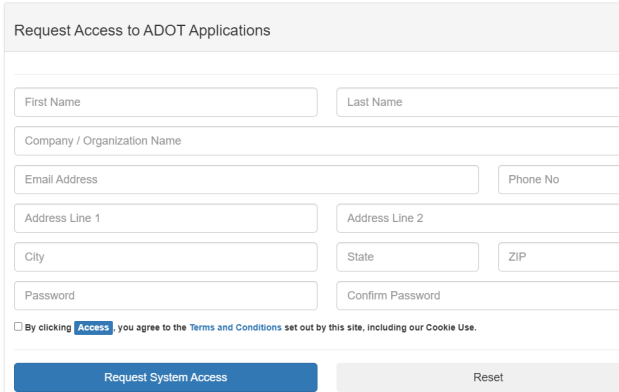


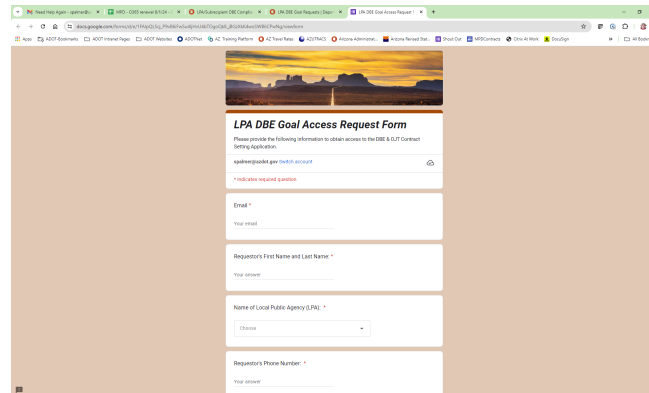
Standard Work for: Subrecipient Procurements

Description of the task:		Standardize a process to assure that Subrecipients comply with certain regulatory and contractual requirements when Procuring Goods / Services with US DOT federal funds through the Arizona Department of Transportation, Multimodal Planning Division.		Revision Date: 08/23/2024 Implementation Date: 10/27/2021
Process Owner:		MPD Contracts Program Manager / Compliance Officer		Revision #: 4
Purpose:		Assist Subrecipients in setting up procurements to comply with requirements. Where the Subrecipient is passing through funding to another agency, that Procuring agency must comply with these requirements.		Document Owner: Dr. Sally J. Palmer
Supplies & safety equipment required:		Standard document processing; Access to the DBE Goal Setting System; Access to the AZUTRACS (LPA) DBE System. Access to the Subrecipient Procurement Compliance Checklist. Access to an EMail system.		
Links to Published Documents:		The Subrecipient Procurement Compliance Checklist is now visible to everyone with this link... https://docs.google.com/spreadsheets/d/e/2PACX-1vTRUM03uXA2NyGrWfn-AvN35HJhUEIGx5UXatifEMlekHgmVeli71e8CBvroVLTCj_fcH89x466hZUP/pubhtml The Standard Work for: Subrecipient Procurements is now visible at: https://docs.google.com/document/d/e/2PACX-1vT_dAIJMuntk7kDr4yxJtEo73AhaZYclas14iNgw63cler5lvvWuSo2ewlIMxOvOumXbKFdVpyvH3-C/pub		
WHAT?	Important Steps: <i>List the critical steps of the operation that advance the work</i>	HOW?	Key Points: <i>List the tasks that allow you to complete the steps successfully.</i>	Include a picture, a map, additional contacts or resources that are relevant for success when performing this job
Note	MicroPurchases	MicroPurchases do not require use of this standard work but may be scoped / competed if desired.		"Micro-purchases (up to \$10,000 except: limited to \$2,000 for Construction subject to 40 USC Chapter 31 IV Wage Requirements (Construction) and \$2,500 for Services subject to 41 U.S.C. Chapter 67, Service Contract Labor Standards) may be awarded without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents it accordinally.

			<i>Purchase cards can be used for micro-purchases if procedures are documented."</i>
Note	Using OnCall Contracts	<p>Established and authorized on-call contracts may be used for procurement efforts by our subrecipients only if the contracts include language permitting usage by other agencies.</p> <p>Projects must still be competed within the awarded OnCall contracts according to the requirements of the dollar value as explained in the Subrecipient Compliance Checklist tab <u>3. Method Determination</u>.</p> <p>Tab 5. Mandatory Terms and Conditions are already incorporated in the OnCall contracts and do not require being added again.</p> <p>6. MPD Requirements still need to be incorporated into your task order (solicitation) document except the Bidder's List requirement.</p> <p>All the requirements of this Standard Work apply unless otherwise indicated.</p>	<p>OnCall Contracts Approved for Multiple-Agency-Use</p> <ul style="list-style-type: none"> ● CYMPO - Engineering OnCall - COGs and MPOs only, FHWA funds ● SVMPO - Planning OnCall - COGs and MPOs only, FHWA funds ● ADOT MPD - Transit OnCall - All subrecipients of ADOTs FTA funds ● ADOT Multimodal Transportation Planning OnCall - FHWA funds - requires cooperative agreement with the State Procurement Office (https://spo.az.gov/programs/cooperative) ● ADOT Geospatial Transportation Planning OnCall - FHWA funds - requires cooperative agreement with the State Procurement Office (https://spo.az.gov/programs/cooperative)
1.	Scope the Project	<ol style="list-style-type: none"> I. Identify type of Project II. Architect / Engineering <ol style="list-style-type: none"> A. Other Brook's Act qualified projects B. Planning C. Materials, Software, Supplies, etc. III. Review scope to assure no restrictive elements (brand names, geographical restrictions for example) IV. Identify Funding (FHWA, FTA, etc.) and percentage <ol style="list-style-type: none"> A. Document the Independent Cost Estimate (ICE) B. Identify work items/elements if economically-feasible dollar (\$) units {to be used in Goal Assessment and helps to identify subcontracting opportunities} V. Identify if Public Involvement will be needed during the project and what the Contractor may be doing related to Public Involvement. <ol style="list-style-type: none"> A. Will there be public involvement? <ol style="list-style-type: none"> 1. If so, will the contractor write the Public Involvement Plan? 2. If so, will the contractor perform / document the LEP 4-Factor Analysis? B. ADOT Civil Rights Office approval required for scoped items for public involvement. 	<p>Notes about the Independent Cost Estimate (ICE)</p> <ul style="list-style-type: none"> ● The ICE is not a project budget. Your budget may be based on the ICE, or in some cases a scope may be reduced so the ICE will also be reduced so it does not exceed a mandated budget. ● An ICE is what the project budget is expected to reflect when proposers submit their pricing. ● You may create the ICE in-house or you may hire a contractor to create the independent cost estimate. Any contractor who creates the ICE cannot submit a response on the procurement and is not susceptible for award.

		<p>VI. Identify if Tribal consultation is needed for any scoped item / activity</p> <p>A. Required if project is located within tribal land</p> <p>B. Required if project includes tribal involvement as a stakeholder</p> <p>VII. Include GIS attributes information for any study project recommendations on the state highway system. Each attributes table should be filled out according to the Attributes Table Guidance and follow ATIS Nomenclature Standards. This information may be found at: https://azdot.gov/planning/transportation-studies.</p> <p>VIII. Include in your scope, the items in the Subrecipient Procurement Compliance Checklist, tab: 6. MPD Scope Requirements. Some of these items are mandatory, some are suggested.</p>	
2.	Write Evaluation Criteria and Determine if Cost or Price Analysis	<ul style="list-style-type: none"> • Cost analysis only required for A/E, Brook's Act eligible procurements. (RFQ contracting method) • Price Analysis permitted for all other procurements (RFP contracting method, price must be included in evaluation criteria) • Consider what the reviewers need to look for, what are the requirements for a good outcome? 	
3.	Establish submission requirements	Must identify anything required to be received in a response to meet the needs of the reviewers to score the evaluation criteria.	
4.	Complete the Subrecipient Procurement Compliance Checklist, Tabs 2 - 4	<p>The Subrecipient Procurement Compliance Checklist includes 5 tabs that will result in a full documentation of how the procurement met all the federal requirements.</p> <p>Tab <u>1. Before Procuring</u> only needs to be used one time for all procurements, unless your processes are modified; then it needs to be updated.</p> <p>Tab <u>2. Subrecipient Contractor Determination</u> shall be completed for every procurement prior to sending the procurement to ADOT for review.</p> <p>Tab <u>3. Method Determination</u> will establish if the procurement qualifies as a Micro Purchase, Small Purchase, or Formal Procurement.</p> <p>Tab <u>4. Each Procurement</u> shall be completed for every procurement except Micro Purchases. The section</p>	Link to the Subrecipient Procurement Compliance Checklist

		<u>Pre-Distribution/Advertising Compliance Review and Determinations</u> shall be completed prior to sending the scope to ADOT for review.	
5.	Obtain ADOT Approval of Scope / Technical Specifications	Submit scope / technical specifications to ADOT Regional Planner / Program Manager for approval of the scope. ADOT Regional Planner / Program Manager should review the scope/technical specifications to ensure that the item or service specified aligns to the work plan and is eligible for the identified funding. The ADOT Regional Planner / Program Manager review must be completed within 10 business days. A rejection shall include the reason(s). A response must include what needs to be corrected / addressed in the scope / technical specifications.	2 CFR 200.325 (a) The regional planner / program manager will minimally check for these items: https://docs.google.com/spreadsheets/d/11rSbc2UyirMbS0RTedZPIZiHBbKyJKMIhpQPjmaIsgg/edit?usp=sharing
6.	Add the Mandatory Terms and Conditions to the solicitation <i>Not Applicable to Task Orders / Task Assignments on an Approved OnCall Contract</i>	All the terms and conditions required are included on tab 5. <u>Mandatory Terms and Conditions</u> in the Subrecipient Procurement Compliance Checklist. <i>If these terms are already in your solicitation, there is no need to duplicate them.</i> You shall also COPY and include the Patent terms and conditions with modifications and tailoring to identify the Parties from: https://www.ecfr.gov/current/title-37/chapter-IV/part-401/section-401.14 .	2 CFR §200.326 Contract provisions and funding / program requirements 37 CFR §401(3)(a)
7.	Request Setup of the DBE Goal Setting System Project If this step is not completed, you must cancel the procurement and begin again. <i>Not Applicable to Task Orders / Task Assignments on an Approved OnCall Contract</i>	I. Procuring agency must be registered in the LPA DBE System. Each procuring agency MUST register in the DBE Goal Setting System, even for race neutral programs. It is separate from the LPA DBE System. Registration processes are summarized here: https://docs.google.com/document/d/1znsz6XpmRbp0xDDq2KTBhDnRxkn5o-oBSU99fr4EP7o/edit?usp=sharing A. Go to LPA DBE Goal Requests or https://azdot.gov/business/business-engagement-and-compliance/lpasubrecipient/lpa-dbe-goal-requests and select “ Register As New User ”. B. If you need to complete DBE Goal Assessments (currently FHWA funded projects only), REQUEST MPDContracts to register you via the LPA DBE Goal Access Request Form II. Email MPDContracts@azdot.gov and request a Project Number creation in DBE Goal Setting system if not previously assigned with the Work Program and/or Transit Grant approval. The emailed request must include the project title and must reference the GRT agreement number and the award location / work program element and item, as appropriate.	DO NOT INPUT AN EMAIL ADDRESS OR PASSWORD on the first page at the link. When you select <u>Register as a New user</u> , this page will POP UP... 

		<p>A. This is not required for task assignments / task orders on an on-call contract where the Goal Assessment was completed for the on-call procurement. Any goal assessed for the on-call would automatically apply to scopes distributed to on-call contract holders.</p> <p>B. MPD Contracts will assign a Project Number and submit the request for Project creation.</p> <p>C. The Project Number and Project Title shall be cited in the procurement solicitation for responders to create a Bidder's List</p> <ol style="list-style-type: none"> 1. Every Bidder / Proposer will be required to have an AZUTRACS profile. They will need to go to https://utracs.azdot.gov/ and select the appropriate option under the Register / Renew tab at the top. 2. This login will allow them to create a "Bidder's List" by selecting "Log in to Online Bidders/Proposers List" on the AZUTRACS website; evidence of which will be required to be submitted with their procurement solicitation / bid response. 	<p>If you need to create DBE Goals, when you select LPA DBE Goal Access Request Form, you will see this page:</p>  <p>For information and training, refer to the ADOT Business Engagement and Compliance (BECO) website at https://azdot.gov/business/business-engagement-and-compliance/dbe-contract-compliance.</p> <p>COG / MPO procurement lists from their Work Plan are submitted for bulk-setup IF the work plan provides a table of expected procurements. Please be aware and do not submit a second time if the project was set up with the Work Plan.</p>
8.	<p>Submit a DBE Goal Request (FHWA funded projects only)</p> <p><i>Not Applicable to Task Orders / Task Assignments on an Approved OnCall Contract</i></p>	<p>I. Using the DBE Project Number assigned, submit the DBE Goal Request in the DBE & OJT Contract Goal Setting Application: https://dbegoals.azdot.gov/.</p> <ol style="list-style-type: none"> A. Include MPDContracts@azdot.gov as the secondary contact. B. An Email will be received indicating submission C. An Email will be received with Goal requirements {BECO responds within 10 business days} <p>II. Include the DBE Goal and whether Race Conscious or Race Neutral in the solicitation.</p>	<p>For more information about LPA DBE Goal Requests, refer to BECO's page: https://azdot.gov/business/business-engagement-and-compliance/lpasubrecipient/lpa-dbe-goal-requests</p> <p>Manual on how to do DBE Goal Requests: https://apps.azdot.gov/files/beco/Goal_Setting_App/DBE-G-Goal-Setting-Application-User-Manual.pdf</p> <p>This is not required for task assignments / task orders on an on-call contract where the Goal Assessment was completed for the on-call procurement. Any goal assessed for the on-call would automatically apply to scopes distributed to on-call contract holders.</p>

9.	Request MPD Contracts compliance review	<p>Subrecipients are exempt from pre-procurement reviews if their procurement system complies with procurement standards - which they can request ADOT or the federal agency perform a review of pursuant to 2 CFR 200.325 (c)(1); and also if they self-certify in writing (c)(2).</p> <p><i>If any audit or procurement system review finds your procurement procedures or operation fails to comply with the 2 CFR 200 et seq. procurement standards, you must request advance compliance reviews of each procurement action until such a time as this has been corrected.</i></p> <p>In accordance with 2 CFR 200.325 (b), the subrecipient must request a pre-award compliance review from MPDContracts@azdot.gov if:</p> <p>(1) The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part; (2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation; (3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product; (4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or (5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.</p> <p>Submit the entire solicitation packet and completed checklist to MPDContracts@azdot.gov for compliance review and approval to proceed with procurement. Indicate which reason (1-5) you are requesting the review under. ADOT MPD Contracts should complete the review within 5 business days and notify by reply-all eMail any compliance issues found.</p>	<p>If your document exceeds email limits, call Sally Palmer at 602.712.6732 and request a ShareFile folder to be created so the documents can be uploaded for review.</p>
10.	Follow your Procurement Process for Distribution, Evaluation, Negotiation, and Award	<p>Refer to the Subrecipient Procurement Compliance Checklist to assure your processes meet federal / MPD requirements.</p> <p>Complete Tab 4. Each Procurement Sections:</p> <ul style="list-style-type: none"> • <u>Evaluations</u> • <u>Post Evaluation & Award Determinations Required</u> • <u>Procurement Record Requirements</u> 	<p>Make sure the Subrecipient Procurement Compliance Checklist is maintained as part of your procurement record. It will be requested in any MPD audit or compliance review.</p>

11.	Complete AZUTRACS LPA DBE System Entries, Audits, and Documentation Requirements	<ul style="list-style-type: none"> I. Enter & Upload the awarded / executed contract(s) II. Pay Primes as required in the contract. {Don't forget - never pay the final invoice to prime until DBE compliance is confirmed, documented.} III. Enter, on a monthly basis, all payments to Primes IV. Perform oversight to assure Prime enters subcontractor payments & that subcontractors confirm Prompt Payment V. Submit final certification documents to BECO for DBE participation VI. Close contract after final payment audit to Prime and final Prime payments to subcontractors are confirmed. <p>Perform all the reporting and monitoring requirements as indicated in your Grant Agreement under the section labeled Disadvantaged Business Enterprise.</p>	<p>For more information about DBE Contract Compliance and Goals, see the website at: http://azdot.gov/business/business-engagement-and-compliance/dbe-compliance or contact the BECO office at 602.712.7761.</p> <p>For FTA-funded projects, see additional information at www.azdot.gov/transitguidebooks.</p> <p>AZUTRACS LPA DBE System: https://arizonalpa.dbesystem.com</p> <p>Note: “AZUTRACS LPA DBE System” is also referred to as “AZ UTRACS”, “ADOT LPA DBE SYSTEM”, “B2G NOW”, AZ DBE SYSTEM, etc. DOORS is the current acronym for the “DBE & OJT Online Reporting System” used by ADOT staff only.</p>
12	Request Reimbursement of Contractor Expenses	<p>Follow the requirements of your Grant Agreement to request reimbursement of eligible costs for the project.</p> <p>On the Final reimbursement request for a procured project, attach the final certification documents to the Reimbursement Request either in eGrants or as a required document with the Billing Summary and Reimbursement Form packet. You must also upload those into AZUTRACS LPA DBE System.</p>	