: \$864.88 As a % of Total: 2.90%



Period: 6/1/2025 to 6/30/2025

	Cash Fares Basic Disc Devia-		ares	Day Passe	s Sold		Passes A	ccepted			Free	e			Sp	ecial Reve	enues			Statisti	cs	Total
Route	Basic Cash	Disc Cash	Devia- tions	Day Passes	Disc Day	Day Passes	31-Day Passes	10 Ride Passes	Single- Ride	< 5 & PCAs	Grey- hound	Promo	On Call ID	Aztec	YPIC	Colleges	Coco- pah	Vista	WC	Bikes	Guides	Pax
Orange 2	600	247	0	56	23	239	107	18	0	15	0	1	11	2	1	294	28	6	9	77	0	1,648
Brown 3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Green 4	420	280	0	79	95	438	232	23	0	17	0	0	8	0	1	134	86	33	13	30	0	1,846
Green 4A	236	233	0	55	78	356	127	15	0	32	0	1	17	6	0	87	78	45	24	28	0	1,366
Blue 5	275	88	1	76	18	253	179	9	0	46	0	0	12	11	1	18	58	3	47	81	1	1,047
Purple 6	292	213	0	90	55	232	30	9	0	44	2	1	7	2	1	31	1,425	26	35	46	0	2,460
Gold 8	24	16	8	4	14	30	12	3	0	1	0	0	0	0	1	20	2	0	2	12	0	127
Silver 9	12	2	0	0	0	1	7	5	0	0	0	0	0	0	0	24	5	0	1	10	0	56
Turquoise 10	172	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	11	0	174
Yellow 95	7,005	4,023	0	625	195	1,536	908	94	0	220	2	8	67	18	1	533	333	94	109	317	0	15,662
Specials	0	0	0	0	0	0	0	0	0	0	0	13	0	0	0	0	0	0	0	0	0	13
Grand Total:	9,036	5,102	9	985	478	3,085	1,602	176	0	377	4	24	122	39	6	1,141	2,015	207	240	612	_1	24,399

REVENUE:

Total Revenue: \$28,455.40
Unclassified Revenue: \$757.96
As a % of Total: 2.66%



Period: 7/1/2019 to 7/31/2019

		Cash Fa	ares	Day Passe	s Sold		Passes A	ccepted			Free	e			Sp	ecial Reve	nues			Statisti	cs	Total
Route	Basic Cash	Disc Cash	Devia- tions	Day Passes	Disc Day	Day Passes	31-Day Passes	10 Ride Passes		< 5 & PCAs	Grey- hound	Promo	On Call ID	Aztec	YPIC	Colleges	Coco- pah	Vista	WC	Bikes	Guides	Pax
Orange 2	627	177	0	27	27	358	32	12	72	14	13	0	2	1	0	189	40	1	12	26	0	1,592
Brown 3	78	77	23	19	38	152	11	0	16	30	0	0	1	0	0	129	0	0	8	12	1	551
Green 4	358	285	0	73	89	591	38	0	179	12	29	0	0	5	2	63	114	10	16	39	7	1,848
Green 4A	197	161	0	31	66	341	21	0	79	14	2	0	0	1	1	53	60	2	7	14	3	1,029
Blue 5	329	232	0	100	83	421	10	0	81	12	0	0	4	0	1	7	53	0	13	15	3	1,333
Purple 6	400	271	0	88	52	295	39	0	59	115	8	0	0	8	0	100	2,464	2	64	36	0	3,901
Gold 8	36	23	4	22	27	52	6	4	7	6	0	0	0	1	0	56	0	1	1	1	2	241
Silver 9	59	35	0	5	4	15	2	0	6	0	0	0	0	0	0	47	7	0	1	1	0	180
Turquoise 10	213	0	0	1	0	1	0	0	1	3	0	0	0	0	0	0	0	0	19	9	2	219
Yellow 95	7,462	4,409	2	655	308	2,383	195	37	532	107	113	0	4	33	10	251	565	18	119	308	36	17,082
Grand Total:	9,758	5,670	29	1,021	694	4,609	354	53	1,032	313	165			49	14	895	3,303	34	260	461	54	27,975

REVENUE:

Total Revenue: \$31,378.95 Unclassified Revenue: \$1,204.21 As a % of Total: 3.84%



Period: 7/1/2024 to 7/31/2024

	Cash Fares Basic Disc Devia-		Day Passe	s Sold		Passes A	ccepted			Fre	e			Sp	ecial Reve	nues			Statisti	cs	Total	
Route	Basic Cash	Disc Cash	Devia- tions	Day Passes	Disc Day	Day Passes	31-Day Passes	10 Ride Passes	Single- Ride	< 5 & PCAs	Grey- hound	Promo	On Call ID	Aztec	YPIC	Colleges	Coco- pah	Vista	WC	Bikes	Guides	Pax
Orange 2	979	348	0	51	25	412	148	5	0	14	0	0	14	1	0	474	55	1	6	98	0	2,527
Green 4	344	242	0	67	76	519	128	18	0	35	0	0	11	1	1	59	83	11	12	56	0	1,595
Green 4A	205	183	0	44	89	495	79	12	0	28	0	0	12	1	4	24	93	12	7	46	0	1,281
Blue 5	203	133	3	110	38	327	215	0	0	18	0	0	2	0	0	25	34	0	2	116	0	1,105
Purple 6	344	173	1	61	43	253	139	0	0	43	0	0	3	2	2	47	1,197	2	42	90	0	2,309
Gold 8	27	13	5	13	18	36	28	0	0	2	0	1	3	4	0	40	4	0	2	0	0	189
Silver 9	4	0	0	1	0	0	1	0	0	0	0	0	0	0	0	35	2	0	0	7	0	43
Turquoise 10	254	2	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	5	5	0	258
Yellow 95	7,473	3,768	0	695	199	1,760	612	68	0	234	0	2	58	18	8	384	238	12	62	348	3	15,529
Specials	0	0	0	0	0	0	0	0	0	0	0	12	0	0	0	0	0	0	0	0	0	12
Grand Total:	9,833	4,862	9	1,043	488	3,803	1,350	103	0	374	0	15	103	27	15	1,088	1,706	38	138	766	3	24,848

REVENUE:

Total Revenue: \$30,173.28
Unclassified Revenue: \$733.13
As a % of Total: 2.43%



Period: 7/1/2025 to 7/31/2025

	Cash Fares		Day Passes Sold		Passes Accepted			Free			Special Revenues				Statistics			Total				
Route	Basic Cash	Disc Cash	Devia- tions	Day Passes	Disc Day	Day Passes	31-Day Passes	10 Ride Passes	Single- Ride	< 5 & PCAs	Grey- hound	Promo	On Call ID	Aztec	YPIC	Colleges	Coco- pah	Vista	WC	Bikes	Guides	Pax
Orange 2	522	205	0	69	25	246	98	7	0	11	0	0	9	3	0	285	22	5	18	56	0	1,507
Green 4	405	345	0	63	118	505	180	5	0	62	1	0	11	0	0	116	160	35	16	28	1	2,006
Green 4A	207	228	0	30	82	311	150	2	0	25	0	1	32	7	5	83	83	39	27	21	2	1,285
Blue 5	297	113	1	104	16	237	259	3	0	45	0	0	28	3	1	3	74	0	23	63	0	1,183
Purple 6	276	238	0	81	55	222	91	11	0	41	0	0	6	1	5	25	1,541	3	62	48	0	2,596
Gold 8	27	17	8	9	19	38	13	10	0	1	0	0	0	1	0	26	0	1	2	21	0	162
Silver 9	19	0	0	0	0	0	0	0	0	1	0	0	0	0	2	28	6	0	0	0	0	56
Turquoise 10	185	1	0	1	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	13	0	189
Yellow 95	7,354	4,140	0	584	229	1,539	916	105	0	234	2	0	115	15	4	417	389	25	127	343	0	16,068
Specials	0	0	0	0	0	0	0	0	0	13	0	15	0	0	0	0	0	0	0	0	0	28
Grand Total:	9,292	5,287	9 =====	941	544	3,098	1,707	143	0	435	3	16	201	30	17	983	2,275	108	275	593	3	25,080

REVENUE:

Total Revenue: \$29,231.20 Unclassified Revenue: \$771.70 As a % of Total: 2.64%



2715 East 14th Street, Yuma, AZ 85365-1900, Telephone: 928-539-7076 Fax: 928-783-0309, email: info@ycipta.az.gov, Web: www.ycipta.az.gov

July 10, 2025

Brand Ambassador Report

Bus and Shelter Ad Program

- Began planning for the next cycle of bus wraps in 2026, spurred by several inquiries from potential advertisers. Now with proof of concept, interest is high and opportunity exists to optimize rates and diversify clients.
- Sold bus shelter panels to **Green Trees Grocery Outlet** on six-month contract which includes a complementary interior ad card for **Crossroads Mission**. This is the first instance of a bonus interior panel used to incentivize an ad buy.
- Continued prospecting for remaining shelter inventory and expiring contracts.
- Began repositioning shelter trash cans to improve ad panel visibility.
- Completed installation of ACM ad panels on all bus shelters.

Advertising Lease and Advertising License Development Agreements

- Researching appropriate methods to discover the potential value of fair rent and thus determine the appropriate investment of time to capture said value.
- Solicited input on this topic from transit network colleagues directly as well as through the Arizona Transit Association newsletter.
- Met with YCIPTA legal counsel to address:
 - Re: in-kind contributions -- Establishing rates/costs via reference to external documentation or other means that can be updated administratively from time to time without the need for a whole new agreement to be adopted. Specifically, this affects the amounts designated for fair rent for leased right of way and fees for member use of unsold advertising space.
 - Appropriate paths to agreements with Yuma County and Arizona Western College due to their differing, non-municipality status.
 - Various suggested changes from preliminary review/comment by members.
- Wellton has signed the agreement as it stands.
- San Luis and Somerton are now waiting on YCIPTA for revisions then will take the matter before their respective councils.
- The existing City of Yuma agreement will be extended administratively as provided for in the 2014 resolution.



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Bus Monitoring

 Continue collaboration with operations to improve ADA callout practices and address inconsistencies.

Brand Management

- Continue collaboration with Big Cat to implement the approved marketing strategy.
- Shared video post about the Citrine Law bus wrap and the client's enthusiastic plans, which include social media campaigns to "spot the Citrine bus" and more.
- Produced revised customer comment cards in English and Spanish.

Recommended Motion. N/A

Legal Counsel Review. N/A

Respectfully submitted, Kirt Manuel, Brand Ambassador

For information regarding this agenda item, please contact Shelly Kreger via email to: skreger@ycipta.az.gov or call 928-539-7076, extension 101.

Approved for submission:



2715 East 14th Street, Yuma, AZ 85365-1900, Telephone: 928-539-7076 Fax: 928-783-0309, email: info@ycipta.az.gov, Web: www.ycipta.az.gov

Summary Financial Report as of July 31, 2025

1st Bank Yuma Reconciled Account Balances

	As of 7/31/2025	As of 7/31/2024	Difference
Greyhound	5,518.16	7,809.87	(2,291.71)
General	5,457.60	403,772.62	(398,315.02)
Payroll	22,598.61	821.59	21,777.02
Fare Revenue	4,723.71	19,268.76	(14,545.05)
Treasurers Account YC Treasurers	165,897.37	318,502.29	- - (152,604.92)
Greyhound Commissions	175.00	278.02	(103.02)
Fare Revenue	32,321.80	41,227.79	(8,905.99)
Accounts Receivable	623,223.13	642,020.22	(18,797.09)
Accounts Payable *	1,539,625.61	1,136,681.08	402,944.53

^{*}Accounts payable as of 7/31/2025 is \$1,539,625.61 which includes April, May and June RATP Dev

Yuma County Intergovernmental Public Transportation Authority Board Of Directors

Brian Golding Sr. – Chairman – Quechan Tribe, Louie Galaviz – Vice Chairman – City of Somerton

Arturo Durazo, Sr. – Sec/Treas – Cocopah Tribe, Jay Simonton – City of Yuma,

Ian McGaughey – Yuma County, Czarina Gallegos – Arizona Western College,

Richard Marsh – Town of Wellton, Lizeth Servin – City of San Luis

Yuma County Intergovernmental Public Transportation Auth. A/P Aging Detail

As of July 31, 2024

Due Date Type Date Class Split Aging Open Balance Num Current Bill 07/12/2024 696511788 Century Link Business Services 08/11/2024 50999-5 · Telephone/Internet 2.24 Bill 07/12/2024 189540901072224 08/11/2024 50999-5 · Telephone/Internet 181.98 Time Warner Cable Bill 07/12/2024 665988208 ADP 08/11/2024 50303-2 · Cash Handel/Payroll Processing 97.80 Bill 07/13/2024 July 2024 Century Link. 08/12/2024 50999-5 · Telephone/Internet 264.65 Bill 07/14/2024 June 2024 08/13/2024 50499-2 · Postage Purchase Power 60.00 Bill 07/15/2024 CL39435 Sellers Petroleum 08/14/2024 -SPLIT-22.154.52 07/15/2024 0039435-IN Sellers Petroleum 08/14/2024 50401 · Fuel, Oil, Lubricants 928.14 Bill 07/22/2024 2025-0038 08/21/2024 19,528.20 Bill City of Yuma 50305-6 · Communications/Radio Service Bill 07/23/2024 8-576-68042 FedEx 08/22/2024 50499-2 · Postage 15 17 Bill 07/25/2024 8-569-79636 FedEx 08/24/2024 50499-2 · Postage 17.28 Bill 07/25/2024 STMNT END 07/25/2023 U.S. Bank Corporate Payment Center 08/24/2024 20103-1 · US Bank - David CC 2,133.52 20101-9 · US Bank - Shelly Purchasing Bill 07/25/2024 Stmnt End 07/25/2024 U.S. Bank Corporate Payment Center 08/24/2024 316.80 Bill 07/25/2024 Stmnt End 7/25/24 U.S. Bank Corporate Payment Center 08/24/2024 20101-5 · US Bank - Carol Purchasing 381.70 08/25/2024 Bill 07/26/2024 667152433 ADP 50303-2 · Cash Handel/Payroll Processing 97.80 Bill 07/31/2024 8-550-50637-A FedEx 08/30/2024 50499-2 · Postage 0.55 Bill 07/31/2024 July 2024 City of Yuma Utility Services 08/30/2024 50502-2 · Water - Offices 120.78 Bill 07/31/2024 0466-002551476 Republic Services 08/30/2024 50502-1 · Refuse Disposal 263.66 07/31/2024 151152-007-07-2024 FlixBus 08/30/2024 40799-4 · Greyhound Commisions - YCIPTA 1,772.94 Bill Bill 07/31/2024 24-0805YCIPTA Solutions for Transit 08/30/2024 50305-1 · Contract Costs 2.916.66 Commute with Enterprise Bill 07/31/2024 168560448166 08/30/2024 50301-3 · Vanpool Subsidy 10,500.00 Bill 07/31/2024 2025-00000009 City of Yuma (Health Ins) 08/30/2024 -SPLIT-7.311.00 APS 50501 · Electricty Bill 07/31/2024 July 2024 08/30/2024 1,716.14 Bill 07/31/2024 July 2024-11-142 Benesch, Shadle & White, PLC 08/30/2024 50303-1 · Legal Services 485.00 07/31/2024 7002101155 12.028.00 Bill EMC Insurance 08/30/2024 -SPLIT-Bill 07/31/2024 8-584-17015 FedEx 08/30/2024 -SPLIT-50.74 Bill 07/31/2024 3106787418 Pitney Bowes. 08/30/2024 51212-2 · Leases Rental Equipment 70.40 07/31/2024 9970441758 Verizon Wireless 08/30/2024 50999-5 · Telephone/Internet 210.81 Bill Bill 07/31/2024 07OYU24 RATP DEV 08/30/2024 -SPLIT-371,393.16 Bill 07/31/2024 7730 50302 · Advertising Big Cat Advertising 08/30/2024 2.498.19 Bill 07/31/2024 CL39890 Sellers Petroleum 08/30/2024 24,573.68 07/31/2024 0039890-IN 50401 · Fuel Oil Lubricants Rill Sellers Petroleum 08/30/2024 1 068 93 07/31/2024 686274 Hoppstetter's Office Products, Inc 08/30/2024 50499-3 · Printing 368.22 Total Current 483,528.66 1 - 30 Bill Pmt -Check 07/18/2024 7345 Markel Insurance Company 10200 · 1st Bank Yuma - General II 2891 -677.00 Bill Pmt -Check 07/22/2024 7353 Arizona Transit Association 10200 · 1st Bank Yuma - General II 2891 -3,440.00 06/30/2024 06OYU24 RATP DEV -SPLIT-339,506.57 Bill 07/30/2024 335,389.57 Total 1 - 30 31 - 60 05/13/2024 05OYU24 RATP DEV 06/12/2024 -SPLIT-Bill 360,276.14 Total 31 - 60 360,276.14 61 - 90 04/30/2024 04OYU24 RATP DEV 05/30/2024 -SPLIT-360,431.24 Total 61 - 90 360,431.24 > 90 Total > 90

TOTAL

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11:41 AM

08/18/2025

1,539,625.61

Yuma County Intergovernmental Public Transportation Auth. A/R Aging Detail

12:06 PM 08/18/2025

As of July 31, 2025

,	Туре	Date Num	Name	Terms	Aging	Open Balance
Current						
	Invoice	07/01/2025 TOW-2026	Town of Wellton (c)	Net 30		29,165.48
	Invoice	07/01/2025 COS-FY2027	Quechan Indian Tribe (c)	Net 30		11,576.97
	Invoice	07/01/2025 COS-FY2025	City of San Luis (c)	Net 30		141,950.44
	Invoice	07/31/2025 NOVA-Jul25	Nova Home Loans			2,400.00
	Invoice	07/31/2025 CIT-JULY25	Cocopah Tribe (c)	Due on receipt		38,259.81
	Invoice	07/31/2025 RAFIJuly25	Rafi Law Group	Net 30		12,000.00
	Invoice	07/31/2025 OTM-JULY25	On Target Media	Net 30		20,960.00
	Invoice	07/31/2025 CTPN-0725	Citrine Law	Net 30		1,975.00
	Invoice	07/31/2025 DES-AD0731	Yuma Investment Group	Net 30		300.00
	Invoice	07/31/2025 Jul-AD0731	Project X Media, Inc.	Net 30		3,300.00
	Invoice	07/31/2025 July-2025	Catalyst Marketing(Quechan)	Net 30		2,730.00
	Invoice	07/31/2025 QIT-JULY25	Quechan Indian Tribe (c)	Net 30		60,473.39
Total Current						325,091.09
1 - 30						
	Invoice	07/01/2025 CIT-FY2026	Cocopah Tribe (c)	Due on receipt	30	82,528.53
	Invoice	07/14/2025 NOVA-Jun25	Nova Home Loans		17	2,400.00
	Invoice	07/11/2025 July-2025	Food City #127	Net 15	5	524.88
	Invoice	06/30/2025 RAFIJun2025	Rafi Law Group	Net 30	1	12,000.00
	Invoice	06/30/2025 OTM-June25	On Target Media	Net 30	1	20,960.00
	Invoice	06/30/2025 Jun-AD0630	Project X Media, Inc.	Net 30	1	3,300.00
Total 1 - 30					•	121,713.41
31 - 60						
	Invoice	05/31/2025 OTM-May25	On Target Media	Net 30	31	20,960.00
	Invoice	05/31/2025 RAFIMay2025	Rafi Law Group	Net 30	31	12,000.00
Total 31 - 60					•	32,960.00
61 - 90						
	Invoice	04/29/2025 RAFIAPR25	Rafi Law Group	Net 30	63	12,000.00
	Invoice	04/29/2025 OTM-APR25	On Target Media	Net 30	63	17,270.00
Total 61 - 90					•	29,270.00
> 90						
	General Journal	06/30/2014 SKFY14 EOY	Genral Journal Entry			-0.01
	General Journal	06/30/2016 SKFY14 EOYR	Genral Journal Entry			0.01
	General Journal	06/30/2018 CM18JUN19	Creative Bus Sales, Inc-A/R			28,242.34
	General Journal	07/01/2018 CM19JUL09	Creative Bus Sales, Inc-A/R			-28,242.34
	Invoice	11/30/2023 FTANOV23-7	FTA		609	32.00
	Payment	01/09/2024 TR#175459-175460	Quechan Indian Tribe (c)			-8.92
	Credit Memo	02/29/2024 FEB24-A4	FTA		518	-69.00
	Payment	05/01/2024 ACH	Project X Media, Inc.			-762.01
	Invoice	06/30/2024 JUN24-A4-2	FTA		396	32.00
	Invoice	07/01/2024 CIT FY2025	Cocopah Tribe (c)	Due on receipt	395	80,124.79
	General Journal	07/01/2024 MG24JUL01	Cocopah Tribe (c)			-80,124.79
	Payment	08/12/2024 TR#178781	FTA			-32.00
	Invoice	04/30/2025	ADOT 5311		92	114,996.56
Total > 90					1	114,188.63
TOTAL						623,223.13
					:	

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