



## COMPETITIVE SOLICITATION – No. 03118

### TRANSIT BUSES

#### INTRODUCTION

The Washington State Department of Enterprise Services (“Enterprise Services”) in partnership with Washington State Department of Transportation; the State of Alaska through Alaska Department of Transportation; the State of Idaho through Idaho Transportation Department; and the State of Oregon through Oregon Department of Transportation, as initial members of the Washington State Transit Bus Cooperative, is issuing this Competitive Solicitation pursuant to RCW chapter 39.26. This Competitive Solicitation is issued to form a State Cooperative Purchasing Contract (“Master Contract”) under Section 3019 of the FAST Act and RCW 39.26.060. Pursuant to this Competitive Solicitation, Enterprise Services intends to conduct a competitive procurement and establish and award contracts for eligible purchasers to procure heavy duty, medium duty, light duty, double decker, and rebuilt transit buses; accessories; replacement components; replacement subsystems; replacement parts; and obtain services for refurbishing and repowering transit buses (collectively, “Transit Buses”).

This Competitive Solicitation is divided into four (4) sections:

- [Section 1](#) provides a summary table of relevant deadlines for responding to the Competitive Solicitation and identifies contact information for Enterprise Services’ Procurement Coordinator.
- [Section 2](#) provides important information about the procurement that is designed to help interested bidders evaluate the potential opportunity, including the purpose of the procurement and Master Contracts, the form of the resulting Master Contract, and potential contract sales.
- [Section 3](#) identifies how to prepare and submit a bid for this Competitive Solicitation, including detailed instructions regarding what to submit and how to submit your bid.
- [Section 4](#) identifies how Enterprise Services will evaluate and score the bids.

In addition, this Competitive Solicitation includes the following Exhibits:

- Exhibits A – Solicitation Information
  - Exhibit A-1 – Category Information
  - Exhibit A-2 – Bidder Checklists
- Exhibit B – Required Bidder Information
  - Exhibit B-1 – Bidder’s Certification
  - Exhibit B-2 – Bidder’s Profile
  - Exhibit B-3 – Contractor Service and Parts Support Data
  - Exhibit B-4 – Government Wide Debarment and Suspension Certification

- Exhibit B-5 – Bus Testing Certification
- Exhibit B-6 – Buy America Rolling Stock Certification
- Exhibit B-7 – Certification and Restrictions on Lobbying
- Exhibit B-8 – Transit Vehicle Manufacturer DBE Certification
- Exhibit B-9 – Federal Motor Vehicle Safety Standards (FMVSS) Pre-Award Review
- Exhibit C – Heavy Duty:
  - Exhibit C-1: Heavy Duty Specifications: This exhibit outlines the minimum required specifications for Heavy Duty Transit Buses category of this Competitive Solicitation.
  - Exhibit C-2: Heavy Duty Specification Modification Certification: This exhibit provides the bidder with the opportunity to detail modification to the specifications.
  - Exhibit C-3: Heavy Duty Evaluation Response: This exhibit provides the questions for evaluation of Technical, Company Information, and Warranty specifications.
  - Exhibit C-4: Heavy Duty Price Instructions: This exhibit provides instructions and examples for completing Exhibit C-5 Heavy Duty Price Sheets.
  - Exhibit C-5: Heavy Duty Price Sheets: This exhibit provides the pricing information that bidders will complete as part of their bid and the price evaluation tool that Enterprise Services will use to evaluate bids.
  - Exhibit C-6: Master Contract: This exhibit is a draft of the Master Contract that the successful bidder(s) will execute with Enterprise Services.
  - Exhibit C-7: Master Contract Issues List: This exhibit provides the bidder with the opportunity to detail potential changes to the Master Contract.
  - Exhibit C-8: Heavy Duty Bus Technical Information: This exhibit has the bidder provide the technical information for their standard bus.
- Exhibit D – Light and Medium Duty:
  - Exhibit D-1: Light and Medium Duty Specifications: This exhibit outlines the minimum required specifications for Light and Medium Duty Transit Buses category of this Competitive Solicitation.
  - Exhibit D-2: Light and Medium Specification Modification Certification: This exhibit provides the bidder with the opportunity to detail modification to the specifications
  - Exhibit D-3: Light and Medium Duty Evaluation Response: This exhibit provides the questions for evaluation of Technical, Company Information, and Warranty specifications.
  - Exhibit D-4: Light and Medium Duty Price Instructions: This exhibit provides instructions and examples for completing Exhibit D-5 Light and Medium Duty Price Sheets.

- Exhibit D-5: Light and Medium Duty Price Sheets: This exhibit provides the pricing information that bidders will complete as part of their bid and the price evaluation tool that Enterprise Services will use to evaluate bids.
- Exhibit D-6: Master Contract: This exhibit is a draft of the Master Contract that the successful bidder(s) will execute with Enterprise Services.
- Exhibit D-7: Master Contract Issues List: This exhibit provides the bidder with the opportunity to detail potential changes to the Master Contract.
- Exhibit D-8: Light and Medium Duty Bus Technical Information: This exhibit has the bidder provide the technical information for their standard bus.
- Exhibit E – Double Decker:
  - Exhibit E-1: Double Decker Specifications: This exhibit outlines the minimum required specifications for the Double Decker Transit Bus category of this Competitive Solicitation.
  - Exhibit E-2: Double Decker Specification Modification Certification: This exhibit provides the bidder with the opportunity to detail modification to the specifications.
  - Exhibit E-3: Double Decker Evaluation Response: This exhibit provides the questions for evaluation of Technical, Company Information, and Warranty specifications.
  - Exhibit E-4: Heavy Duty Price Instructions: This exhibit provides instructions and examples for completing Exhibit E-5 Heavy Duty Price Sheets.
  - Exhibit E-5: Double Decker Price Sheet: This exhibit provides the pricing information that bidders will complete as part of their bid and the price evaluation tool that Enterprise Services will use to evaluate bids.
  - Exhibit E-6: Master Contract: This exhibit is a draft of the Master Contract that the successful bidder(s) will execute with Enterprise Services.
  - Exhibit E-7: Master Contract Issues List: This exhibit provides the bidder with the opportunity to detail potential changes to the Master Contract
  - Exhibit E-8: Double Decker Bus Technical Information: This exhibit has the bidder provide the technical information for their standard bus.
- Exhibit F – Rebuilt:
  - Exhibit F-1: Rebuilt Bus Specifications: This exhibit outlines the minimum required specifications for the Rebuilt Transit Bus category of this Competitive Solicitation.
  - Exhibit F-2: Rebuilt Bus Specification Modification Certification: This exhibit provides the bidder with the opportunity to detail modification to the specifications.
  - Exhibit F-3: Rebuilt Bus Evaluation Response: This exhibit provides the questions for evaluation of Technical, Company Information, and Warranty specifications.
  - Exhibit F-4: Rebuilt Price Instructions: This exhibit provides instructions and examples for completing Exhibit F-5 Heavy Duty Price Sheets.

- Exhibit F-5: Rebuilt Bus Price Sheet: This exhibit provides the pricing information that bidders will complete as part of their bid and the price evaluation tool that Enterprise Services will use to evaluate bids.
- Exhibit F-6: Master Contract: This exhibit is a draft of the Master Contract that the successful bidder(s) will execute with Enterprise Services.
- Exhibit F-7: Master Contract Issues List: This exhibit provides the bidder with the opportunity to detail potential changes to the Master Contract
- Exhibit F-8: Rebuilt Bus Technical Information: This exhibit has the bidder provide the technical information for their standard bus.
- Exhibit G – Refurbishment:
  - Exhibit G-1: Refurbishment Specifications: This exhibit outlines the minimum required specifications for Light and Medium Duty Transit Buses category of this Competitive Solicitation.
  - Exhibit G-2: Refurbishment Specification Modification Certification: This exhibit provides the bidder with the opportunity to detail modification to the specifications.
  - Exhibit G-3: Refurbishment Non-Cost Evaluation Response: This exhibit provides the questions and response form for evaluation of Technical, Company Information, and Warranty specifications.
  - Exhibit G-4: Refurbishment Bus Price Sheet: This exhibit provides the pricing information that bidders will complete as part of their bid and the price evaluation tool that Enterprise Services will use to evaluate bids.
  - Exhibit G-5: Master Contract: This exhibit is a draft of the Master Contract that the successful bidder(s) will execute with Enterprise Services.
  - Exhibit G-6: Master Contract Issues List: This exhibit provides the bidder with the opportunity to detail potential changes to the Master Contract
- Exhibit H – Repowering:
  - Exhibit H-1: Repowering Specifications: This exhibit outlines the minimum required specifications for Light and Medium Duty Transit Buses category of this Competitive Solicitation.
  - Exhibit H-2: Repowering Specification Modification Certification: This exhibit provides the bidder with the opportunity to detail modification to the specifications.
  - Exhibit H-3: Repowering Non-Cost Evaluation Response: This exhibit provides the questions and response form for evaluation of Technical, Company Information, and Warranty specifications.
  - Exhibit H-4: Repowering Bus Price Sheet: This exhibit provides the pricing information that bidders will complete as part of their bid and the price evaluation tool that Enterprise Services will use to evaluate bids.
  - Exhibit H-5: Master Contract: This exhibit is a draft of the Master Contract that the successful bidder(s) will execute with Enterprise Services.

- Exhibit H-6: Master Contract Issues List: This exhibit provides the bidder with the opportunity to detail potential changes to the Master Contract
- Exhibit I – Complaint, Debrief, & Protest Requirements: This exhibit details the applicable requirements to file a complaint, request a debrief conference, or file a protest regarding this Competitive Solicitation.
- Exhibit J – Doing Business with the State of Washington: This exhibit provides information regarding contracting with the State of Washington.

**SECTION 1 – DEADLINES, QUESTIONS, AND WHERE TO SUBMIT YOUR BID**

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This section identifies important deadlines and where to direct questions regarding the Competitive Solicitation.

**1.1. IMPORTANT COMPETITIVE SOLICITATION DEADLINES.**

<b>COMPETITIVE SOLICITATION DEADLINES</b>	
<b>ITEM</b>	<b>DATE</b>
Competitive Solicitation Posting Date:	April 17, 2019
Pre-Bid Conference Light and Medium Duty Category	April 25, 2019 9:30 AM to 12:30 PM PST Attend in Person 1500 Jefferson St. Room 2092 Olympia, WA, 98501 Attend via Phone (360) 407-3814 Conference ID: 2669128
Pre-Bid Conference Double Decker Category	April 25, 2019 2:30 PM to 4:30 PM PST Attend in Person 1500 Jefferson St. Room 6140 Olympia, WA, 98501 Attend via Phone (360) 407-3814 Conference ID: 2669128
Pre-Bid Conference Refurbishment, Repowering, And Rebuilt Categories	April 26, 2019 9:00 AM to 12:00 AM PST Attend in Person 1500 Jefferson St. Room 6186 Olympia, WA, 98501 Attend via Phone (360) 407-3814 Conference ID: 2669128

COMPETITIVE SOLICITATION DEADLINES	
ITEM	DATE
Pre-Bid Conference Heavy Duty Category	April 26, 2019 1:00 PM to 4:00 PM PST Attend in Person 1500 Jefferson St. Room 3229 Olympia, WA, 98501 Attend via Phone (360) 407-3814 Conference ID: 2669128
Question & Answer Period:	April 26, 2019 – June 9, 2019
Deadline for Submitting Bids:	June 18, 2019
Bid Opening:	June 19, 2019 9:00 AM to 10:00 AM PST Attend in Person 1500 Jefferson St. Room 6041 Olympia, WA, 98501 Attend via Phone (360) 407-3814 Conference ID: 2669128
Anticipated Announcement of Apparent Successful Bidder(s) (ASB):	July 15, 2019
Anticipated Award of Master Contract(s):	August 1, 2019

- 1.2. **COMPETITIVE SOLICITATION QUESTIONS.** Questions or concerns regarding this Competitive Solicitation must be directed to the following Procurement Coordinator:

Procurement Coordinator	
Name:	David Mgebhoff
Telephone:	360-407-8049
Email:	David.Mgebhoff@des.wa.gov

Questions raised at the pre-bid conference and during the Q&A period will be answered and responses posted to the Washington Electronic Business Solution (WEBS).

- 1.3. **COMPLAINTS, DEBRIEFS, & PROTESTS.** The Competitive Solicitation (and award of the Master Contract) is subject to complaints, debriefs, and protests as explained in [Exhibit I – Complaint, Debrief & Protest Requirements](#), which may impact the dates set forth above.
- 1.4. **COMPETITIVE SOLICITATION – AMENDMENT & MODIFICATION.** Enterprise Services reserves the right to amend and modify this Competitive Solicitation. Only bidders who have properly registered and downloaded the original Competitive Solicitation directly via WEBS will receive pertinent notifications of amendments and other correspondence. Bidders must be registered in WEBS to be awarded a Master Contract. Visit [WEBS](#) to register.

## SECTION 2 – INFORMATION ABOUT THE PROCUREMENT

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This section describes the purpose of the Competitive Solicitation and provides information about this procurement, including the potential scope of the opportunity.

- 2.1. **PURPOSE OF THE PROCUREMENT – AWARD MASTER CONTRACTS.** The purpose of this Competitive Solicitation is to receive competitive bids and award Master Contracts for Transit Buses. Enterprise Services intends to award Master Contracts by category as outlined in *Exhibit A1 – Category Information*. Enterprise Services may award more than one contract for each category to competitive bids based on Contractor capacity, Participant requirements, and business needs if the bids are competitive with the highest scored bid (at minimum within 10 points of the highest scored bid). All Master Contract awards will be based on the evaluation criteria outlined in Section 4 – Bid Evaluation.
- a. **MASTER CONTRACTS.** Enterprise Services has statewide responsibility to develop Master Contracts for goods and services. A Master Contract is a contract for specific goods and/or services that is competitively solicited and established by Enterprise Services, on behalf of the State of Washington, for use by statutorily specified 'purchasers' (see below). Typically, purchasers use our Master Contracts through a purchase order, work order, or similar document. Under RCW 39.26.060 and FAST Act Section 3019 this Master Contract is being developed as a State Cooperative Purchasing Contract for use by Participants in the Washington State Transit Bus Cooperative.
- b. **MASTER CONTRACT USERS – ELIGIBLE PURCHASERS.** The resulting Master Contract from this Competitive Solicitation will be available for use by the following entities, each of whom is an eligible purchaser ("Participant"):
- WASHINGTON STATE AGENCIES. All Washington State agencies, departments, offices, divisions, boards, and commissions.
  - WASHINGTON STATE INSTITUTIONS OF HIGHER EDUCATION (COLLEGES). Any of the following specific institutions of higher education in Washington:
    - State universities – i.e., University of Washington & Washington State University;
    - Regional universities – i.e., Central Washington University, Eastern Washington University, & Western Washington University
    - Evergreen State College;
    - Community colleges; and
    - Technical colleges.
  - MCUA PARTIES. The Master Contract also may be utilized by any of the following types of entities that have executed a Master Contract Usage Agreement (MCUA) with Enterprise Services:
    - Political subdivisions (e.g., counties, cities, school districts, public utility districts, ports, municipalities) in the State of Washington;
    - Federal governmental agencies or entities;
    - Public-benefit nonprofit corporations (i.e., § 501(c)(3) nonprofit corporations that receive federal, state, or local funding); and
    - Federally-recognized Indian Tribes located in the State of Washington.

Enterprise Services maintains a list of eligible MCUA parties on the [MCUA Parties website](#).

- **TRANSIT BUS COOPERATIVE PARTICIPANTS.** The Master Contract also may be utilized by any entity that has executed a Washington State Transit Bus Cooperative Purchasing Agreement with Enterprise Services. The following types of entities are anticipated to execute a Washington State Transit Bus Cooperative Purchasing Agreement:
  - State agencies, local governments, local government agencies, or political subdivisions (e.g., counties, cities, school districts, public utility districts, ports) of any state of the United States;
  - Federal governmental agencies.

While use of the Master Contract is optional for purchasers other than Washington State agencies, these entities' use of the Master Contract can increase Master Contract use significantly. All Participants are subject to the same contract terms, conditions, and pricing as Washington State agencies.

- 2.2. **MASTER CONTRACT.** The form of the Master Contract for each category that will be awarded as a result of this Competitive Solicitation is attached in the respective exhibit documents.
- 2.3. **CONTRACT TERM.** As set forth in the attached Master Contracts for this Competitive Solicitation, the initial term is twenty-four (24) months, with three (3) subsequent twelve (12) month extensions to be executed at Enterprise Services' option. The maximum contract term is sixty (60) months. Bidders are to specify prices for the entire contract term, including any potential extensions. The Master Contract is subject to earlier termination.
- 2.4. **ESTIMATED QUANTITY AND SALES.** Total contract sales on the resulting Master Contract are not known. As stated in this Competitive Solicitation, however, the resulting Master Contract will be available for use by all eligible purchasers at their option, including any approved Participant of the Washington State Transit Bus Cooperative. Many of these Participants will be purchasing with FTA funds for Transit Buses. Enterprise Services cannot provide estimates on potential use by transit entities purchasing with FTA funds.

It is estimated that the Master Contract could reach up to 5,000 Heavy Duty bus options at approximately \$3,500,000,000.00 over the life of the contract. Estimated Heavy Duty sales by entities within:

- the State of Washington will account for 1,200 options
- the State of Oregon will account for 800 options
- the State of Alaska will account for 200 options
- the State of Idaho will account for 300 options
- other on-listed states receiving FTA funds and making option purchases under the cooperative will account for 2,500 options.

It is estimated that the Master Contract could reach up to 6,000 Light and Medium duty bus options at approximately \$550,000,000.00 over the life of the contract. Estimated Light and Medium sales by entities within:

- the State of Washington will account for 1,500 options
- the State of Oregon will account for 1,000 options
- the State of Alaska will account for 500 options



- the State of Idaho will account for 500
- other non-listed states receiving FTA funds and making option purchases under the cooperative will account for 2,500 options

It is estimated that the Master Contract could reach up to 150 Double Decker bus options at approximately \$135,000,000.00 over the life of the contract. Estimated Double Decker sales by entities within:

- the State of Washington will account for 50 options
- other non-listed states receiving FTA funds and making option purchases under the cooperative will account for 100 options

It is estimated that the Master Contract could reach up to 1,000 Rebuilt bus options at approximately \$400,000,000.00 over the life of the contract. Estimated Rebuilt bus sales by entities within:

- the State of Washington will account for 300 options
- entities from other non-listed states receiving FTA funds and making option purchases under the cooperative will account for 700 options

Enterprise Services does not guarantee any minimum purchase or potential purchases from the Master Contract. Individual Purchasers will place orders on an as-needed basis based on their evaluation of the Master Contract. Estimated quantities are informational and not to be construed as a warranty of accuracy of historical or anticipated volumes or a guarantee to purchase any amount.

Although Enterprise Services does not represent or guarantee any minimum purchase from the Master Contract, prior purchases under similar contracts, which were limited in scope to predominantly Washington entities, are set forth in the following chart:

Heavy Duty Buses under 09214			
Year	Total Buses Authorized	Total Purchasers	Total Sales
2016	416		\$323,031,860.74
2017	145		\$104,608,595.74
2018	244		\$ 98,550,779.24
Total	805		\$526,191,235.72

Heavy Duty Buses under 09214			
Year	Buses Authorized for Oregon	# of Purchasers	Sales
2017	2	1	\$840,240.00
2018	33	4	\$ 18,241,356.28
Total	35	5	\$19,081,596.28

Heavy Duty Buses under 09214			
Year	Buses Authorized for Alaska	# of Purchasers	Sales
2018	4	1	\$ 1,966,464.00
Total	4	1	\$1,966,464.00

Light and Medium Duty Buses under 04115			
Year	Total Buses Authorized	# of Purchasers	Total Sales
2016	72		\$ 7,906,630.43
2017	179		\$14,594,965.62
2018	275		\$21,594,841.37
Total	526		\$44,096,437.42

Light and Medium Duty Buses under 04115			
Year	Buses Authorized for Alaska	# of Purchasers	Sales
2016	19	5	\$ 2,278,609.93
2017	22	8	\$ 1,662,009.21
2018	9	5	\$ 785,260.92
Total	41		\$ 4,725,880.06

### SECTION 3 – HOW TO PREPARE AND SUBMIT A BID FOR THIS COMPETITIVE SOLICITATION

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This section identifies how to prepare and submit your bid to Enterprise Services. In addition, bidders will need to review and follow the requirements including those set forth in the exhibits, which identifies the information that bidders must provide to Enterprise Services to constitute a responsive bid. By responding to this Competitive Solicitation and submitting a bid, bidders acknowledge having read, understood, and accept all information contained within this Competitive Solicitation.

- 3.1. **PRE-BID CONFERENCE.** Enterprise Services will host pre-bid conferences at the times and locations indicated in Section 1.1 of this Competitive Solicitation. Attendance is not mandatory, however bidders are encouraged to attend and participate. The purpose of the pre-bid conference is to clarify the Competitive Solicitation as needed and raise any issues or concerns that bidders may have concerning the scope of goods/services, minimum required specifications, contract performance requirements, or any other aspect of the Competitive Solicitation and subsequent Master Contract. If interpretations, specifications, or other changes to the Competitive Solicitation are required as a result of the conference, the Procurement Coordinator will post an amendment to WEBS. Assistance for disabled, blind, or hearing-impaired persons who wish to attend the pre-bid conference is available with prior arrangement by contacting the Procurement Coordinator.
- 3.2. **BID FORMAT.** Bids must be complete, legible, signed and follow all instructions stated in the Competitive Solicitation and exhibits. Unless otherwise specified in writing by Enterprise Services, documents included with an electronic bid must be submitted in Word, Excel, or Adobe PDF formats. Unbound hard copies will also be accepted instead of an electronic copy. Bids will not be bound with staples, combs, three ring binders, etc. All hard copy submissions should be in a plainly marked envelope "*Bidder Name* Competitive Solicitation #03118."
- 3.3. **BIDDER COMMUNICATIONS REGARDING THIS COMPETITIVE SOLICITATION.** During the Competitive Solicitation process, all bidder relevant communications must be directed to the Procurement Coordinator. See Section 1.2. Bidders should rely only on this Competitive Solicitation and any written amendment issued by the Procurement Coordinator. In no event will oral communications regarding the Competitive Solicitation be binding.

- Bidders are encouraged to make any inquiry regarding the Competitive Solicitation as early in the process as possible to allow Enterprise Services to consider and, if warranted, respond to the inquiry. If a bidder does not notify Enterprise Services of an issue, exception, addition, or omission, Enterprise Services may consider the matter waived by the bidder for protest purposes.
  - If bidder inquiries result in changes to the Competitive Solicitation, written amendments will be issued and posted on WEBS.
  - Unauthorized contact regarding this Competitive Solicitation with other state employees involved with the Competitive Solicitation may result in bidder disqualification and could deem your bid non-responsive.
- 3.4. **PRICING.** Bid prices must include all cost components needed for the delivery of the goods and/or services as described in this Competitive Solicitation. A bidder's failure to identify all costs in a manner consistent with the instructions in this Competitive Solicitation is sufficient grounds for disqualification as non-responsive. Prices not specifically outlined in the proposal will be considered as included in pricing. Enterprise Services and Purchasers will not be responsible for costs not contemplated during the proposal.
- **Inclusive Pricing:** Bidders must identify and include all cost elements in their pricing. In the event that bidder is awarded a Master Contract, the total price for the goods and/or services shall be bidder's price as submitted. Except as provided in the Master Contract, there shall be no additional costs of any kind.
  - **Vendor Management Fee:** The resulting Master Contract from this Competitive Solicitation will include a Vendor Management Fee as specified in the respective Master Contract attached in the relevant exhibit section for the bid category.
- 3.5. **'PROCUREMENT PRIORITIES & PREFERENCES.** Enterprise Services will apply the following procurement priorities and preferences to this Competitive Solicitation:
- Executive Order 18-03 – Workers' Rights (Mandatory employee arbitration).
  - Policy Preventing Sexual Harassment, Sexual Assault, and Discrimination.
  - Statutory Preference for Products Containing Recycled Material.
  - Emissions information.
  - Sustainability Policy.
  - Prompt Payment.
- 3.6. **BIDDER RESPONSIVENESS.** Bidders must submit complete bids. A bidder's failure to do so may result in a bid being deemed non-responsive and disqualified. Enterprise Services reserves the right to determine a bidders' compliance with the requirements specified in this Competitive Solicitation and to waive informalities in a bid. An informality is an immaterial variation from the exact requirements of the Competitive Solicitation, having no effect or merely a minor or negligible effect on quality, quantity, or delivery of the goods or performance of the services being procured, and the correction or waiver of which would not affect the relative standing of, or be otherwise prejudicial, to bidders.

- 3.7. **SUBMITTING BIDS.** Your bid, either hard copy or electronic, must be delivered to the following. Enterprise Services prefers electronic bids for ease of evaluation:

<b>Deliver Bids to:</b>		
<b>Hard copy:</b>	<i><u>Mail your bid to the following:</u></i>	<i><u>Deliver your bid to the following:</u></i>
	Washington Department of Enterprise Services Contracts & Procurement P.O. Box 41411 Olympia, WA 98501-1411	Washington Department of Enterprise Services Contracts & Procurement 1500 Jefferson Street SE Olympia, WA 98501
<b>Electronic:</b>	<i><u>Email your bid to the following:</u></i> DESCPRMEnvironProtec@des.wa.gov	

Bidders are asked not to include any marketing material, flyers, general information brochures, company promotional information, etc. Cut sheets and technical specifications are permitted only if they pertain to the equipment or service being proposed.

Note for hard copy bids only: Utilizing the United States Postal Services creates an additional 1 to 2 days of mail processing. Bids submitted by mail or express carriers (i.e. UPS, FedEx, DHL) must arrive by the due date outlined in the Schedule above. Enterprise Services does not accept responsibility for late bids and makes no provision and is not liable for specifically collecting mail from its reception area, mail box, or receiving dock immediately prior to the deadline. Bids submitted by mail or express carriers (i.e. UPS, FedEx, DHL) should, therefore, be sent in ample time to arrive before the actual due date and time.

Note for electronic bids only: Enterprise Services' email boxes only can accept emails that total less than 30MB in size. Bidders are cautioned to keep email sizes to less than 25MB to ease delivery. Zipped files cannot be accepted. In the event that the submission uses multiple emails, the subject line should include the bidder's name, the solicitation number 03118, the solicitation title Transit Bus, the applicable category, and an indication of multiple emails (e.g. 1 of 3 or 2 of 2).

- 3.8. **BID OPENING.** Enterprise Services will host Competitive Solicitation bid opening at the time and location indicated in Section 1.1 of this Competitive Solicitation. Attendance is not mandatory. The purpose of the bid opening is to record receipt of the submitted bids for the Competitive Solicitation. The Procurement Coordinator will post the receipt of bids document on WEBS for the Competitive Solicitation. Receipt of bid does not imply that the bid is responsive, only that Enterprise Services has received a bid for the Competitive Solicitation. Assistance for disabled, blind, or hearing-impaired persons who wish to attend the pre-bid conference is available with prior arrangement by contacting the Procurement Coordinator. Bid contents will not be available for public view until after the Apparent Successful Bidder has been announced.

## SECTION 4 – BID PROCESS AND EVALUATION

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This section identifies how Enterprise Service will evaluate Competitive Solicitation bids and the process of awarding the respective Master Contracts.

### 4.1. OVERVIEW.

- Bidder responsiveness, specification, evaluation factors, and responsibility will be evaluated based on the process described herein.
- Any bid determined to be non-responsive will be rejected and the bidder will be notified of the reasons for this rejection.
- Enterprise Services reserves the right to: (1) waive any informality; (2) reject any or all bids, or portions thereof; (3) accept any portion of the items bid unless the bidder stipulates all or nothing in their bid; and/or (4) cancel the Competitive Solicitation and re-solicit bids.
- Enterprise Services will use the following process for an award of a Master Contract:
  - **Step 1: Responsiveness.**
  - **Step 2: Specification Evaluation.**
  - **Step 3: Bid Evaluation/Scoring Criteria.**
  - **Step 4: Responsibility Analysis.**
  - **Step 5: Announcement of Apparent Successful Bidder(s).**
  - **Step 6: Contract Negotiations.**
  - **Step 7: Contract Award.**

4.2. **RESPONSIVENESS (STEP 1).** Enterprise Services will review bids – on a pass/fail basis – to determine whether the bid is ‘responsive’ to this Competitive Solicitation. Enterprise Services will review each bid to determine whether the bid is complete – i.e., does the bid include each of the required bid submittals, are the submittals complete, signed, legible. Enterprise Services reserves the right – in its sole discretion – to determine whether a bid is responsive. Responsive bids will be evaluated as set forth herein.

4.3. **SPECIFICATIONS EVALUATION (STEP 2).** Enterprise Services will evaluate each bid to ensure that each bidder’s Transit Buses and services meet the minimum required specifications for each category. Enterprise Services reserves the right to request additional information or perform tests and measurements before selecting the Apparent Successful Bidder (“ASB”). A bidder’s failure to provide requested information to Enterprise Services within ten (10) business days may result in disqualification.

The minimum required specifications for each category are set forth in the respective specification documents. Bidders must detail any changes to specifications and provide an explanation of the change in the Specification Modification Certification of the relevant category. Changes to any requirement of the specifications must be supported with technical data, diagnostics, test results, or other pertinent information evidencing that the exception will result in a condition equal to or better than the stated minimum required specification. The Specification Modification Certification must provide a detailed record of any changes in the specifications along with the certification that all modifications are equal or superior to the stated minimum required specifications.

Enterprise Services reserves the right to reject as non-responsive any bid submission that contains deviations that materially differ from the stated minimum required specifications with insufficient explanation provided. Enterprise Services may request clarification on bidder’s submitted Specification Modification Certification.

Where brand names or specific items are listed in any of the specifications, consider the term "or equivalent" to follow. Wherever such brand names appear in specifications, equivalent products will be considered if documented in bidder’s Specification Modification Certification.

Enterprise Services will evaluate and score bidders specification submissions from the factors stated below in the Bid Evaluation section.

4.4. **BID EVALUATION (STEP 3).** Enterprise Services and the evaluation team will evaluate bids – to identify highest evaluation total – by reviewing the submitted bids against the Competitive Solicitation requirements. In determining the highest scored responsive and responsible bidder, Enterprise Services will consider the following best value criteria:

- Whether the bid satisfies the requirements as stated in this Competitive Solicitation;
- Whether the bid provides competitive pricing, economies, and efficiencies;
- Whether the bid appropriately weighs cost and non-cost considerations; and
- Life-cycle cost.

**a. Total Evaluation Score.**

Bidders will be evaluated on a total score of 100 points as detailed in the evaluation models below. The evaluation models are comprised of a combination of points earned by non-cost and cost evaluation criteria to determine the overall best value. Bidders will receive points for each evaluation criteria up to the maximum points in the evaluation model table listed below for the respective categories for which they are submitting bids. For Heavy Duty and Light and Medium Categories bids will be evaluated based on sub-categories. The evaluation criteria reflect the subject matter and elements that are most important to Participants.

<b>Evaluation Model – Heavy Duty, Light/Medium, Double Decker, and Rebuilt Categories</b>	
<b>Evaluation Criteria</b>	<b>Points for Evaluation Score</b>
Pricing of Standard Bus	35 points
Technical Evaluation	25 points
Options	15 points
Company Information	10 points
Warranties/Repair	10 points
Other Considerations/Preferences	5 points

Evaluation Model – Refurbishment and Repowering Categories	
Evaluation Criteria	Points for Evaluation Score
Service Pricing	40 points
Technical Evaluation	35 points
Company Information	10 points
Warranties/Repair	10 points
Other Considerations/Preferences	5 points

**b. Evaluation Criteria.**

Bidders will be scored on the evaluation criteria described below. Each evaluation criteria is comprised of factors to determine the score. The points bidder receives for each submission will be determined by evaluation criteria score out of the maximum points listed in the respective evaluation model above for the respective category.

i. **Pricing of a Standard Bus** – Total of 35 points available for submissions in Heavy Duty, Light/Medium, Double Decker, and Rebuilt categories for pricing of standard bus which is determined from the following:

A. **Price Comparison** – The price comparison is determined from the base price including all standard components from the respective price sheet. The lowest price for each category will receive the maximum allocation of points. All other scores will be evaluated by the dividing the lowest price by the total price of the bid being evaluated and the result multiplied by the relative weight.

Example:  $\text{Lowest Bid Price} / \text{bidder's Proposed Price} \times \text{Weight} = \text{Price Comparison score.}$

B. **Quality of Standard Bus** – Evaluation team will determine the quality of the standard bus by scoring the components listed as standard in the bidder's price sheet.

ii. **Technical Evaluation** – Total of 25 points for Technical Evaluation for submissions in Heavy Duty, Light/Medium, Double Decker, and Rebuilt categories and 35 points for submissions in Refurbishment and Repowering categories. The points for Technical Evaluation are determined by the following:

A. **Reliability** – Evaluation team will determine the bidder's reliability based on the bidder's respective Non-Cost Response indicating Altoona bus testing results, historical data of failure rate, usable life information, and any other relevant information bidder provides.

B. **Serviceability** – Evaluation team will determine the bidder's serviceability based on the bidder's respective Non-Cost Response indicating service interval, ease of service, access for critical areas, and any other relevant information bidder provides.

C. **Training** – Evaluation team will determine the bidder's ability to train based on the bidder's respective Non-Cost Response indicating expert

trainer, certifications, flexible training program, breadth and depth of trainings offered, and any other relevant information bidder provides.

- D. **Comfort, Features, and Styling** – Evaluation team will determine the bidder’s comfort, features, and styling based on the bidder’s respective Non-Cost Response indicating modern look, fit, form, and finish; ease of boarding; drag coefficient; storage areas; and any other relevant information bidder provides.
- E. **Production Capability** - Evaluation team will determine the bidder’s production capability based on the bidder’s respective Non-Cost Response indicating production facilities, work performed at each facility, manufacturing capacity, and any other relevant information bidder provides.

iii. **Options** – Total of 15 points available for Heavy Duty, Light/Medium, Double Decker, and Rebuilt Categories for option, which are determined by the following:

- A. **Price Comparison** – The price comparison score will be determined by the price of a set of common options, selected by Enterprise Services, in the respective price sheet. The set of options will be determined by Enterprise Services based on common options requested by Participants. The lowest total price will receive the maximum allocation of points. All other scores will be evaluated by the dividing the lowest price by the total price of the bid being evaluated and the result multiplied by the relative weight.

Formula:  $\text{Lowest Bid Price} / \text{bidder's Proposed Price} \times \text{Weight} = \text{Price Comparison score}$ .

- B. **Quality of Options** – Evaluation team will determine the quality of the options by evaluating the components listed as options in the bidder’s respective price sheet.
- C. **Number of Options Offered** – Evaluation team will determine the score for number of options offered based on responses in the price sheet. The evaluation team will only consider options that meet the specifications in determining the number of options bidders offered.

iv. **Company Information** – Total of 10 points for Company Information for submissions in all categories, which is determined by the following:

- A. **Past Performance** – Evaluation team will determine the bidder’s past performance based on the bidder’s respective Non-Cost Response indicating on-time delivery, resolution of issues, communication with purchasers, and any other relevant information bidder provides.
- B. **References** – References will be based on the responses of bidder’s references to predetermined questions.
- C. **Employee Experience** – Evaluation team will determine the bidder’s employee experience based on the bidder’s respective Non-Cost Response indicating key personnel, their years of experience in various systems, and any other relevant information bidder provides.



- D. **Employee Certifications** – Evaluation team will determine the bidder’s employee certifications based on the bidder’s respective Non-Cost Response indicating the degrees and certifications that employees have obtained and any other relevant information bidder provides.
  - E. **Years of Experience** –Years of experience will be based on the years company has been in business.
- v. **Warranty/Repair** – Total of 10 points for Warranty/Repair for submissions in all categories, which is determined by the following:
- A. **Quality of Warranties** – Evaluation team will determine the bidder’s quality of warranties based on the bidder’s respective Non-Cost Response indicating warranties offered, length of warranties, subsystems covered by warranties, extended warranties offered, and any other relevant information bidder provides.
  - B. **Prior Warranty Claims** – Evaluation team will determine the bidder’s prior warranty claims based on the bidder’s respective Non-Cost Response indicating approach to resolving warranty claims, average time to resolution, average time for initial contact, average time for warranty evaluation, and any other relevant information bidder provides.
  - C. **Warranty Repair** – Evaluation team will determine the bidder’s warranty repair based on the bidder’s respective Non-Cost Response indicating ability to provide warranty repair work at Purchaser’s location, approach to warranty work, and any other relevant information bidder provides.
- vi. **Service Pricing** – Total of 40 points available for submissions in the Refurbishment and Repowering categories, as seen in the evaluation model above. These categories are for services on existing heavy-duty transit buses. Points for Service Pricing will be determined by the following:
- A. **Rate per Hour cost** – Rate per Hour cost will be determined by the rate per hour for system services in the respective price sheet. This rate per hour will be the listed cost for services in Exhibit B of the resultant Master Contract. The lowest rate per hour for each system will receive the maximum allocation of points. All other scores will be evaluated by the dividing the lowest rate per hour for each system by the rate per hour of the bid being evaluated and the result multiplied by the relative weight.  
Example:  $\text{Lowest Bid rate per hour} / \text{bidder's Proposed rate per hour} \times \text{Weight} = \text{Rate per Hour score}$ .
  - B. **System Pricing** – System pricing will be determined by the price of system services in the respective price sheet based on the example buses in the price sheet. These prices are for evaluation only and will not be official prices in Exhibit B of the resultant Master Contract. The lowest price for each system will receive the maximum allocation of points. All other scores will be evaluated by the dividing the lowest price by the system price of the bid being evaluated and the result multiplied by the relative weight.

Example:  $\text{Lowest Bid System Price} / \text{bidder's Proposed System Price} \times \text{Weight} = \text{System Pricing score}$ .

- C. **Work Hours** – Work Hours will be determined by the estimated work hours for system services in the respective price sheet based on the systems for the example buses in the price sheet. The work hours is an indication of expected work hours for similar systems and will be included as an indicator in Exhibit B of the resulting Master Contract. The lowest estimated work hour for each system will receive the maximum allocation of points. All other scores will be evaluated by the dividing the lowest estimated work hours by the estimated work hours of the bid being evaluated and the result multiplied by the relative weight to arrive at a work hour score.

Example:  $\text{Lowest Bid Work Hours per System} / \text{bidder's Work Hour per System} \times \text{Weight} = \text{Work Hours score}$ .

- D. **Delivery Cost** – Delivery cost will be determined by the delivery cost in the respective price sheet. Delivery costs will be the listed costs in Exhibit B of the resultant Master Contract. The lowest delivery cost will receive the maximum allocation of points. All other scores will be evaluated by the dividing the lowest delivery cost by the delivery cost of the bid being evaluated and the result multiplied by the relative weight.

Example:  $\text{Lowest Bid Delivery Cost} / \text{bidder's Delivery Cost} \times \text{Weight} = \text{Delivery Cost score}$ .

- E. **Parts Cost** – Parts Cost will be determined by the parts cost in the respective price sheet. Parts costs will be the listed costs in Exhibit B of the resultant Master Contract. The lowest parts cost will receive the maximum allocation of points. All other scores will be evaluated by the dividing the lowest parts cost by the parts cost of the bid being evaluated and the result multiplied by the relative weight.

Example:  $\text{Lowest Bid Parts Cost} / \text{bidder's Parts Cost} = \text{Parts Cost score}$ .

- vii. **Other Considerations/Preferences** – Total of 5 points is available for other considerations/preferences for submissions in all categories, which is determined by bidder's responses to the certifications attached in Exhibit B-1 for:

- does not require Washington Executive Order 18-03
- Oregon Revised Statute 279A.112
- Products Containing Recycled Material
- Emissions Information
- Sustainability Policy
- Prompt Payment

- 4.5. **RESPONSIBILITY ANALYSIS (STEP 4)**. For responsive bids, Enterprise Services will make reasonable inquiry to determine the responsibility of any bidder. Determination of responsibility will be made on a pass/fail basis. In determining responsibility, Enterprise Services will consider the following:

- The ability, capacity, and skill of the bidder to perform the contract or provide the service required

- The character, integrity, reputation, judgment, experience, and efficiency of the bidder;
- Whether the bidder can perform the contract within the time specified;
- The quality of performance of previous contracts or services;
- The previous and existing compliance by the bidder with the applicable laws relating to the contract or services;
- Whether, within the three-year period immediately preceding the date of the Competitive Solicitation, the bidder has been determined by a final and binding citation and notice of assessment issued by the Washington State Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in RCW 49.48.082, any provision of chapter 49.46, 49.48, or 49.52 RCW;
- Whether the bidder is in compliance with applicable Disadvantaged Business Enterprise (DBE) requirements;
- Whether the bidder has been either debarred or suspended from Federal programs under DOT regulations, “Non-procurement Suspension and Debarment,” 2 C.F.R. parts 180 and 1200, or under the FAR at 48 C.F.R. part 9, subpart 9.4; and
- Such other information as may be secured having a bearing on the decision to award the Master Contract.

In addition, Enterprise Services may consider the following:

- Financial Information: Enterprise Services may request financial statements, credit ratings, references, record of past performance, clarification of bidder’s offer, on-site inspection of bidder’s or subcontractor’s facilities, or other information as necessary. Failure to respond to these requests may result in a bid being rejected as non-responsive.
- References: Enterprise Services reserves the right to use references to confirm satisfactory customer service, performance, satisfaction with service/product, knowledge of products/service/industry and timeliness. Any negative or unsatisfactory reference can be reason for rejecting a bidder as non-responsible.

**4.6. ANNOUNCEMENT OF APPARENT SUCCESSFUL BIDDERS (STEP 5).** Enterprise Services will determine the Apparent Successful Bidders (“ASB”). The ASB will be the responsive and responsible bidders that best meet the Competitive Solicitation requirements and presents the best total value, including price, as calculated consistent with the instructions set forth in *Exhibit C – Bid Price*, and other factors as set forth in this Competitive Solicitation including any applicable state procurement priority or preference.

- Designation as an ASB does not imply that Enterprise Services will issue an award for a Master Contract to the ASB firms. Rather, this designation allows Enterprise Services to perform further analysis and ask for additional documentation. The bidders must not construe this as an award, impending award, attempt to negotiate, etc. If a bidder acts or fails to act as a result of this notification, it does so at its own risk and expense.

- Upon announcement of the ASB, bidders may request a debrief conference about their own proposal as specified in [Exhibit I – Complaint, Debrief & Protest Requirements](#). Information relating to or how the Evaluation Team scored other proposals will not be discussed during the debrief.
- 4.7. **CONTRACT NEGOTIATIONS (STEP 6).** Enterprise Services may negotiate with the ASB to finalize the Master Contract. If, after a reasonable period of time, Enterprise Services, in its judgement, cannot reach agreement on acceptable Master Contract terms with the AWB, Enterprise Services may suspend negotiations and undertake negotiations with the next bidder as determined by the evaluations.
- 4.8. **AWARD OF MASTER CONTRACTS (STEP 7).** Subject to protests, if any, Enterprise Services and the ASB will enter into applicable Master Contracts attached in the relevant exhibit section for the category. An award, in part or full, is made and a contract formed by signature of Enterprise Services and awarded bidder on the Master Contract. Enterprise Services reserves the right to award on an all-or-nothing consolidated basis. Following the award of the Master Contract, all bidders registered in WEBS will receive a Notice of Award delivered to the bidder’s email address provided in the bidder’s profile in WEBS.
- 4.9. **BID INFORMATION AVAILABILITY.** Upon Enterprise Services’ announcement of ASB, all bid submissions and all bid evaluations are subject to public disclosure pursuant to Washington’s Public Records Act. See RCW 39.26.030. Upon Enterprise Services’ announcement of ASB, Enterprise Services will post all bid evaluations to Enterprise Services’ website.
- 4.10. **ADDITIONAL AWARDS.** Enterprise Services reserves the right, during the resulting Master Contract term, to make additional Master Contract awards to responsive, responsible bidders who provided a bid but who are not awarded a Master Contract. Such awards would be on the same or substantially similar terms and conditions and would be designed to address a Contractor vacancy (e.g., a contractor is terminated or goes out of business), respond to Purchaser needs, or be in the best interest of the State of Washington.

**EXHIBIT A-1 CATEGORY INFORMATION**

**Heavy Duty** – This category comprises newly built standard transit buses used for fixed route and commuter service. Heavy duty buses purchased under this Competitive Solicitation will be 30 foot, 35 foot, 40 foot, 45 foot, and 60 foot articulated available with diesel power, hybrid drive, CNG, and electric propulsion systems. This category is further divided into subcategories based on the table below. This category and all relevant subcategories for heavy-duty transit vehicles includes the services, accessories, equipment, parts, pieces, consulting, training, etc. required for operation of the buses for their operational life.

Awards for heavy duty transit buses will be made for each of the subcategories listed in the table below. Bidders must submit required price and technical information for each sub-category to be considered for an award in that subcategory. Bidders shall submit a single non-cost evaluation response for the heavy duty category that will be evaluated with all relevant sub-category information. Bidders may only provide transit buses for the sub-categories under the resultant Master Contract for which they are awarded, regardless of which sub-categories they submitted bids for.

Subcategory	Length	Propulsion	Subcategory	Length	Propulsion
1	30 ft.	Diesel	11	30 ft.	CNG
2	35 ft.	Diesel	12	35 ft.	CNG
3	40 ft.	Diesel	13	40 ft.	CNG
4	45 ft.	Diesel	14	45 ft.	CNG
5	60 ft.	Diesel	15	60 ft.	CNG
6	30 ft.	Hybrid	16	30 ft.	Electric
7	35 ft.	Hybrid	17	35 ft.	Electric
8	40 ft.	Hybrid	18	40 ft.	Electric
9	45 ft.	Hybrid	19	45 ft.	Electric
10	60 ft.	Hybrid	20	60 ft.	Electric

**Light and Medium Duty** – This category comprises newly built light and medium duty buses. This category generally includes cutaway buses and body on chassis buses up to 30 feet in length. This category is further divided into subcategories based on the table below. This category and all relevant subcategories for light and medium duty transit vehicles includes the services, accessories, equipment, parts, pieces, consulting, training, etc. required for operation of the buses for their operational life.

Awards for light and medium duty transit buses will be made for each of the subcategories listed in the table below. Bidders must submit required pricing and technical information for each sub-category to be considered for an award in that subcategory. Bidders shall submit a single non-cost evaluation response for the light and medium duty category that will be evaluated with all relevant sub-category information. Bidders may only provide transit buses for the sub-categories under the resultant Master Contract for which they are awarded, regardless of which sub-categories they submitted bids for.

Sub-category	Base Seating Passenger seat + Wheelchair	Seating Range Passenger seat + Wheelchair	Approx. GVWR
1	8+1	10+2	10,000-11,500
2	10+2	12+2	12,000-12,500
3	12+2	16+2	14,000-14,500
4	20+2	24+2	19,500
5	26+2	36+2	19,500 +

Each subcategory contains a range of seating options based on available chassis. Gross Vehicle Weight Rate (GVWR) is provided to indicate the type of chassis and body that is expected for the sub-category. The table illustrates the general range of seating options a bidder is expected to offer under each subcategory. Bidders must submit complete pricing information for the base seating configuration in each sub-category they submit a bid for to be considered responsive. Bidders may provide further pricing information on a variety of seating options within each sub-category. Bidders are encouraged to provide multiple chassis models from a variety of manufacturers that meet the specifications within each sub-category.

**Double Decker** – This category comprises newly built double decker transit buses. This category for double decker transit vehicles includes the services, accessories, equipment, parts, pieces, consulting, training, etc. required for operation of the buses for their operational life.

**Rebuilt** – This category comprises previously owned and remanufactured vehicles. Previously owned vehicles are vehicles available for purchase from the bidder that were previously used by another entity. Remanufactured vehicles are vehicles that have undergone substantial structural, mechanical or electrical rebuilding, restoration, or updating by the bidder and are available for purchase. This category for rebuilt transit vehicles includes the services, accessories, equipment, parts, pieces, consulting, training, etc. required for operation of the buses for their operational life.

**Refurbishment** – This category comprises refurbishment services for overhaul and rebuilding of a transit agency's current buses. Overhaul services are the systematic replacement or upgrade of revenue and non-revenue systems of the entire vehicle. Overhaul is performed as a planned or concentrated preventive maintenance activity and is intended to enable the vehicle to perform to the end of the original useful life. Rebuild services are overhauls at the end of a unit of rolling stock's useful life, and that results in an extended useful life for the unit of rolling stock consistent with the extent of the rebuilding. This category for refurbishment of transit vehicles includes the services, accessories, equipment, parts, pieces, consulting, training, etc. required for operation of the refurbished transit uses for their operational life.

**Repowering** – This category comprises repowering services of a transit agency's current buses. Repowering comprises of all services involved in replacing a vehicle's propulsion system with a propulsion system of a different type (specifically, replacing a diesel engine with an electric battery propulsion system). This category for repowering transit vehicles includes the services, accessories, equipment, parts, pieces, consulting, training, etc. required for operation of the transit buses that have been repowered for their operational life.

**EXHIBIT A-2 REQUIRED BID SUBMITTALS**

**BID SUBMITTAL CHECKLIST.** This section identifies the bid submittals that must be provided to Enterprise Services to constitute a responsive bid. The submittals may be delivered as set forth below. Bids that do not include the submittals identified below may be rejected as nonresponsive. In addition, a bidder’s failure to complete any submittal as instructed may result in the bid being rejected. Bidders must identify any supplemental materials with the bidder’s name. The checklist below are provided for bidder’s convenience to ensure inclusion of all required submittals. Any bid must include the required submissions listed in the all categories table and the respective tables for the categories in which bidder is submitting bids.

<b>For All Categories</b>	
<b>Exhibit Name</b>	<b>Included in Bid</b>
Exhibit B-1 – Bidder’s Certification	<input type="checkbox"/>
Exhibit B-2 – Bidder’s Profile	<input type="checkbox"/>
Exhibit B-3 – Contractor Service and Parts Support Data	<input type="checkbox"/>
Exhibit B-4 – Parts Availability Guarantee	<input type="checkbox"/>
Exhibit B-5 – Government Wide Debarment and Suspension Certification	<input type="checkbox"/>
Exhibit B-6 – Bus Testing Certification	<input type="checkbox"/>
Exhibit B-7 – Buy America Rolling Stock Certification	<input type="checkbox"/>
Exhibit B-8 – Certification and Restrictions on Lobbying	<input type="checkbox"/>
Exhibit B-9 – Transit Vehicle Manufacturer DBE Certification	<input type="checkbox"/>
Exhibit B-10 – Federal Motor Vehicle Safety Standards (FMVSS) Pre-Award Review	<input type="checkbox"/>
Exhibit B-11 – Executive Order 18-03 – Workers Rights	<input type="checkbox"/>
Exhibit B-12 - Policy Preventing Sexual Harassment, Sexual Assault, and Discrimination	<input type="checkbox"/>
Exhibit B-13 - Products Containing Recycled Material	<input type="checkbox"/>
Exhibit B-14 - Emissions Information	<input type="checkbox"/>
Exhibit B-15 - Sustainability Policy	<input type="checkbox"/>
Exhibit B-16 – Prompt Payment	<input type="checkbox"/>

<b>Heavy Duty Category</b>	
<b>Exhibit Name</b>	<b>Included in Bid</b>
Exhibit C-2 – Heavy Duty Specification Modification Certification	<input type="checkbox"/>
Exhibit C-3 – Heavy Duty Non-Cost Evaluation Response	<input type="checkbox"/>
Exhibit C-5 – Heavy Duty Price Sheets	<input type="checkbox"/>
Exhibit C-7 – Master Contract Issues List	<input type="checkbox"/>
Exhibit C-8 – Heavy Duty Bus Technical Information	<input type="checkbox"/>

<b>Light and Medium Duty Category</b>	
<b>Exhibit Name</b>	<b>Included in Bid</b>
Exhibit D-2 – Light and Medium Duty Specification Modification Certification	<input type="checkbox"/>
Exhibit D-3 – Light and Medium Duty Non-Cost Evaluation Response	<input type="checkbox"/>
Exhibit D-5 – Light and Medium Duty Price Sheets	<input type="checkbox"/>
Exhibit D-7 – Master Contract Issues List	<input type="checkbox"/>
Exhibit D-8 – Light and Medium Duty Bus Technical Information	<input type="checkbox"/>

<b>Double Decker Category</b>	
<b>Exhibit Name</b>	<b>Included in Bid</b>
Exhibit E-2 – Double Decker Specification Modification Certification	<input type="checkbox"/>
Exhibit E-3 – Double Decker Non-Cost Evaluation Response	<input type="checkbox"/>
Exhibit E-5 – Double Decker Price Sheet	<input type="checkbox"/>
Exhibit E-7 – Master Contract Issues List	<input type="checkbox"/>
Exhibit E-8 – Double Decker Bus Technical Information	<input type="checkbox"/>

<b>Rebuilt Category</b>	
<b>Exhibit Name</b>	<b>Included in Bid</b>
Exhibit F-2 – Rebuilt Specification Modification Certification	<input type="checkbox"/>
Exhibit F-3 – Rebuilt Non-Cost Evaluation Response	<input type="checkbox"/>
Exhibit F-5 – Rebuilt Price Sheet	<input type="checkbox"/>
Exhibit F-7 – Master Contract Issues List	<input type="checkbox"/>
Exhibit F-8 – Rebuilt Bus Technical Information	<input type="checkbox"/>

<b>Refurbishment Category</b>	
<b>Exhibit Name</b>	<b>Included in Bid</b>
Exhibit G-2 – Refurbishment Specification Modification Certification	<input type="checkbox"/>
Exhibit G-3 – Refurbishment Non-Cost Evaluation Response	<input type="checkbox"/>
Exhibit G-4 – Refurbishment Price Sheet	<input type="checkbox"/>
Exhibit G-6 – Master Contract Issues List	<input type="checkbox"/>

<b>Repowering Category</b>	
<b>Exhibit Name</b>	<b>Included in Bid</b>
Exhibit H-2 – Repowering Specification Modification Certification	<input type="checkbox"/>
Exhibit H-3 – Repowering Non-Cost Evaluation Response	<input type="checkbox"/>
Exhibit H-4 – Repowering Price Sheet	<input type="checkbox"/>
Exhibit H-6 – Master Contract Issues List	<input type="checkbox"/>



**EXHIBIT B-1 – BIDDER’S CERTIFICATION**

Competitive Solicitation:	No. 03118		
Bidder:	_____		
	Type/print full legal name of Bidder		
Bidder’s Address:	_____		
	Type/print Bidder’s Address		
Bidder Organization Type: Check appropriate box	Corporation:	<input type="checkbox"/> Domestic	<input type="checkbox"/> Foreign
	Limited Liability Company (LLC):	<input type="checkbox"/> Domestic	<input type="checkbox"/> Foreign
	Partnership:	<input type="checkbox"/> Domestic	<input type="checkbox"/> Foreign
	Sole Proprietorship:	<input type="checkbox"/>	
State of Formation:	_____		
	Type/print the state where the corporation, LLC, or partnership is formed – e.g., ‘Washington’ if domestic and the name of the state if ‘Foreign’ (i.e., not Washington)		

Bidder, through the duly authorized undersigned, makes this certification as a required element of submitting a responsive bid. Bidder certifies, to the best of its knowledge and belief:

1. **UNDERSTANDING.** Bidder has read, thoroughly examined, and fully understands all of the provisions in the Competitive Solicitation (including all exhibits, amendments, and clarifications) and the terms and conditions of the Master Contract, and agrees to abide by the same.
2. **ACCURACY.** Bidder has carefully prepared and reviewed its bid and fully supports the accuracy of the same. Bidder further understands that Enterprise Services shall not be responsible for any errors or omission on the part of Bidder in preparing its bid. The facts declared here are true and accurate. Bidder further acknowledges that the continuing compliance with these statements and all requirements of the Competitive Solicitation are conditions precedent to the award or continuation of the resulting Master Contract.
3. **NO COLLUSION OR ANTI-COMPETITIVE PRACTICES.** Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this Competitive Solicitation. Bidder’s bid prices have been arrived at independently, without engaging in collusion, bid rigging, or any other illegal activity, and without for the purpose of restricting competition any consultation, communication, or agreement with any other bidder or competitor relating to (a) those prices, (b) the intention to submit a bid, or (c) the methods or factors used to calculate the prices offered. Bidder has not been and will not knowingly disclose its bid prices, directly or indirectly, to any other bidder or competitor before award of a Master Contract, unless otherwise required by law. No attempt has been made or will be made by the bidder to induce any other person to submit or not to submit a bid for the purpose of restricting competition. Bidder, however, freely may join with other persons or organizations for the purpose of presenting a bid.

4. FIRM OFFER. Bidder agrees that its bid, attached hereto, is a firm offer which cannot be withdrawn for a period of ninety (90) days from and after the bid due date specified in the Competitive Solicitation. Enterprise Services may accept such bid, with or without further negotiation, at any time within such period. In the event of a protest, Bidder's bid shall remain valid for such period or until the protest and any related court action is resolved, whichever is later.
5. CONFLICT OF INTEREST. In preparing this bid, bidder has not been assisted by any current or former employee of the State of Washington whose duties relate (or did relate) to this Competitive Solicitation, or prospective Master Contract, and who was assisting in other than his or her official, public capacity. Neither does such a person nor any member of his or her immediate family have any financial interest in the outcome of this bid.
6. NO REIMBURSEMENT. Bidder understands that the State of Washington will not reimburse bidder for any costs incurred in the preparation of this bid. All bids become the property of the State of Washington, and bidder claims no proprietary right to the ideas, writings, items, or samples unless so stated in the bid.
7. PERFORMANCE. Bidder understands that its submittal of a bid and execution of this Bidder's Certification certifies bidder's willingness to comply with the Master Contract if awarded such. By submitting this bid, Bidder hereby offers to furnish the goods and/or services solicited pursuant to this Competitive Solicitation in compliance with all terms, conditions, and specifications contained in this Competitive Solicitation and the resulting Master Contract or, if applicable, as detailed on a Master Contract Issue List, if permitted in this Competitive Solicitation.
8. INSURANCE. Bidder certifies as follows (must check one):
  - BIDDER HAS REQUIRED INSURANCE.* Bidder has attached a current, valid Certificate of Insurance with each and all of the required insurance coverages as set forth in the attached Master Contract (note: Bidder must attach the Insurance Certificate).

OR

  - BIDDER DOES NOT HAVE REQUIRED INSURANCE.* As detailed on the attached explanation (Bidder to provide), Bidder either does not have a current, valid Certificate of Insurance with each and all of the required insurance coverages or, if designated as the Apparent Successful Bidder will provide such a Certificate of Insurance within twenty-four (24) hours or be deemed a nonresponsive bid.
9. DEBARMENT. Bidder certifies as follows (must check one):
  - NO DEBARMENT.* Bidder and/or its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from contracting with any federal, state, or local governmental entity.

OR

  - DEBARRED.* As detailed on the attached explanation (Bidder to provide), Bidder and/or its principals presently are debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from contracting with a federal, state, or local governmental entity.
10. CRIMINAL OFFENSE. Bidder certifies as follows (must check one):
  - NO CRIMINAL OFFENSE.* Bidder has not, within the three (3) year period preceding the date of this Competitive Solicitation, been convicted or had a civil judgment

rendered against Bidder for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a governmental contract; violation of any federal or state antitrust statute; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property. Bidder further certifies that it is not presently indicted or otherwise criminally or civilly charged by a governmental entity with commission of any of the offenses enumerated in this paragraph.

OR

- CRIMINAL OFFENSE.* As detailed on the attached explanation (Bidder to provide), within the three (3) year period preceding the date of this Competitive Solicitation, Bidder has been convicted or had a civil judgment rendered against Bidder for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a governmental contract; violation of any federal or state antitrust statute; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.

11. WAGE THEFT PREVENTION. Bidder certifies as follows (must check one):

- NO WAGE VIOLATIONS.* Bidder has NOT been determined by a final and binding citation and notice of assessment issued by the Washington Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in [RCW 49.48.082](#), any provision of RCW chapters [49.46](#), [49.48](#), or [49.52](#) within three (3) years prior to the date of the above-referenced Competitive Solicitation date.

OR

- VIOLATIONS OF WAGE LAWS.* Bidder has been determined by a final and binding citation and notice of assessment issued by the Washington Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in [RCW 49.48.082](#), a provision of RCW chapters [49.46](#), [49.48](#), or [49.52](#) within three (3) years prior to the date of the above-referenced Competitive Solicitation date.

12. WORKERS' RIGHTS (EXECUTIVE ORDER 18-03). Bidder certifies as follows (must check one):

- NO MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES.* Bidder does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

OR

- MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES.* Bidder requires its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

13. TERMINATION FOR DEFAULT OR CAUSE. Bidder certifies as follows (must check one):
- NO TERMINATION FOR DEFAULT OR CAUSE.* Bidder has not, within the three (3) year period preceding the date of this Competitive Solicitation, had one (1) or more federal, state, or local governmental contracts terminated for cause or default.
- OR
- TERMINATION FOR DEFAULT OR CAUSE.* As detailed on the attached explanation (Bidder to provide), within the three (3) year period preceding the date of this Competitive Solicitation, Bidder has had one (1) or more federal, state, or local governmental contracts terminated for cause or default.
14. TAXES. Bidder certifies as follows (must check one):
- TAXES PAID.* Except as validly contested, Bidder is not delinquent and has paid or has arranged for payment of all taxes due to the State of Washington and has filed all required returns and reports as applicable.
- OR
- DELINQUENT TAXES.* As detailed on the attached explanation (Bidder to provide), Bidder has not paid or arranged for payment of all taxes due to the State of Washington and/or has not timely filed all required returns and reports as applicable.
15. LAWFUL REGISTRATION. Bidder, if conducting business other than as a sole proprietorship (e.g., Bidder is a corporation, limited liability company, partnership) certifies as follows (must check one):
- CURRENT LAWFUL REGISTRATION.* Bidder is in good standing in the State of Washington and the jurisdiction where Bidder is organized, including having timely filed of all required annual reports.
- OR
- DELINQUENT REGISTRATION.* As detailed on the attached explanation (Bidder to provide), Bidder currently is not in good standing in the State of Washington and/or the jurisdiction where Bidder is organized.
16. SUBCONTRACTORS. Bidder certifies as follows (must check one):
- NO SUBCONTRACTORS.* If awarded a Master Contract, Bidder will not utilize subcontractors to provide the goods and/or services subject to this Competitive Solicitation.
- OR
- SUBCONTRACTORS.* As detailed on the attached explanation (Bidder to provide), If awarded a Master Contract, Bidder will utilize subcontractors to provide the goods and/or services subject to this Competitive Solicitation. In such event, Bidder agrees to assume responsibility for contract obligations and any liability for all such actions of such subcontractors. Note: Bidder must provide the precise legal name (including state of organization), business address, and federal tax identification number (TIN) for each subcontractor. Note: If the TIN is a SSN, provide only the last four (4) digits.
17. REFERENCES. Bidder authorizes Enterprise Services (or its agent) to contact Bidder's references and others who may have pertinent information regarding Bidder's prior experience and ability to

perform the Master Contract, if awarded. Bidder authorizes such individuals and firms to provide such references and release to Enterprise Services information pertaining to the same.

18. **SPARE PARTS GUARANTEE.** Bidder guarantees to provide, within reasonable periods of time, the spare parts, software, and all equipment necessary to maintain and repair the buses supplied under this Master Contract for a period of at least twelve (12) years after the date of acceptance. Parts shall be interchangeable with the original equipment and shall be manufactured in accordance with the quality assurance provisions of this Master Contract. Prices shall not exceed the bidder's then-current published catalog prices.

Where the parts ordered by Purchaser are not received within two (2) working days of the agreed-upon time and date and a bus procured under this Master Contract is out of service due to the lack of said ordered parts, then the bidder shall provide the Purchaser, within eight (8) hours of Purchaser's verbal or written request, the original suppliers' and/or manufacturers' parts numbers, company names, addresses, telephone numbers and contact persons' names for all of the specific parts not received by the Purchaser.

Where bidder fails to honor this parts guarantee or parts ordered by Purchaser are not received within thirty (30) days of the agreed-upon delivery date, then the bidder shall provide to the Purchaser, within seven (7) days of the Agency's verbal or written request, the design and manufacturing documentation for those parts manufactured by the bidder and the original component suppliers' and/or manufacturers' parts numbers, company names, addresses, telephone numbers and contact persons' names for all of the specific parts not received by the Purchaser. Bidder's design and manufacturing documentation provided to Purchaser shall be for its sole use in regard to the buses procured under this Master Contract and for no other purpose.

19. **POLICY PREVENTING SEXUAL HARASSMENT, SEXUAL ASSAULT AND DISCRIMINATION.** Bidder certifies as follows (must check one):

**WRITTEN POLICY PREVENTING SEXUAL HARASSMENT, SEXUAL ASSAULT AND DISCRIMINATION.** The firm has, or will have prior to contract execution, a written policy and practice, that meets the requirements described in ORS 279A.112 (formerly HB 3060), of preventing sexual harassment, sexual assault and discrimination against employees who are members of a protected class.

OR

**NO WRITTEN POLICY PREVENTING SEXUAL HARASSMENT, SEXUAL ASSAULT AND DISCRIMINATION.** The firm does NOT have a written policy and practice that meets the requirements described in ORS 279A.112 (formerly HB 3060), of preventing sexual harassment, sexual assault and discrimination against employees who are members of a protected class.

20. **PRODUCTS CONTAINING RECYCLED MATERIAL.** Bidder certifies as follows (must check one):

**NO BID PREFERENCE.** Bidder is not seeking a bid preference for products containing recycled materials.

OR

**BID PREFERENCE.** Bidder is seeking a bid preference for products containing recycled material as follows:

- **ALL PRODUCTS.** Bidder is seeking a bid preference for all products in the above

referenced procurement. The percentage range of recycled content from the bidder providing products containing recycled material is \_\_\_\_\_.

OR

- SPECIFIC PRODUCTS. Bidder is seeking a preference for the following specific products, each of which has the percentage range of recycled content containing recycled material to the nearest 5% increment, as listed below:

Product: \_\_\_\_\_

Percentage Range: \_\_\_\_\_

Product: \_\_\_\_\_

Percentage Range: \_\_\_\_\_

\*Add Additional lines if necessary

21. EMISSIONS INFORMATION. Bidder certifies as follows (must check one):

- WRITTEN EMISSION ASSESSMENT PROCESS AND POLICY.* Bidder has, or will have prior to contract execution, a written policy and practice to assess and provide accurate emission information on products to Purchasers.

OR

- NO WRITTEN ASSESSMENT PROCESS AND POLICY.* Bidder does NOT have a written policy and practice to assess and provide accurate emission information on products to Purchasers.

22. SUSTAINABILITY POLICY. Bidder certifies as follows (must check one):

- WRITTEN SUSTAINABILITY POLICY.* Bidder has, or will have prior to contract execution, a written policy and practice, detailing own sustainability policies and programs in place and to provide services in line with the principles established therein.

OR

- NO WRITTEN SUSTAINABILITY POLICY.* Bidder does NOT have a written policy and practice detailing sustainability policies and programs in place and to provide services in line with the principles established therein.

23. PROMPT PAYMENT. Bidder certifies as follows (must check one):

- NO BID PREFERENCE.* Bidder is NOT seeking a bid preference for prompt payment.

OR

- BID PREFERENCE.* Bidder IS seeking a bid preference for prompt payment as follows:
- Bidder is seeking a bid preference for all products in the above referenced procurement. The prompt payment discount from the bidder is: \_\_\_\_\_% for all payments received within \_\_\_\_\_ days of delivery of the invoice.

24. CATEGORIES. Bidder certifies that it has completed all necessary submissions and intended to compete for award of a Master Contract for the indicated categories and sub-categories on the chart below.



**EXHIBIT B-2 – BIDDER’S PROFILE**

Competitive Solicitation No.:	_____
Bidder:	

<b>BIDDER INFORMATION</b>	
Legal name (from Business License) and address: _____ Business Name _____ Address _____ City, State, Zip Code	
Washington State Department of Revenue Registration Number Note: This is the Unified Business Identifier (UBI)	_____
Federal Tax ID No. (TIN): Note: If your TIN is a Social Security number, provide only the last four digits.	_____
Is your firm Certified as a Disadvantaged Business Enterprise (DBE) by a Federal Unified Certification Program?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, provide Federal DBE certification no. _____
Is your firm certified as a minority or woman owned business with the Washington State Office of Minority & Women’s Business Enterprises (OMWBE)?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, provide MWBE certification no. _____
Is your firm a self-certified Washington State small business? Note: See definitions of ‘microbusiness,’ ‘minibusiness,’ and ‘small business,’ set forth in RCW 39.26.010.	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, what is your business size? Small <input type="checkbox"/> Mini <input type="checkbox"/> Micro <input type="checkbox"/>
Is your firm certified as Veteran Owned with the Washington State Department of Veteran Affairs?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, provide WSDVA certification no. _____
List all states where your firm is registered to do business.	



CONTRACT MANAGEMENT POINTS OF CONTACT	
<b>Authorized Representative</b> Name: _____ Email: _____ Phone: _____	<b>Contract Administrator</b> Name: _____ Email: _____ Phone: _____
<b>Sales Reporting Representative</b> Name: _____ Email: _____ Phone: _____	<b>Sales Reporting Alternate</b> Name: _____ Email : _____ Phone: _____
<b>Management Fee Representative</b> Name: _____ Email: _____ Phone: _____	<b>Management Fee Contact Alternate</b> Name: _____ Email: _____ Phone: _____
Address for Enterprise Services to send management fee invoices: Company name: _____ Attn: _____ Address: _____ City/State/Zip: _____	

ORDERING/SALES POINTS OF CONTACT (expand as necessary)			
Name	Phone Number	E-mail	Area of Responsibility

**REFERENCES**

Provide a minimum of three (3) commercial or government references for which bidder has delivered Transit Buses similar in scope as described in the Competitive Solicitation for each category bidder is submitting bids for. Bidder may provide more than three references.

<b>Reference 1</b>	
Company Name:	_____
Contact:	_____
Phone:	_____
Email:	_____
<b>Reference 2</b>	
Company Name:	_____
Contact:	_____
Phone:	_____
Email:	_____
<b>Reference 3</b>	
Company Name:	_____
Contact:	_____
Phone:	_____
Email:	_____

**SERVICE LOCATIONS**

Identify bidder’s service locations.

<b>Location</b>	<b>Point of Contact</b>	<b>Phone Number</b>	<b>Area(s) of Responsibility</b>

**Exhibit B-3 – Contractor Service and Parts Support Data**

Bidder shall supply Enterprise Services with Contractor Service and Parts Support Data on the representatives responsible for assisting Purchasers under the resulting Master Contract, as well as the location of distribution centers, which shall furnish a complete supply of parts and components for the repair and maintenance of the buses to be supplied. Bidder shall also submit its policy on transportation charges for parts other than those covered by warranty.

Technical Service Representatives	
Technical Service Representative 1	
Name:	
Address:	
Telephone:	
Technical services available:	
Technical Service Representative 2	
Name:	
Address:	
Telephone:	
Technical services available:	
Technical Service Representative 3	
Name:	
Address:	
Telephone:	
Technical services available:	

Parts Distribution Centers	
Parts Distribution Center 1	
Name:	
Address:	
Telephone:	
Parts available:	
Parts Distribution Center 2	
Name:	
Address:	
Telephone:	
Parts available:	
Parts Distribution Center 3	
Name:	
Address:	
Telephone:	
Parts available:	

Policy for delivery of parts and components to be purchased for service and maintenance	
Regular method of shipment:	
Cost to Agency:	

**EXHIBIT B-4 – BIDDER’S GOVERNMENT WIDE DEBARMENT AND SUSPENSION CERTIFICATION**

The bidder certifies, it will comply and facilitate compliance with U.S. DOT regulations, “Nonprocurement Suspension and Debarment,” 2 CFR part 1200, which adopts and supplements the U.S. Office of Management and Budget (U.S. OMB) “Guidelines to Agencies on Government wide Debarment and Suspension Nonprocurement),” 2 CFR part 180.

Bidder hereby certifies that:

1. its principals, affiliates, and subcontractors are eligible to participate in this contract and are not presently declared by any Federal department or agency to be:
  - a) Debarred from participation in any federally assisted Award;
  - b) Suspended from participation in any federally assisted Award;
  - c) Proposed for debarment from participation in any federally assisted Award;
  - d) Declared ineligible to participate in any federally assisted Award;
  - e) Voluntarily excluded from participation in any federally assisted Award; or
  - f) Disqualified from participation in ay federally assisted Award.
2. it has not had one or more public transactions (Federal, State, or local) terminated for cause or default within a three-year period preceding this Certification,
3. it will treat each lower tier contract or lower tier subcontract under this contract as a covered lower tier contract for purposes of 2 CFR part 1200 and 2 CFR part 180 if it equals or exceeds \$25,000, is for audit services, or requires the consent of a Federal official.
4. it will require that each covered lower tier contractor and subcontractor:
  - a) Comply and facilitate compliance with the Federal requirements of 2 CFR parts 180 and 1200, and
  - b) Assure that each lower tier participant in its Project is not presently declared by any Federal department or agency to be:
    - a. Debarred from participation in its federally funded Project,
    - b. Suspended from participation in its federally funded Project,
    - c. Proposed for debarment from participation in its federally funded Project,
    - d. Declared ineligible to participate in its federally funded Project,
    - e. Voluntarily excluded from participation in its federally funded Project, or
    - f. Disqualified from participation in its federally funded Project, and
5. it will provide a written explanation as indicated on a page attached in FTA’s TEAM-Web or the Signature Page if it or any of its principals, including any of its first tier Subrecipients or its Third Party Participants at a lower tier, is unable to certify compliance with the preceding statements in this Certification Group.
6. if, at a later time, it receives any information that contradicts the statements of this certification, bidder will promptly provide that information to FTA.

The certification in this clause is a material representation of fact relied upon by Enterprise Services. If





**EXHIBIT B-6 – BUY AMERICA ROLLING STOCK CERTIFICATION**

**Certificate of Compliance with Buy America Rolling Stock Requirements**

The bidder or offeror hereby certifies that it will comply with the requirements of 49 U.S.C. 5323(j), and the applicable regulations of 49 CFR 661.11.

BIDDER NAME: \_\_\_\_\_  
Print Name of Bidder – Print full legal entity name of the firm submitting the Bid

By: \_\_\_\_\_  
Signature of Bidder’s authorized person                      Print Name of person making certifications for Bidder

Title: \_\_\_\_\_                      Date: \_\_\_\_\_  
Title of person signing certificate

**Certificate of Non-Compliance with Buy America Rolling Stock Requirements**

The bidder or offeror hereby certifies that it cannot comply with the requirements of 49 U.S.C.5323(j), but may qualify for an exception to the requirement consistent with 49 U.S.C.5323(j)(2)(C), and the applicable regulations in 49 CFR 661.7.

BIDDER NAME: \_\_\_\_\_  
Print Name of Bidder – Print full legal entity name of the firm submitting the Bid

By: \_\_\_\_\_  
Signature of Bidder’s authorized person                      Print Name of person making certifications for Bidder

Title: \_\_\_\_\_                      Date: \_\_\_\_\_  
Title of person signing certificate





**EXHIBIT B-8 – TRANSIT VEHICLE MANUFACTURER DBE CERTIFICATION**

The bidder hereby certifies that it has complied with the requirements of 49 C.F.R. part 26.49, which requires the Transit Vehicle Manufacturer to submit a certification that it has complied with FTA's Disadvantaged Business Enterprises (DBE) requirements in FTA assisted procurements of transit vehicles.

BIDDER NAME: \_\_\_\_\_  
Print Name of Bidder – Print full legal entity name of the firm submitting the Bid

By: \_\_\_\_\_  
Signature of Bidder's authorized person                      Print Name of person making certifications for Bidder

Title: \_\_\_\_\_                      Date: \_\_\_\_\_  
Title of person signing certificate



## EXHIBIT C – HEAVY DUTY

### EXHIBIT C-1 – SPECIFICATIONS

Heavy Duty Specifications: This exhibit identifies the relevant specification information on the included transit bus goods/services that bidders must comply with to constitute a responsive bid.



Heavy Duty  
Specifications.docx

### EXHIBIT C-2 – SPECIFICATION MODIFICATION CERTIFICATION

This exhibit provides bidder the opportunity to note and objections or modifications to the specifications. Bidder must complete and submit Exhibit C-2 title: 03118\_C-2\_CompanyName following the instructions at the top of the form.



Specification  
Modification Certific

### EXHIBIT C-3 – NON-COST EVALUATION RESPONSE

This exhibit provides the questions for evaluation of Technical, Company Information, and Warranty specifications. Bidder must complete and submit Exhibit C-3 titled: 03118\_C-3\_CompanyName as a following the instructions at the top of the form.



Heavy Duty  
Non-Cost Evaluatior

### EXHIBIT C-4 – HEAVY DUTY PRICE SHEETS INSTRUCTIONS

This exhibit provides the instructions to bidders to complete the price sheets in Exhibit C-5.



Heavy Duty Price  
Sheet Instructions.d

### **EXHIBIT C-5 – HEAVY DUTY PRICE SHEETS**

This exhibit provides the pricing information that bidders will complete as part of their bid and the price evaluation tool that Enterprise Services will use to evaluate bids. Bidder must complete and submit Exhibit C-5 titled: 03118\_C-5\_CompanyName following the instructions in Exhibit C-4.



Heavy Duty Price  
Sheets.xlsx

### **EXHIBIT C-6 – MASTER CONTRACT**

This exhibit is a draft of the Master Contract that the successful bidder(s) will execute with Enterprise Services.



03118 Heavy Duty  
Master Contract.doc

### **EXHIBIT C-7 – MASTER CONTRACT ISSUES**

This exhibit provides bidder the opportunity to note and objections or modifications to the proposed Master Contract. Bidder must complete and submit Exhibit C-6 title: 03118\_C-6\_CompanyName following the instructions at the top of the form.



Master Contract  
Issue List.docx

### **EXHIBIT C-8 – HEAVY DUTY BUS TECHNICAL INFORMATION**

This exhibit has the bidder provide the technical information for their standard bus.



Heavy Duty Bus  
Technical Informatio

## EXHIBIT D – LIGHT AND MEDIUM DUTY

### EXHIBIT D-1 – SPECIFICATIONS

Light and Medium Duty Specifications: This exhibit identifies the relevant specification information on the included transit bus goods/services that bidders must comply with to constitute a responsive bid.



Light and Medium  
Duty Specifications

### EXHIBIT D-2 – SPECIFICATION MODIFICATION CERTIFICATION

This exhibit provides bidder the opportunity to note and objections or modifications to the specifications. Bidder must complete and submit Exhibit D-2 title: 03118\_D-2\_CompanyName following the instructions at the top of the form.



Specification  
Modification Certific

### EXHIBIT D-3 – NON-COST EVALUATION RESPONSE

This exhibit provides the questions for evaluation of Technical, Company Information, and Warranty specifications. Bidder must complete and submit Exhibit D-3 titled: 03118\_D-3\_CompanyName as a following the instructions at the top of the form.



Light and Medium  
Non-Cost Evaluatior

### EXHIBIT D-4 – LIGHT AND MEDIUM DUTY PRICE SHEETS INSTRUCTIONS

This exhibit provides the instructions to bidders to complete the price sheets in Exhibit C-5.



Light and Medium  
Price Sheet Instructi

**EXHIBIT D-5 – LIGHT AND MEDIUM PRICE SHEETS**

This exhibit provides the pricing information that bidders will complete as part of their bid and the price evaluation tool that Enterprise Services will use to evaluate bids. Bidder must complete and submit Exhibit D-5 titled: 03118\_D-5\_CompanyName following the instructions in Exhibit D-4.



Light and Medium  
Price Sheet.xlsx

**EXHIBIT D-6 – MASTER CONTRACT**

This exhibit is a draft of the Master Contract that the successful bidder(s) will execute with Enterprise Services.



03118 Light and  
Medium Master Con

**EXHIBIT D-7 – MASTER CONTRACT ISSUES**

This exhibit provides bidder the opportunity to note and objections or modifications to the proposed Master Contract. Bidder must complete and submit Exhibit D-6 title: 03118\_D-6\_CompanyName following the instructions at the top of the form.



Master Contract  
Issue List.docx

**EXHIBIT D-8 – LIGHT AND MEDIUM DUTY BUS TECHNICAL INFORMATION**

This exhibit has the bidder provide the technical information for their standard bus.



Light and Medium  
Bus Technical Inform

## EXHIBIT E – DOUBLE DECKER

### EXHIBIT E-1 – SPECIFICATIONS

Double Decker Specifications: This exhibit identifies the relevant specification information on the included transit bus goods/services that bidders must comply with to constitute a responsive bid.



Double Decker  
Specifications.docx

### EXHIBIT E-2 – SPECIFICATION MODIFICATION CERTIFICATION

This exhibit provides bidder the opportunity to note and objections or modifications to the specifications. Bidder must complete and submit Exhibit E-2 title: 03118\_E-2\_CompanyName following the instructions at the top of the form.



Specification  
Modification Certific

### EXHIBIT E-3 – NON-COST EVALUATION RESPONSE

This exhibit provides the questions for evaluation of Technical, Company Information, and Warranty specifications. Bidder must complete and submit Exhibit E-3 titled: 03118\_E-3\_CompanyName as a following the instructions at the top of the form.



Double Decker  
Non-Cost Evaluatior

### EXHIBIT E-4 – DOUBLE DECKER PRICE SHEETS INSTRUCTIONS

This exhibit provides the instructions to bidders to complete the price sheets in Exhibit E-5.



Double Decker  
Price Sheet Instructi



### **EXHIBIT E-5 – DOUBLE DECKER PRICE SHEET**

This exhibit provides the pricing information that bidders will complete as part of their bid and the price evaluation tool that Enterprise Services will use to evaluate bids. Bidder must complete and submit Exhibit E-5 titled: 03118\_E-5\_CompanyName following the instructions at the top of the form.



Double Decker  
Price Sheet.xlsx

### **EXHIBIT E-6 – MASTER CONTRACT**

This exhibit is a draft of the Master Contract that the successful bidder(s) will execute with Enterprise Services.



03118 Double  
Decker Master Conti

### **EXHIBIT E-7 – MASTER CONTRACT ISSUES**

This exhibit provides bidder the opportunity to note and objections or modifications to the proposed Master Contract. Bidder must complete and submit Exhibit E-7 title: 03118\_E-7\_CompanyName following the instructions at the top of the form.



Master Contract  
Issue List.docx

### **EXHIBIT E-8 – DOUBLE DECKER BUS TECHNICAL INFORMATION**

This exhibit has the bidder provide the technical information for their standard bus.



Double Decker Bus  
Technical Informatio

## EXHIBIT F – REBUILT BUSES

### EXHIBIT F-1 – SPECIFICATIONS

Rebuilt Bus Specifications: This exhibit identifies the relevant specification information on the included transit bus goods/services that bidders must comply with to constitute a responsive bid.



Rebuilt Bus  
Specifications.docx

### EXHIBIT F-2 – SPECIFICATION MODIFICATION CERTIFICATION

This exhibit provides bidder the opportunity to note and objections or modifications to the specifications. Bidder must complete and submit Exhibit F-2 title: 03118\_F-2\_CompanyName following the instructions at the top of the form.



Specification  
Modification Certific

### EXHIBIT F-3 – NON-COST EVALUATION RESPONSE

This exhibit provides the questions for evaluation of Technical, Company Information, and Warranty specifications. Bidder must complete and submit Exhibit F-3 titled: 03118\_F-3\_CompanyName as a following the instructions at the top of the form.



Rebuilt Non-Cost  
Evaluation Responsi

### EXHIBIT F-4 – REBUILT PRICE SHEETS INSTRUCTIONS

This exhibit provides the instructions to bidders to complete the price sheets in Exhibit F-5.



Rebuilt Price Sheet  
Instructions.docx

### **EXHIBIT F-5 – REBUILT PRICE SHEET**

This exhibit provides the pricing information that bidders will complete as part of their bid and the price evaluation tool that Enterprise Services will use to evaluate bids. Bidder must complete and submit Exhibit F-5 titled: 03118\_F-5\_CompanyName following the instructions at the top of the form.



Rebuilt Price Sheet.xlsx

### **EXHIBIT F-6 – MASTER CONTRACT**

This exhibit is a draft of the Master Contract that the successful bidder(s) will execute with Enterprise Services.



03118 Rebuilt Master Contract.doc

### **EXHIBIT F-7 – MASTER CONTRACT ISSUES**

This exhibit provides bidder the opportunity to note and objections or modifications to the proposed Master Contract. Bidder must complete and submit Exhibit F-7 title: 03118\_F-7\_CompanyName following the instructions at the top of the form.



Master Contract Issue List.docx

### **EXHIBIT F-8 – REBUILT BUS TECHNICAL INFORMATION**

This exhibit has the bidder provide the technical information for their standard bus.



Rebuilt Bus Technical Informatio

## EXHIBIT G – REFURBISHMENT

### EXHIBIT G-1 – SPECIFICATIONS

Refurbishment Specifications: This exhibit identifies the relevant specification information that bidders must comply with to constitute a responsive bid.



Refurbishment  
Specifications.docx

### EXHIBIT G-2 – SPECIFICATION MODIFICATION CERTIFICATION

This exhibit provides bidder the opportunity to note and objections or modifications to the specifications. Bidder must complete and submit Exhibit G-2 title: 03118\_G-2\_CompanyName following the instructions at the top of the form.



Specification  
Modification Certifik

### EXHIBIT G-3 – NON-COST EVALUATION RESPONSE

This exhibit provides the questions for evaluation of Technical, Company Information, and Warranty specifications. Bidder must complete and submit Exhibit G-3 titled: 03118\_G-3\_CompanyName as a following the instructions at the top of the form.



Refurbishment  
Non-Cost Evaluatior

#### **EXHIBIT G-4 – REFURBISHMENT PRICE SHEET**

This exhibit provides the pricing information that bidders will complete as part of their bid and the price evaluation tool that Enterprise Services will use to evaluate bids. Bidder must complete and submit Exhibit G-4 titled: 03118\_G-4\_CompanyName following the instructions at the top of the form.



Refurbishment  
Price Sheet.xlsx

#### **EXHIBIT G-5 – MASTER CONTRACT**

This exhibit is a draft of the Master Contract that the successful bidder(s) will execute with Enterprise Services.



03118  
Refurbishment Mast

#### **EXHIBIT G-6 – MASTER CONTRACT ISSUES**

This exhibit provides bidder the opportunity to note and objections or modifications to the proposed Master Contract. Bidder must complete and submit Exhibit G-5 title: 03118\_G-6\_CompanyName following the instructions at the top of the form.



Master Contract  
Issue List.docx

## EXHIBIT H – REPOWERING

### EXHIBIT H-1 – SPECIFICATIONS

Repowering Specifications: This exhibit identifies the relevant specification information that bidders must comply with to constitute a responsive bid.



Repowering  
Specifications.docx

### EXHIBIT H-2 – SPECIFICATION MODIFICATION CERTIFICATION

This exhibit provides bidder the opportunity to note and objections or modifications to the specifications. Bidder must complete and submit Exhibit H-2 title: 03118\_H-2\_CompanyName following the instructions at the top of the form.



Specification  
Modification Certific

### EXHIBIT H-3 – NON-COST EVALUATION RESPONSE

This exhibit provides the questions for evaluation of Technical, Company Information, and Warranty specifications. Bidder must complete and submit Exhibit H-3 titled: 03118\_H-3\_CompanyName as a following the instructions at the top of the form.



Repowering  
Non-Cost Evaluatior

#### **EXHIBIT H-4 – REPOWERING PRICE SHEET**

This exhibit provides the pricing information that bidders will complete as part of their bid and the price evaluation tool that Enterprise Services will use to evaluate bids. Bidder must complete and submit Exhibit H-4 titled: 03118\_H-4\_CompanyName following the instructions at the top of the form.



Repowering Price  
Sheet.xlsx

#### **EXHIBIT H-5 – MASTER CONTRACT**

This exhibit is a draft of the Master Contract that the successful bidder(s) will execute with Enterprise Services.



03118 Repowering  
Master Contract.doc

#### **EXHIBIT H-6 – MASTER CONTRACT ISSUES**

This exhibit provides bidder the opportunity to note and objections or modifications to the proposed Master Contract. Bidder must complete and submit Exhibit H-5 title: 03118\_H-5\_CompanyName following the instructions at the top of the form.



Master Contract  
Issue List.docx

## EXHIBIT I – COMPLAINT, DEBRIEF, & PROTEST REQUIREMENTS

This appendix details the applicable requirements for complaints, debriefs, and protests.

### Complaints

This Competitive Solicitation offers a complaint period for bidders wishing to voice objections to this solicitation. The complaint period ends five (5) business days before the bid due date. The complaint period is an opportunity to voice objections, raise concerns, or suggest changes that were not addressed during the Question & Answer Period or, if applicable, at the Pre-Bid Conference. Failure by the bidder to raise a complaint at this stage may waive its right for later consideration. Enterprise Services will consider all complaints but is not required to adopt a complaint, in part or in full. If bidder complaints result in changes to the Competitive Solicitation, written amendments will be issued and posted on WEBS.

- *Criteria for Complaint:* A formal complaint may be based only on one or more of the following grounds: (a) The solicitation unnecessarily restricts competition; (b) The solicitation evaluation or scoring process is unfair or flawed; or (c) The solicitation requirements are inadequate or insufficient to prepare a response.
- *Initiating A Complaint:* A complaint must: (a) Be submitted to and received by the Procurement Coordinator no less than five (5) business days prior to the deadline for bid submittal; and (b) Be in writing (see *Form and Substance, and Other* below). A complaint should clearly articulate the basis of the complaint and include a proposed remedy.
- *Response:* When a complaint is received, the Procurement Coordinator (or designee) will consider all the facts available and respond in writing prior to the deadline for bid submittals, unless more time is needed. Enterprise Services is required to promptly post the response to a complaint on WEBS.
- *Response is Final:* The Procurement Coordinator's response to the complaint is final and not subject to administrative appeal. Issues raised in a complaint may not be raised again during the protest period. Furthermore, any issue, exception, addition, or omission not brought to the attention of the Procurement Coordinator prior to bid submittal may be deemed waived for protest purposes.

### Debrief Conferences

A Debrief Conference is an opportunity for a bidder and the Procurement Coordinator to meet and discuss the bidder's bid. A debrief is a required prerequisite for a bidder wishing to file a protest. Following the evaluation of the bids, Enterprise Services will issue an announcement of the ASB. That announcement may be made by any means, but Enterprise Services likely will use email to the bidder's email address provided in the Bidder's Profile. Bidders will have three (3) business days to request a Debrief Conference. Once a Debrief Conference is requested, Enterprise Services will offer the requesting bidder one meeting opportunity and notify the bidder of the Debrief Conference place, date, and time. Please note, because the debrief process must occur before making an award, Enterprise Services likely will schedule the Debrief Conference shortly after the announcement of the ASB and the bidder's request for a Debrief Conference. Enterprise Services will not allow the debrief process to delay the award. Therefore, bidders should plan for contingencies and alternate representatives; bidders who are unwilling or unable to attend the Debrief Conference will lose the opportunity to protest.



- *Timing:* A Debrief Conference may be requested by a bidder following announcement of the Apparent Successful Bidder.
- *Purpose of Debrief Conference:* Any bidder who has submitted a timely bid response may request a Debrief Conference (see *Form and Substance, and Other* below). A Debrief Conference provides an opportunity for the bidder to meet with Enterprise Services to discuss its bid and evaluation.
- *Requesting a Debrief Conference:* The request for a Debrief Conference must be made in writing via email to the Procurement Coordinator and received within three (3) business days after the announcement of the Apparent Successful Bidder. Debrief conferences may be conducted either in person at the Enterprise Services offices in Olympia, Washington, or by telephone, as determined by Enterprise Services, and may be limited by Enterprise Services to a specified period of time. The failure of a bidder to request a debrief within the specified time and attend a debrief conference constitutes a waiver of the right to submit a protest. Any issue, exception, addition, or omission not brought to the attention of the procurement coordinator before or during the debrief conference may be deemed waived for protest purposes.

## **Protests**

Following a Debrief Conference, a bidder may protest the award of the Master Contract.

- *Criteria for a Protest:* A protest may be based only on one or more of the following: (a) Bias, discrimination, or conflict of interest on the part of an evaluator; (b) Error in computing evaluation scores; or (c) Non-compliance with any procedures described in the Competitive Solicitation.
- *Initiating a Protest:* Any bidder may protest an award to the ASB. A protest must: (a) Be submitted to and received by the Procurement Coordinator, within five (5) business days after the protesting bidder's Debriefing Conference (see *Form and Substance, and Other* below); (b) Be in writing; (c) Include a specific and complete statement of facts forming the basis of the protest; and (d) Include a description of the relief or corrective action requested.
- *Protest Response:* After reviewing the protest and available facts, Enterprise Services through the Protest Manager, Christine Warnock, will issue a written response within ten (10) business days from receipt of the protest, unless additional time is needed.
- *Decision is Final:* The protest decision is final and not subject to administrative appeal. If the protesting bidder does not accept Enterprise Services' protest response, the bidder may seek relief in Thurston County Superior Court.

## **Communication During Complaints, Debriefs, and Protests**

All communications about this Competitive Solicitation, including complaints, debriefs, and protests, must be addressed to the Procurement Coordinator unless otherwise directed.

- *Form, Substance, & Other:* All complaints, requests for debrief, and protests must (a) Be in writing; (b) Be signed by the complaining or protesting bidder or an authorized agent, unless sent by email; (c) Be delivered within the time frame(s)

outlined herein; (d) Identify the solicitation number; (e) Conspicuously state “Complaint,” “Debrief” or “Protest” in any subject line of any correspondence or email, and (f) Be sent to the address identified in the table below.

- *Complaints & Protests:* All complaints and protests must (a) State all facts and arguments on which the complaining or protesting bidder is relying as the basis for its action; and (b) Include any relevant documentation or other supporting evidence.
- *Protest Receipt via Mail/Delivery:* All mailed or hand delivered protests must be received by the Procurement Coordinator within five (5) business days after the Debrief Conference. Enterprise Services makes no provision and is not liable for specifically collecting mail from its reception area, mail box, or receiving dock immediately prior to the deadline. Proposals submitted by mail or express carriers (i.e. UPS, FedEx, DHL) should, therefore, be sent in ample time to arrive on time.

### How to contact Enterprise Services

#### **Complaint**

##### **Email**

To the Procurement Coordinator listed in this Competitive Solicitation.

**Subject line** must include “Complaint”

##### **Mail**

David Mgebhoff  
Contracts & Procurement  
Department of Enterprise Services,  
P. O. Box 41411  
Olympia, WA 98504-1411

#### **Debrief Conference**

##### **Email**

To the Procurement Coordinator listed in this Competitive Solicitation.

**Subject line** must include “Debrief”

#### **Protest**

##### **Email**

To the procurement coordinator listed in this Competitive Solicitation.

**Subject line** must include “Protest”

##### **Mail**

David Mgebhoff  
Contracts & Procurement  
Department of Enterprise Services  
P. O. Box 41411  
Olympia, WA 98504-1411

## EXHIBIT J– DOING BUSINESS WITH THE STATE OF WASHINGTON

This exhibit provides information regarding how to contract with and do business with the State of Washington.

### Washington’s Public Records Act – Public Records Disclosure Requests

All documents (written and electronic) submitted to Enterprise Services as part of this procurement are public records. Unless statutorily exempt from disclosure, such records are subject to disclosure *if* requested. See RCW chapter 42.56, Public Records Act.

Enterprise Services strongly discourages bidders from unnecessarily submitting sensitive information (e.g., information that you might categorize as ‘confidential,’ ‘proprietary,’ ‘sensitive,’ ‘trade secret,’ etc.).

- If, in your judgment, there is an applicable statutory exemption from disclosure for certain portions of your bid, please mark the precise portion(s) of the relevant page(s) of your bid that you believe are statutorily exempt from disclosure and identify the precise statutory basis for exemption from disclosure.
- In addition, if, in your judgment, certain portions of your bid are not statutorily exempt from disclosure but are sensitive because these particular portions of your bid (NOT including pricing) include highly confidential, proprietary, or trade secret information (or the equivalent) that your firm protects through the regular use of confidentiality or similar agreements and routine enforcements through court enforcement actions, please mark the precise portion(s) of the relevant page(s) of your bid that include such sensitive information.

In the event that Enterprise Services receives a public records disclosure request pertaining to information that you have submitted and marked either as (a) statutorily exempt from disclosure; or (b) sensitive, Enterprise Services, prior to disclosure, will do the following:

- Enterprise Services’ Public Records Officer will review any records marked as statutorily exempt from disclosure. In those situations, where the designation comports with the stated statutory exemption from disclosure, Enterprise Services will redact or withhold the document(s) as appropriate.
- For documents marked ‘sensitive’ or for documents where Enterprise Services either determines that no statutory exemption to disclosure applies or is unable to determine whether the stated statutory exemption to disclosure properly applies, Enterprise Services will notify the bidder at the address provided in the bid submittal of the public records disclosure request and identify the date that Enterprise Services intends to release the document(s) (including documents marked ‘sensitive’ or exempt from disclosure) to the requester unless the bidder, at bidder’s sole expense, timely obtains a court order enjoining Enterprise Services from such disclosure. In the event Bidder fails to timely file a motion for a court order enjoining such disclosure, Enterprise Services will release the requested document(s) on the date specified. Bidder’s failure properly to identify exempted or sensitive information or timely respond after notice of request for public disclosure has been given shall be deemed a waiver by Bidder of any claim that such materials are exempt or protected from disclosure.

## Economic Goals

In support of the state's economic goals bidders are encouraged to consider the following in responding to this Competitive Solicitation:

- Support for a diverse supplier pool, including, veteran-owned, minority-owned and women-owned business enterprises. Results Washington has established the following voluntary numerical goals for this Competitive Solicitation:
  - Ten (10) percent minority-owned businesses (MBE);
  - Six (6) percent women-owned businesses (WBE);
  - Five (5) percent veteran-owned businesses (VB).

Achievement of these goals is encouraged whether directly or through subcontractors. Bidders may contact the [Office of Minority and Women's Business Enterprises](#) for information on certified firms or to become certified.

- Veterans and U.S. active duty, reserve or National Guard service-members are eligible for the registry. The veteran or service-member must control and own at least fifty-one (51) percent of the business and the business must be legally operating in the State of Washington. Control means the authority or ability to direct, regulate or influence day-to-day operations.
- The national goal for participation of Disadvantaged Business Enterprises (DBEs) is 10%. Each Purchaser will set its own overall goal for DBE participation. A separate contract goal for federal DBE participation has not been established for this procurement. No preference will be included in the evaluation of bids, no minimum level of DBE participation shall be required as condition for receiving an award and bids. Bids will not be rejected or considered non-responsive on the level of DBE participation.
- Polychlorinated biphenyls, commonly known as PCBs, have adverse effects on human health and the environment. Accordingly, the State of Washington, through its procurements of goods, is trying to minimize the purchase of products with PCBs and to incentive its vendors to sell products and products in packaging without them.

## Resources

- Register for competitive solicitation notices at the Washington Electronic Business Solution (WEBS) [WEBS Registration](#). Note: There is no cost to register on WEBS.
- If you qualify as a Washington small business, identify yourself in WEBS. Call WEBS Customer Service at 360-902-7400.
- Contact the Washington State Office of Minority and Women's Business Enterprises about state and federal certification programs at Phone 866-208-1064 or [OMWBE](#).
- Contact the Washington State Department of Veterans' Affairs about veteran-owned businesses certification at (360) 725-2169 or [DVA](#).
- Contact Enterprise Services about small and diverse business inclusion.