

EXHIBIT 5a(i)(12)

04-30-2013 Response to the DOT



April 30, 2013

Mr. Dominick J. Gatto, PE
Director, Office of Program Management and Oversight
Federal Transit Administration, Region V
200 West Adams Street, Suite 320
Chicago, Illinois 60606-2789

Attn: Melody Hopson

Re: Metra Response to FTA FY 2013
Follow-up Procurement System Review
Final Report

Dear Mr. Gatto:

Attached please find Metra's response to the Federal Transit Administration's (FTA) FY 2013 Follow-Up Procurement System Review of Metra – Final Report. The review identified deficiencies in four specific areas: 5, 7, 13, and 41. Metra is responding to all four deficiencies with this letter. The attached documents provide revised procedures, sample revised forms, and a description of ongoing training activities.

If you have any questions regarding this information, please contact me at (312) 322-6639.

Sincerely,

Lawrence Bubel
Senior Director
Grant Management and Accounting

cc: T. Barnett
J. Milano
T. Farmer
R. Capra
P. Kisielius
G. Urban
D. Simmons

Attachments

Findings of Deficiency in FTA and Federal Requirements

Final PSR Review:

5. System for Ensuring Most Efficient and Economic Purchase

Basic Requirement: Chapter IV, Section 1.(b)(c)(e) of FTA C 4220.1F requires that grantee procedures provide for a review of proposed procurements to avoid purchase of unnecessary or duplicative items. Ensuring an economic purchase could include breaking out or combining purchases, or using annual contracts. Also lease versus buy analyses are required for applicable purchases to ensure the most economical approach.

Discussion: During the 2011 PSR, the reviewing contractor noted there is a lack of procurement planning evidenced in the procurement files. In several cases, blanket purchase orders were put into place for the full budgeted amount rather than developing a cost build-up based on anticipated future purchases. In addition, several cost-plus-fixed-fee type contracts did not have the fixed fee component called out in the executed contract.

Corrective Action: The reviewing contractor requested that Metra provide copies of revised procedures and processes, evidence of training, and independent audit reports validating the use of compliant procedures to FTA within 30 days of the date of the final report. Additionally, Metra was requested to provide the methodology for linking expected volumes of parts and services to the amount of any contract or modification.

Results of Review: Metra has updated its Policies and Procedures and evidence of training was provided to FTA in Metra's response documents from July 30th, 2012 and October 31st, 2012. However, an adequate coverage of fixed fees under Cost-Plus-Fixed-Fee contracts was not found in the Policies and Procedures document. In addition, in Metra's response from October 31st, 2012, Metra stated that they estimate to have completed the process currently underway to reconcile all Metra's CPFF contracts to include adjusted indirect rates. The expected completion date of May 2013 is determined to be excessive.

Additional Corrective Action: Adequate coverage of fixed fees under Cost-Plus-Fixed-Fee contracts must be included in the Policies and Procedures, evidence of adequate training and evidence of an independent audit confirming that revised procedures are being consistently followed must be provided to FTA within 90 days of the date of the final report. Additionally, to achieve compliance, Metra must adjust the existing CPFF contracts within 90 days of the date of the final report, and provide evidence of contractual actions to FTA.

METRA'S RESPONSE (2-25-2013):

Metra has revised its procedures to include coverage of fixed fees under Cost-Plus-Fixed-Fee contracts in our Policies and Procedures (see Attachment A, proposed revised PU-06-RC and PU-08-RC).

Additionally, Metra's Senior Division Director, General Administration conducted a follow-up training session that covered the 4 deficient findings. The review/training

included a review of the respective finding, the corrective action(s) required, and the appropriate procurement procedures that govern the respective procurement action. The training session was held on February 12, 2013, covering Elements No. 5, 7, 13 and 41. Please see Attachment B for the related training date, staff sign-in sheet and the deficient Elements that were the respective training topics discussed on that date.

Relative to the existing CPFF contracts, Metra has sent letters requesting payment from the firms that owe us money based upon the audited overhead rates. Letters have also been sent to firms to whom we owe money. See Attachment C, which contains copies of the letters sent and the related supporting documentation for the final determination of the audited overhead rates. Metra anticipates that these transactions will be completed within 90 days from the final report and each contract file will contain the appropriate documentation.

Audit will submit their independent audit report under a separate cover.

Reviewing Contractor's Response: Metra procedures now contain adequate coverage of this element and Metra finds the revised policies and procedures acceptable. Metra has also conducted a thorough audit of provisional and actual rates and has conducted outreach to contractors to request that overpayments be reimbursed or to request an invoice to adjust for the revised overhead rates. Metra must ensure that the existing CPFF contracts include the fixed fee components as noted in the Discussion regarding this element on the previous page, and provide evidence of contractual actions to FTA within 30 days from this revised report.

METRA'S RESPONSE (4-30-2013):

Metra had previously identified nine (9) CPFF contracts that had to be adjusted. Those contracts are listed below and the respective Change Order reflecting the adjustment is in Attachment A:

- (1) K86581 (Laramore, Douglas & Popham)*
- (2) K86587 (Teng & Assoc.)*
- (3) K86593 (LTK Engineering)*
- (4) K86596 (Stantec Consulting Services)*
- (5) K86600 (STV)*
- (6) K91048 (AECOM)*
- (7) K91240 (LTK Engineering)*
- (8) K91970 (Laramore, Douglas & Popham)*
- (9) K91975 (STV)*

Regarding contractor outreach, 16 firms were identified as receiving overpayments. Ten of the 16 firms have submitted checks to reimburse Metra. It's anticipated that the balance of owed monies will be received within the next four weeks. 25 firms were identified as being entitled to additional monies based on the adjustment for revised overhead rates. Metra has notified those firms requesting that they submit invoices to initiate the payment process.

7. Independent Cost Estimates

Basic Requirement: Chapter VI, Section 6 of FTA C 4220.1F requires that: "... in connection with every procurement action ... grantees must make independent estimates before receiving bids or proposals." Establishing a cost estimate in advance of the offer using a method independent from the perspective of offerors ensures a clear basis for analysis of cost or price, and provides essential procurement and financial planning information. Independent cost estimates are made by qualified engineering and functional staff who have first-hand knowledge of the commodity or service being purchased. The cost estimate is developed based on product knowledge, experience, and market status, and is used in performing price and cost analysis.

Discussion: During the 2011 PSR, the reviewing contractor noted that Metra was not consistently including an independent cost estimate on their requisition. In addition, back-up documentation for the estimates listed on the requisition was not evident in the procurement files and Metra's policies and procedures did not require independent cost estimates for the sealed bid method of procurement.

Corrective Action: The reviewing contractor requested that Metra respond within thirty (30) days from the date of the final report and provide detailed procedures, evidence of training and evidence of an independent audit confirming that procedures are being followed consistently.

Metra has updated its Policies and Procedures and evidence of training was provided to FTA in Metra's response documents from July 30th, 2012.

Results of Review: Of the thirty-one (31) procurements reviewed for this requirement, twenty-three (23) were found to be non-deficient and eight (8) were found to be deficient. There were six (6) small purchases and two (2) Sealed Bids deficient procurements. In all of the deficient files, an Independent Cost Estimate (ICE) form was included in the file. In all small procurement files, the ICE form was not dated. In the case of the two Sealed Bid procurements, the form was dated but it was completed after bid receipt and after the price analysis was completed.

Additional Corrective Action: To achieve compliance, Metra must respond within thirty (30) days from the date of the final report with an ICE form that includes the date field, evidence of adequate training and evidence of an independent audit confirming that revised procedures are being consistently followed.

METRA'S RESPONSE (2-25-2013):

See Attachment D that is representative of an ICE form currently being used, which includes the date field.

Metra's Senior Division Director, General Administration conducted a follow-up training session that covered the 4 deficient findings. The review/training included a review of the respective finding, the corrective action(s) required, and the appropriate procurement procedures that govern the respective procurement action. The training session was held

on February 12, 2013, covering Elements No. 5, 7, 13 and 41. Please see Attachment B for the related training date, staff sign-in sheet and the deficient Elements that were the respective training topics discussed on that date.

Audit will submit their independent audit report under a separate cover.

Reviewing Contractor's Response: This response did not include all of the agreed-upon corrective actions. Metra Internal Audit found that deficiencies still exist in the procurement system that preclude independent estimates from being prepared properly. Therefore, this element remains deficient. Metra must respond with evidence of revised procedures or an approval process that sufficiently establishes a system for ensuring that estimates are dated and prepared prior to receipt of bids. Furthermore, Metra must provide evidence of an adequate management review or approval process that ensures that this deficiency does not reoccur.

METRA'S RESPONSE (4-30-2013):

Metra's Audit Department conducted a procurement review for the period of January 1, 2013 through February 7, 2013. Six contract files were reviewed relative to this element. Of the six, one file, prepared in 2012 before the FTA Follow-Up Review, contained an independent cost estimate without the date field, so it was inadvertently not dated. Audit's review also found a second independent cost estimate that was received from the Using Department one day after bids had been received. The attached IFB and RFP Check-list (See Attachment B) now requires that an independent cost estimate be supplied with a Using Department's requisition prior to the initiation of any procurement within the Purchasing Department. Additionally, the two Purchasing Department Heads are reviewing and assigning purchase requisitions to staff. If the independent cost estimate is not with the Using Department's requisition package, the requisition will be returned to the Using Department to supply the appropriate documentation. Metra's procedure PU-02-RC has been revised to include the Department Head's review (See Attachment B). The ICE form that was mentioned in Metra's 2/25/2013 FTA Follow-up Response is currently being used, which includes the date field.

Additionally, Metra's Senior Division Director, General Administration conducted a staff training session that covered this deficient finding on February 26, 2013 after Metra's Audit Department issued its findings. The review/training included a review of the respective finding, the corrective action(s) required, and the appropriate procurement procedures that govern the respective procurement action. Another training session was held on April 9, 2013, covering Elements, No. 7, 13 and 41 after Metra received the FTA's Final Report. Please see Attachment C for the related training date, staff sign-in sheet and the deficient Elements that were discussed on those dates.

13. Brand Name Restrictions

Basic Requirement: Chapter VI, Section 2.a (3)(4)(f) of FTA C 4220.1F indicates that specifying only a “brand name” product instead of allowing “an equal” product to be offered without listing its’ salient characteristics is considered to be restrictive of competition.

Discussion: During the 2011 PSR, the reviewing contractor noted that procurements deemed deficient included a statement that equals may be offered by suppliers; however, the salient characteristics were not noted.

Corrective Action: The reviewing contractor requested that Metra respond within thirty (30) days from the date of the final report and provide detailed procedures, evidence of adequate training and evidence of an independent audit confirming that procedures are being followed consistently.

Metra has updated its Policies and Procedures and evidence of training was provided to FTA in Metra’s response documents from July 30th, 2012.

Results of Review: Of the thirty (30) procurements reviewed for this requirement, eight (8) were found to be non-deficient, nine (9) were found to be deficient and thirteen (13) were found to be not applicable. In all of cases of deficiency, no salient characteristics were included when brand name was used in the specification. In some cases allowing “equal” products was included in the specification language but again, no salient characteristics were included.

Additional Corrective Action: To achieve compliance, Metra must respond within thirty (30) days from the date of the final report with evidence of adequate training and evidence of an independent audit confirming that revised procedures are being consistently followed.

METRA’S RESPONSE (2-25-2013):

Metra’s Senior Division Director, General Administration conducted a follow-up training session that covered the 4 deficient findings. The review/training included a review of the respective finding, the corrective action(s) required, and the appropriate procurement procedures that govern the respective procurement action. The training session was held on February 12, 2013, covering Elements No. 5, 7, 13 and 41. Please see Attachment B for the related training date, staff sign-in sheet and the deficient Elements that were the respective training topics discussed on that date.

Audit will submit their independent audit report under a separate cover.

Reviewing Contractor’s Response: Metra Internal Audit found that deficiencies still exist in the procurement system that are preventing brand name specifications from being treated appropriately. Therefore, this element remains deficient. Metra must respond with evidence of revised procedures that sufficiently establish a system for ensuring that brand name specifications include the statement “or equal” along with relevant salient

characteristics. Furthermore, evidence of a management review or approval process must be provided to ensure that this deficiency doesn't reoccur.

METRA'S RESPONSE (4-30-2013):

Metra's Requisitioning Procedure PU-02-RC (See Attachment D) requires that descriptions/specifications for materials or services should be well defined, but non-restrictive and they should be complete, clear, accurate, and unambiguous descriptions. If specifying a "brand name" product, the solicitation must allow for offers of "an equal" product, and allowing "an equal" product listing the salient characteristics that the "equal" product must meet to be acceptable for award.

As part of the Using Department's requisition submittal, a Requisition Check-list has been created that requires the Using Department, if appropriate, to provide or include a material description/salient characteristic(s) that defines the goods to be procured (See Attachment E). Additionally, the two Purchasing Department Heads are reviewing and assigning purchasing requisitions to staff. If an adequate material description/salient characteristic is not with the Using Department's requisition package, the requisition will be returned to the Using Department to supply the appropriate documentation. Further, staff conducted another training session on April 24, 2013, to explain to Using Departments the requirements for a complete and accurate requisition document. As information, this was the third Using Department training session that Metra staff has held since the FTA PSR was conducted.

Additionally, Metra's Senior Division Director, General Administration conducted a staff training session that covered this deficient finding on February 26, 2013 after Metra's Audit Department issued its findings. The review/training included a review of the respective finding, the corrective action(s) required, and the appropriate procurement procedures that govern the respective procurement action. Another training session was held on April 9, 2013, covering Elements, No. 7, 13 and 41 after Metra received the FTA's Final Report. Please see Attachment C for the related training date, staff sign-in sheet and the deficient Elements that were discussed on that date.

41. Cost or Price Analysis

Basic Requirement: Chapter VI, Section 6.a. of FTA C 4220.1F requires that grantees perform a cost or price analysis in connection with every procurement action, including contract modifications.

Discussion: During the 2011 PSR, the reviewing contractor noted that Metra does not have a consistent process in place to complete a cost or price analysis.

Corrective Action: The reviewing contractor requested that Metra respond within thirty (30) days from the date of the final report and provide detailed procedures, evidence of adequate training and evidence of an independent audit confirming that procedures are being consistently followed.

Metra has updated its Policies and Procedures and evidence of training was provided to FTA in Metra's response documents from July 30th, 2012.

Results of Review: Of the twenty eight (28) procurements reviewed for this requirement, twenty-one (21) were found to be non-deficient and seven (7) were found to be not applicable. In the majority of the cases, there was no supporting analysis that would investigate if there is a significant difference between the Independent Cost Estimate and the lowest bid. In all of the cases, a bid tabulation form was included but there was no supporting analysis.

Additional Corrective Action: To achieve compliance, Metra must respond within thirty (30) days from the date of the final report with evidence of adequate training and evidence of an independent audit confirming that revised procedures are being consistently followed.

METRA'S RESPONSE (2-25-2013):

Metra's Senior Division Director, General Administration conducted a follow-up training session that covered the 4 deficient findings. The review/training included a review of the respective finding, the corrective action(s) required, and the appropriate procurement procedures that govern the respective procurement action. The training session was held on February 12, 2013, covering Elements No. 5, 7, 13 and 41. Please see Attachment B for the related training date, staff sign-in sheet and the deficient Elements that were the respective training topics discussed on that date.

Audit will submit their independent audit report under a separate cover.

Reviewing Contractor's Response: When evaluating cost and price analysis, the Reviewing Contractor found several instances where bids received came in 30-50% greater than the independent estimate without evidence of comparison between bids and estimates or supporting analysis. All of these instances pertained to purchases greater than \$10,000, which is Metra's threshold between small purchases and formal procurements.

It appears that Metra Internal Audit focused primarily on small purchases under this \$10,000 threshold when conducting their review of contract files and were unable to adequately assess whether cost and price analyses are sufficient for formal procurements. Furthermore, the changes that management has proposed to modify existing policies and procedures have not been adopted and training has not been provided to staff on these new requirements for cost and price analysis on formal procurements. Therefore, this element is still deficient. To achieve compliance, Metra must respond with evidence that policies and procedures have been incorporated and training has been conducted on these updated requirements. Evidence must also be provided within this period of an independent audit confirming that revised procedures are being consistently followed for procurements above the micro-purchase threshold.

METRA'S RESPONSE (4-30-2013):

Metra has revised its applicable procedures to incorporate language regarding a comparison of bid prices received with independent cost estimates when there are significant variances of greater than 20% for formal procurements. The appropriate procedures, PU-05-RC, PU-06-RC, PU-08-RC, and PU-14-RC have been revised (See Attachment F). Additionally, Metra's Contract and Compliance Analyst will perform a review of the bid if a variance of greater than 20 percent exists to determine why the ICE varied and will assist staff in a review of price reasonableness.

Metra's Senior Division Director, General Administration conducted a staff training session that covered this deficient finding on February 26, 2013 based upon Metra's Audit Department findings. Additionally, Metra's Senior Division Director, General Administration conducted another training session that covered the Reviewing Contractor's deficient finding. The review/training included a review of the respective finding, the corrective action(s) required, and the appropriate procurement procedures that govern the respective procurement action. The training session was held on April 9, 2013, covering Elements No. 5, 7, and 41. Please see Attachment C for the related training date, staff sign-in sheet and the deficient Element that were the respective training topics discussed on that date.

Metra's Audit Department, as they previously informed the FTA, will continue to perform a quarterly independent audit review of the Procurement processes. The second quarterly audit has commenced. Similar to the testing protocol used during the first quarterly audit reported to the FTA on February 25, 2013, Metra's Audit Department will test 100% of the FTA-funded procurements from February 7, 2013 through April 30, 2013 (the audit period). Results of the second quarterly audit will be reported directly to the FTA by Metra's Audit Department.

ATTACHMENT A

3/26/12



R 44766

Change Order Request

TO: Mr. Frank Machara Vice President Laramore, Douglass and Popham 20 North Wacker Drive, Suite #1500 Chicago, Illinois 60606 Telephone: (312) 427-8486	Date: February 13, 2012	CHANGE ORDER NO. 1
	CONTRACT/PO. NO. K91970	ORDINANCE NO.
	PROJECT/ACCOUNT NUMBER: EP-4394-5710-2005 5812	
	PROJECT DESCRIPTION: Electrical/Mechanical Engineering Design Blanket	

CONTRACT MODIFICATIONS AND JUSTIFICATIONS

Change Order No. 1 to Contract No. K91970 with Laramore, Douglass and Popham is a cost plus fixed fee contract which is changed to a fixed fee contract that is dollar amount specific. This Change Order No. 1 is at no cost to Metra.

All other terms and conditions remain unchanged.

APPROPRIATION OF FUNDS

If this agreement is for a period of longer than one year, it is subject to the appropriation of funds by Metra's Board of Directors for each year beyond the first year of this agreement.

Note: Change Order Request/Approval must be executed by Metra's Executive Director in order to be binding.

CONTRACT SUMMARY

THE ORIGINAL CONTRACT SUM WAS	\$	350,000.00
NET CHANGE BY PREVIOUS CHANGE ORDERS	\$	0.00
THE CONTRACT SUM PRIOR TO THIS CHANGE ORDER WAS	\$	350,000.00
ACTUAL COST OF CHANGE	\$	0.00
THE NEW CONTRACT SUM INCLUDING THIS CHANGE ORDER IS	\$	350,000.00
THE CONTRACT TIME WILL BE CHANGED BY	N/A	
THE DATE OF COMPLETION AS OF THE DATE OF THIS CHANGE ORDER IS	December 31, 2012	

CHANGE ORDER REQUEST & PROCESSING ONLY 1-7

1. CONSULTANT REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
	Frank Machara, Vice President	<i>Frank Machara</i>	2/13/12
2. CONTRACTOR'S REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
3. METRA FIELD REPRESENTATIVE	Glenford R. Peters, Sr. Dir. Capital	<i>Glenford R. Peters</i>	2/27/12
4. METRA USER DEPARTMENT	Joseph L. Lorenzini, Chief Engineering Officer	<i>J. Lorenzini</i>	3/16/12
5. CAPITAL AND STRATEGIC PLANNING	David Simmons, Department Head Capital Grants <i>DA 4/11/12</i>	<i>David Simmons</i>	4/12/12
6. FUNDS ENCUMBERED ACCOUNTS PAYABLE	Yola Kostecki, Director	<i>Yola Kostecki</i>	4/12/12
7. LAW	Theresa Barnett, General Counsel	<i>Theresa Barnett</i>	4/19/12

CHANGE ORDER APPROVAL

8. AUTHORIZED METRA FINAL COST APPROVAL	Alexander D. Clifford Executive Director/CEO	<i>Alexander D. Clifford</i>	4/23/12
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Distribution: Contractor Contracts Capital & Strategic Planning Using Department Accounts Payable

242



Change Order Request

TO: Mr. Dennis Ramm Vice President STV 200 West Monroe St., Suite #1650 Chicago, Illinois 60606	Date: February 13, 2012	CHANGE ORDER NO. 1
	CONTRACT/PO. NO. K91975	ORDINANCE NO.
	PROJECT/ACCOUNT NUMBER: EP-4394-5710-2005	
	PROJECT DESCRIPTION: Project Administration	

CONTRACT MODIFICATIONS AND JUSTIFICATIONS

Change Order No. 1 to Contract No. K91975 with STV is a cost plus fixed fee contract which is changed to a fixed fee contract that is dollar amount specific. This Change Order No. 1 is at no cost to Metra.

All other terms and conditions remain unchanged.

APPROPRIATION OF FUNDS

If this agreement is for a period of longer than one year, it is subject to the appropriation of funds by Metra's Board of Directors for each year beyond the first year of this agreement.

Note: Change Order Request/Approval must be executed by Metra's Executive Director in order to be binding.

CONTRACT SUMMARY

THE ORIGINAL CONTRACT SUM WAS	\$	300,000.00
NET CHANGE BY PREVIOUS CHANGE ORDERS	\$	0.00
THE CONTRACT SUM PRIOR TO THIS CHANGE ORDER WAS	\$	300,000.00
ACTUAL COST OF CHANGE	\$	0.00
THE NEW CONTRACT SUM INCLUDING THIS CHANGE ORDER IS	\$	300,000.00
THE CONTRACT TIME WILL BE CHANGED BY	N/A	
THE DATE OF COMPLETION AS OF THE DATE OF THIS CHANGE ORDER IS	December 31, 2012	

CHANGE ORDER REQUEST & PROCESSING ONLY 1-7

1. CONSULTANT REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
	Dennis Ramm, Vice President		3/22/12
2. CONTRACTOR'S REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
3. METRA FIELD REPRESENTATIVE	NAME/TITLE Glenford R. Peters, Sr. Dir. Capital	SIGNATURE	DATE
4. METRA USER DEPARTMENT	NAME/TITLE Joseph L. Lorenzini, Chief Engineering Officer	SIGNATURE 	DATE 4/5/12
5. CAPITAL AND STRATEGIC PLANNING	NAME/TITLE David Simmons, Department Head Capital Grants	SIGNATURE 	DATE 4/11/12
6. FUNDS ENCUMBERED ACCOUNTS PAYABLE	NAME/TITLE Yola Kostecki, Director	SIGNATURE 	DATE 4/12/12
7. LAW	NAME/TITLE Theresa Barnett, General Counsel	SIGNATURE 	DATE 4/19/12

CHANGE ORDER APPROVAL

8. AUTHORIZED METRA FINAL COST APPROVAL	NAME/TITLE Alexander D. Clifford Executive Director/CEO	SIGNATURE 	DATE 4/26/12
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Handwritten initials/signature

2-5-13

49249



Change Order Request

5802

TO: Mr. Mark M. Lucas, Vice President AECOM 300 East Wacker Chicago, Illinois 60601 Telephone: (312) 938-0300	Date: October 25, 2012	CHANGE ORDER NO. 1
	CONTRACT/PO. NO. K91048	ORDINANCE NO.
	PROJECT/ACCOUNT NUMBER: FE2933-5710-3003/ED2933-5710-3003/DU-2933-5710-3003	
	PROJECT DESCRIPTION: Construction Management Services for the BNSF Belmont Grade Separation Phase II, Downers Grove, Illinois	

CONTRACT MODIFICATIONS AND JUSTIFICATIONS

Change Order No. 1 to AECOM is to provide construction management services in order to complete construction and close-out of the Belmont Road Grade Separation Project located in Downers Grove. This will increase the original contract amount of \$2,500,000.00 by \$300,000.00, a 12% increase, to a revised contract amount of \$2,800,000.00. The contract completion date will be extended by three (3) months to March 31, 2013, in order to finish closeout and match the contractor's finish date. Contract No. K91048 with AECOM is a cost plus fixed fee contract which is changed to a fixed fee contract that is dollar amount specific.

All other terms and conditions remain unchanged.

APPROPRIATION OF FUNDS

If this agreement is for a period of longer than one year, it is subject to the appropriation of funds by Metra's Board of Directors for each year beyond the first year of this agreement.

Note: Change Order Request/Approval must be executed by Metra's Executive Director in order to be binding.

CONTRACT SUMMARY

THE ORIGINAL CONTRACT SUM WAS	\$	2,500,000.00
NET CHANGE BY PREVIOUS CHANGE ORDERS	\$	0.00
THE CONTRACT SUM PRIOR TO THIS CHANGE ORDER WAS	\$	2,500,000.00
ACTUAL COST OF CHANGE	\$	300,000.00
THE NEW CONTRACT SUM INCLUDING THIS CHANGE ORDER IS	\$	2,800,000.00
THE CONTRACT TIME WILL BE EXTENDED TO BY THREE (3) MONTHS		
THE DATE OF COMPLETION AS OF THE DATE OF THIS CHANGE ORDER IS		March 31, 2013

CHANGE ORDER REQUEST & PROCESSING ONLY 1-7

1. CONSULTANT REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
	Mark M Lucas, Vice Pres	<i>[Signature]</i>	11-27-12
2. CONTRACTOR'S REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
3. METRA FIELD REPRESENTATIVE	Glenford R. Peters, Sr. Dir. Capital	<i>[Signature]</i>	12/4/12
4. METRA USER DEPARTMENT	Joseph L. Lorenzini, Chief Engineering Officer	<i>[Signature]</i>	12/27/12
5. CAPITAL AND STRATEGIC PLANNING	David Simmons, Department Head Capital Grants	<i>[Signature]</i>	
6. FUNDS ENCUMBERED ACCOUNTS PAYABLE	Yola Kostecki, Director	<i>[Signature]</i>	2/12/13
7. LAW	Theresa Barnett, General Counsel	<i>[Signature]</i>	2/19/13

CHANGE ORDER APPROVAL

8. AUTHORIZED METRA FINAL COST APPROVAL	NAME/TITLE	SIGNATURE	DATE
	Alexander D. Clifford Executive Director/CEO	<i>[Signature]</i>	2/28/13

Distribution: Contractor Contracts Capital & Strategic Planning Using Department Accounts Payable

848



Change Order Request

TO: Mr. Dennis Ramm Vice President STV 200 West Monroe St., Suite #11650 Chicago, Illinois 60606-5015	Date: February 13, 2012	CHANGE ORDER NO. 1
	CONTRACT/PO. NO. K86600	ORDINANCE NO.
	PROJECT/ACCOUNT NUMBER: ED-4294-5710-2003	
	PROJECT DESCRIPTION: Project Administration	

CONTRACT MODIFICATIONS AND JUSTIFICATIONS

Change Order No. 1 to Contract No. K86600 with STV is a cost plus fixed fee contract which is changed to a fixed fee contract that is dollar amount specific. This Change Order No. 1 is at no cost to Metra.

All other terms and conditions remain unchanged.

APPROPRIATION OF FUNDS

If this agreement is for a period of longer than one year, it is subject to the appropriation of funds by Metra's Board of Directors for each year beyond the first year of this agreement.

Note: Change Order Request/Approval must be executed by Metra's Executive Director in order to be binding.

CONTRACT SUMMARY

THE ORIGINAL CONTRACT SUM WAS	\$	250,000.00
NET CHANGE BY PREVIOUS CHANGE ORDERS	\$	0.00
THE CONTRACT SUM PRIOR TO THIS CHANGE ORDER WAS	\$	250,000.00
ACTUAL COST OF CHANGE	\$	0.00
THE NEW CONTRACT SUM INCLUDING THIS CHANGE ORDER IS	\$	250,000.00
THE CONTRACT TIME WILL BE CHANGED BY	N/A	
THE DATE OF COMPLETION AS OF THE DATE OF THIS CHANGE ORDER IS	December 31, 2012	

CHANGE ORDER REQUEST & PROCESSING ONLY 1-7

1. CONSULTANT REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
	Dennis Ramm, Vice President		3/22/12
2. CONTRACTOR'S REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
3. METRA FIELD REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
	Glenford R. Peters, Sr. Dir. Capital		
4. METRA USER DEPARTMENT	NAME/TITLE	SIGNATURE	DATE
	Joseph L. Lorenzini, Chief Engineering Officer		4/5/12
5. CAPITAL AND STRATEGIC PLANNING	NAME/TITLE	SIGNATURE	DATE
	David Simmons, Department Head Capital Grants		4/11/12
6. FUNDS ENCUMBERED ACCOUNTS PAYABLE	NAME/TITLE	SIGNATURE	DATE
	Yola Kostecki, Director		4/12/12
7. LAW	NAME/TITLE	SIGNATURE	DATE
	Theresa Barnett, General Counsel		4/19/12

CHANGE ORDER APPROVAL

8. AUTHORIZED METRA FINAL COST APPROVAL	NAME/TITLE	SIGNATURE	DATE
	Alexander D. Clifford Executive Director/CEO		4/26/12

Distribution: Contractor Contracts Capital & Strategic Planning Using Department Accounts Payable

Handwritten initials/signature



Change Order Request

TO: Mr. Richard T. Harvey President Laramore, Douglass and Popham 332 S. Michigan Ave., Suite #400 Chicago, Illinois 60604	Date: February 13, 2012	CHANGE ORDER NO. 1
	CONTRACT/PO. NO. K86581	ORDINANCE NO.
	PROJECT/ACCOUNT NUMBER: ED-4294-5710-2005	
	PROJECT DESCRIPTION: Electrical/Mechanical Engineering Design	

CONTRACT MODIFICATIONS AND JUSTIFICATIONS

Change Order No. 1 to Contract No. K86581 with Laramore, Douglass and Popham is a cost plus fixed fee contract which is changed to a fixed fee contract that is dollar amount specific. This Change Order No. 1 is at no cost to Metra.

All other terms and conditions remain unchanged.

APPROPRIATION OF FUNDS

If this agreement is for a period of longer than one year, it is subject to the appropriation of funds by Metra's Board of Directors for each year beyond the first year of this agreement.

Note: Change Order Request/Approval must be executed by Metra's Executive Director in order to be binding.

CONTRACT SUMMARY

THE ORIGINAL CONTRACT SUM WAS	\$	300,000.00
NET CHANGE BY PREVIOUS CHANGE ORDERS	\$	0.00
THE CONTRACT SUM PRIOR TO THIS CHANGE ORDER WAS	\$	300,000.00
ACTUAL COST OF CHANGE	\$	0.00
THE NEW CONTRACT SUM INCLUDING THIS CHANGE ORDER IS	\$	300,000.00
THE CONTRACT TIME WILL BE CHANGED BY	N/A	
THE DATE OF COMPLETION AS OF THE DATE OF THIS CHANGE ORDER IS	December 31, 2012	

CHANGE ORDER REQUEST & PROCESSING ONLY 1-7

1. CONSULTANT REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
	Richard T. Harvey, President		2/21/12
2. CONTRACTOR'S REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
3. METRA FIELD REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
	Glenford R. Peters, Sr. Dir. Capital		
4. METRA USER DEPARTMENT	NAME/TITLE	SIGNATURE	DATE
	Joseph L. Lorenzini, Chief Engineering Officer		3/6/12
5. CAPITAL AND STRATEGIC PLANNING	NAME/TITLE	SIGNATURE	DATE
	David Simmons, Department Head Capital Grants		3/13/12
6. FUNDS ENCUMBERED ACCOUNTS PAYABLE	NAME/TITLE	SIGNATURE	DATE
	Yola Kostecki, Director		3/15/12
7. LAW	NAME/TITLE	SIGNATURE	DATE
	Theresa Barnett, General Counsel		3/20/12

CHANGE ORDER APPROVAL

8. AUTHORIZED METRA FINAL COST APPROVAL	NAME/TITLE	SIGNATURE	DATE
	Alexander D. Clifford Executive Director/CEO		3/22/12

Distribution: Contractor Contracts Capital & Strategic Planning Using Department Accounts Payable

Handwritten initials and signature



Change Order Request

TO: Mr. Ivan J. Dvorak President Teng & Assoc. 205 North Michigan Ave. Chicago, Illinois 60601-5924	Date: February 13, 2012	CHANGE ORDER NO. 1
	CONTRACT/PO. NO. K86587	ORDINANCE NO.
	PROJECT/ACCOUNT NUMBER: ED-2939-5710-4003	
	PROJECT DESCRIPTION: Construction Management Services	

CONTRACT MODIFICATIONS AND JUSTIFICATIONS

Change Order No. 1 to Contract No. K86587 with Teng & Assoc. is a cost plus fixed fee contract which is changed to a fixed fee contract that is dollar amount specific. This Change Order No. 1 is at no cost to Metra.

All other terms and conditions remain unchanged.

APPROPRIATION OF FUNDS

If this agreement is for a period of longer than one year, it is subject to the appropriation of funds by Metra's Board of Directors for each year beyond the first year of this agreement.

Note: Change Order Request/Approval must be executed by Metra's Executive Director in order to be binding.

CONTRACT SUMMARY

THE ORIGINAL CONTRACT SUM WAS	\$	700,000.00
NET CHANGE BY PREVIOUS CHANGE ORDERS	\$	0.00
THE CONTRACT SUM PRIOR TO THIS CHANGE ORDER WAS	\$	700,000.00
ACTUAL COST OF CHANGE	\$	0.00
THE NEW CONTRACT SUM INCLUDING THIS CHANGE ORDER IS	\$	700,000.00
THE CONTRACT TIME WILL BE CHANGED BY	N/A	
THE DATE OF COMPLETION AS OF THE DATE OF THIS CHANGE ORDER IS	December 31, 2012	

CHANGE ORDER REQUEST & PROCESSING ONLY 1-7

1. CONSULTANT REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
	Ivan Dvorak, President		2/28/12
2. CONTRACTOR'S REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
3. METRA FIELD REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
	Glenford R. Peters, Sr. Dir. Capital		
4. METRA USER DEPARTMENT	NAME/TITLE	SIGNATURE	DATE
	Joseph L. Lorenzini, Chief Engineering Officer		3/8/12
5. CAPITAL AND STRATEGIC PLANNING	NAME/TITLE	SIGNATURE	DATE
	David Simmons, Department Head Capital Grants		3/16/12
6. FUNDS ENCUMBERED ACCOUNTS PAYABLE	NAME/TITLE	SIGNATURE	DATE
	Yola Kostecki, Director		3/20/12
7. LAW	NAME/TITLE	SIGNATURE	DATE
	Theresa Barnett, General Counsel		3/26/12

CHANGE ORDER APPROVAL

8. AUTHORIZED METRA FINAL COST APPROVAL	NAME/TITLE	SIGNATURE	DATE
	Alexander D. Clifford Executive Director/CEO		3/29/12

Distribution: Contractor Contracts Capital & Strategic Planning Using Department Accounts Payable



Change Order Request

TO: Mr. George N. Dorshimer, P.E. President LTK Engineering 100 West Butler Ave. Ambler, PA. 19002	Date: February 13, 2012	CHANGE ORDER NO. 1
	CONTRACT/PO. NO. K86593	ORDINANCE NO.
	PROJECT/ACCOUNT NUMBER: EE-2938-5710-2005	
	PROJECT DESCRIPTION: Signal Engineering Design	

CONTRACT MODIFICATIONS AND JUSTIFICATIONS

Change Order No. 1 to Contract No. K86593 with LTK Engineering is a cost plus fixed fee contract which is changed to a fixed fee contract that is dollar amount specific. This Change Order No. 1 is at no cost to Metra.

All other terms and conditions remain unchanged.

APPROPRIATION OF FUNDS

If this agreement is for a period of longer than one year, it is subject to the appropriation of funds by Metra's Board of Directors for each year beyond the first year of this agreement.

Note: Change Order Request/Approval must be executed by Metra's Executive Director in order to be binding.

CONTRACT SUMMARY

THE ORIGINAL CONTRACT SUM WAS	\$	700,000.00
NET CHANGE BY PREVIOUS CHANGE ORDERS	\$	0.00
THE CONTRACT SUM PRIOR TO THIS CHANGE ORDER WAS	\$	700,000.00
ACTUAL COST OF CHANGE	\$	0.00
THE NEW CONTRACT SUM INCLUDING THIS CHANGE ORDER IS	\$	700,000.00
THE CONTRACT TIME WILL BE CHANGED BY	N/A	
THE DATE OF COMPLETION AS OF THE DATE OF THIS CHANGE ORDER IS	December 31, 2012	

CHANGE ORDER REQUEST & PROCESSING-ONLY 1-7

1. CONSULTANT REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
	George Dorshimer, President		2/20/12
2. CONTRACTOR'S REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
3. METRA FIELD REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
	Glenford R. Peters, Sr. Dir. Capital		
4. METRA USER DEPARTMENT	NAME/TITLE	SIGNATURE	DATE
	Joseph L. Lorenzini, Chief Engineering Officer		2/28/12
6. FUNDS ENCUMBERED ACCOUNTS PAYABLE	NAME/TITLE	SIGNATURE	DATE
	Yola Kostecki, Director		3/1/12
7. LAW	NAME/TITLE	SIGNATURE	DATE
	Theresa Barnett, General Counsel		3/5/12

CHANGE ORDER APPROVAL

8. AUTHORIZED METRA FINAL COST APPROVAL	NAME/TITLE	SIGNATURE	DATE
	Alexander D. Clifford Executive Director/CEO		3/8/12

Distribution: Contractor Contracts Capital & Strategic Planning Using Department Accounts Payable

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Change Order Request

TO: Mr. Jon Oldfield Stantec Consulting Services 3505 Butler St. Pittsburg, PA 15201	Date: February 13, 2012	CHANGE ORDER NO. 1
	CONTRACT/PO. NO. K86596	ORDINANCE NO.
	PROJECT/ACCOUNT NUMBER: EE-2938-5710-2005	
	PROJECT DESCRIPTION: Signal Engineering Design	

CONTRACT MODIFICATIONS AND JUSTIFICATIONS

Change Order No. 1 to Contract No. K86596 with Stantec Consulting Services is a cost plus fixed fee contract which is changed to a fixed fee contract that is dollar amount specific. This Change Order No. 1 is at no cost to Metra.

All other terms and conditions remain unchanged.

APPROPRIATION OF FUNDS

If this agreement is for a period of longer than one year, it is subject to the appropriation of funds by Metra's Board of Directors for each year beyond the first year of this agreement.

Note: Change Order Request/Approval must be executed by Metra's Executive Director in order to be binding.

CONTRACT SUMMARY

THE ORIGINAL CONTRACT SUM WAS	\$	250,000.00
NET CHANGE BY PREVIOUS CHANGE ORDERS	\$	0.00
THE CONTRACT SUM PRIOR TO THIS CHANGE ORDER WAS	\$	250,000.00
ACTUAL COST OF CHANGE	\$	0.00
THE NEW CONTRACT SUM INCLUDING THIS CHANGE ORDER IS	\$	250,000.00
THE CONTRACT TIME WILL BE CHANGED BY	N/A	
THE DATE OF COMPLETION AS OF THE DATE OF THIS CHANGE ORDER IS	December 31, 2012	

CHANGE ORDER REQUEST & PROCESSING ONLY 1-7

1. CONSULTANT REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
	Jon Oldfield		2/13/12
2. CONTRACTOR'S REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
3. METRA FIELD REPRESENTATIVE	Glenford R. Peters, Sr. Dir. Capital		
4. METRA USER DEPARTMENT	Joseph L. Lorenzini, Chief Engineering Officer		3/22/12
5. CAPITAL AND STRATEGIC PLANNING	David Simmons, Department Head Capital Grants		3/30/12
6. FUNDS ENCUMBERED ACCOUNTS PAYABLE	Yola Kostecki, Director		4/3/12
7. LAW	Theresa Barnett, General Counsel		4/9/12

CHANGE ORDER APPROVAL

8. AUTHORIZED METRA FINAL COST APPROVAL	NAME/TITLE	SIGNATURE	DATE
	Alexander D. Clifford Executive Director/CEO		4/19/12

Distribution: Contractor Contracts Capital & Strategic Planning Using Department Accounts Payable

BAD



Change Order Request

TO: Mr. Paul Novak LTK Engineering 300 South Wacker Drive, Suite #2840 Chicago, Illinois 60606	Date: February 13, 2012	CHANGE ORDER NO. 1
	CONTRACT/PO. NO. K91240	ORDINANCE NO.
	PROJECT/ACCOUNT NUMBER: EE-2938-5710-2005	
	PROJECT DESCRIPTION: Signal Engineering Design	

CONTRACT MODIFICATIONS AND JUSTIFICATIONS

Change Order No. 1 to Contract No. K91240 with LTK Engineering is a cost plus fixed fee contract which is changed to a fixed fee contract that is dollar amount specific. This Change Order No. 1 is at no cost to Metra.

All other terms and conditions remain unchanged.

APPROPRIATION OF FUNDS

If this agreement is for a period of longer than one year, it is subject to the appropriation of funds by Metra's Board of Directors for each year beyond the first year of this agreement.

Note: Change Order Request/Approval must be executed by Metra's Executive Director in order to be binding.

CONTRACT SUMMARY

THE ORIGINAL CONTRACT SUM WAS	\$	750,000.00
NET CHANGE BY PREVIOUS CHANGE ORDERS	\$	0.00
THE CONTRACT SUM PRIOR TO THIS CHANGE ORDER WAS	\$	750,000.00
ACTUAL COST OF CHANGE	\$	0.00
THE NEW CONTRACT SUM INCLUDING THIS CHANGE ORDER IS	\$	750,000.00
THE CONTRACT TIME WILL BE CHANGED BY	N/A	
THE DATE OF COMPLETION AS OF THE DATE OF THIS CHANGE ORDER IS	December 31, 2012	

CHANGE ORDER REQUEST & PROCESSING ONLY 1-7

1. CONSULTANT REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
	Paul Novak		2/23/12
2. CONTRACTOR'S REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
3. METRA FIELD REPRESENTATIVE	NAME/TITLE	SIGNATURE	DATE
	Glenford R. Peters, Sr. Dir. Capital		
4. METRA USER DEPARTMENT	NAME/TITLE	SIGNATURE	DATE
	Joseph L. Lorenzini, Chief Engineering Officer		3/1/12
5. CAPITAL AND STRATEGIC PLANNING	NAME/TITLE	SIGNATURE	DATE
	David Simmons, Department Head Capital Grants		3/9/12
6. FUNDS ENCUMBERED ACCOUNTS PAYABLE	NAME/TITLE	SIGNATURE	DATE
	Yola Kostecki, Director		3/13/12
7. LAW	NAME/TITLE	SIGNATURE	DATE
	Theresa Barnett, General Counsel		3/19/12

CHANGE ORDER APPROVAL

8. AUTHORIZED METRA FINAL COST APPROVAL	NAME/TITLE	SIGNATURE	DATE
	Alexander D. Clifford Executive Director/CEO		3/29/12

Distribution: Contractor Contracts Capital & Strategic Planning Using Department Accounts Payable

Handwritten initials: BJD

ATTACHMENT B

CHECK LIST – IFB’s

Applicable items should be entered in chronological order. Documents maintained in the file will be filed consecutively in each section with the highest number on top. When an item is not applicable, it will be designated with “NA” in the Tab column.

	IFB No. _____ Section A SOLICATION DOCUMENTS	
Tab No.	Document(s)	Audited By
1.	Purchase Requisition	
2.	Specifications	
3.	DBE Goals	
4.	Requirement Justification – Contract/PO Term Does Not Extend Past 5 Years	
5.	Independent Cost Estimate	
6.	Bidder's List	
7.	Justification of Procurement Method	
8.	Copy of IFB	
9.	Proof of Publication	
10.	IFB Attachments/ Modifications	
11.	Pre-bid Minutes & List of Attendees	
12.	Correspondence with Bidders	
13.	Protests Prior to Bid Opening	
14.	Interoffice Correspondence	
15.	Review for Responsiveness (On Bid Tabulation)	

Contract No.: _____

Contract Administrator: _____

Date: _____

CHECK LIST – IFB’s

Applicable items should be entered in chronological order. Documents maintained in the file will be filed consecutively in each section with the highest number on top. When an item is not applicable, it will be designated with “NA” in the Tab column.

	IFB No. _____ Section B AWARD DOCUMENTS	
Tab No.	Document(s)	Audited By
1.	Copy of Each Bid	
2.	Letters of Returned Late Bids or Bid Errors	
3.	Bid Analysis/Tabulation Sheet	
4.	Technical Evaluation/Award Recommendation	
5.	Affirmative Action Evaluation/DBE Goal Exhibit Schedules	
6.	Bidder Responsibility Determination	
7.	Price Analysis or Cost Analysis	
8.	Record of Negotiation for Single Bid (If Applicable)	
9.	Justification of Contract Type Blanket P.O./Sole Source, etc.	
10.	Notice of Award	
11.	Notice to Unsuccessful Bidders (Bond, Check Returns) (If Applicable)	
12.	Legal Review of Contract Documents (Copy of Routing Slip)	
13.	Contract Document (Drawings not Required)	
14.	Performance/Material Bonds, Insurance Certificates (If Applicable)	
15.	Notice to Proceed (If Applicable)	
16.	Purchase Order (If Applicable)	

Contract No.: _____

Contract Administrator: _____

Date: _____

CHECK LIST - IFB's

Applicable items should be entered in chronological order. Documents maintained in the file will be filed consecutively in each section with the highest number on top. When an item is not applicable, it will be designated with "NA" in the Tab column.

	IFB No. _____ Section C CONTRACT ADMINISTRATION DOCUMENTS	
Tab No.	Document(s)	Audited By
1.	Post Award Conference (If Applicable)	
2.	Status Reports (If Applicable)	
3.	Change Notices/Modification/Change Orders	
4.	Site Visit Reports (If Applicable)	
5.	Progress Meeting Minutes (If Applicable)	
6.	Quality Assurance Records (If Applicable)	
7.	Termination/Stop Work Notices or Resolution Plan (If Applicable)	
8.	Notice of Claims (If Applicable)	
9.	Release of Claims/Bonds (If Applicable)	
10.	Assignments (If Applicable)	
11.	Audit Reports (If Applicable)	
12.	Punch List Discrepancies	
13.	Liquidated Damages (If Applicable)	
14.	Close Out Documents (If Applicable)	

Contract No.: _____

Contract Administrator: _____

Date: _____

CHECK LIST – RFP’s

Applicable items should be entered in chronological order. Documents maintained in the file will be filed consecutively in each section with the highest number on top. When an item is not applicable, it will be designated with “NA” in the Tab column.

RFP No. _____ Section A SOLICATION DOCUMENTS		
Tab No.	Document(s)	Audited By
1.	Purchase Requisition	
2.	Rationale for Method of Procurement: _____	
3.	Specifications/Statement of Work	
4.	Justification for Procurement	
5.	Term of Contract Does Not Exceed 5 Years.	
6.	Cost Estimate	
7.	Set Aside Decision/DBE Goal	
8.	Justification of Procurement Method	
9.	List of Prospective Proposers	
10.	Proof of Publication	
11.	Copy of RFP	
12.	Addenda	
13.	Pre-proposal Minutes & List of Attendees	
14.	Correspondence with Bidders	
15.	Interoffice Correspondence	
16.	Review of Responsiveness (On Bid Tabulation)	

Contract No.: _____

Contract Administrator: _____

Date: _____

CHECK LIST – RFP’s

Applicable items should be entered in chronological order. Documents maintained in the file will be filed consecutively in each section with the highest number on top.

When an item is not applicable, it will be designated with “NA” in the Tab column.

	RFP No. _____ Section B AWARD DOCUMENTS	
Tab No.	Document(s)	Audited By
1.	Copy of Each Proposal (In Storage)	
2.	Proposal Tabulation Sheet	
3.	Evaluation Team Certification Forms	
4.	Evaluation Sheet/Matrix	
5.	Determination of Competitive Range	
6.	Invitation of Oral Interviews/Presentations	
7.	Notice of Rejection	
8.	Minutes of Discussions	
9.	Correspondence with Proposers	
10.	Cost or Price Analysis	
11.	Justification for Contract Type	
12.	Negotiation Memorandum	
13.	Copy of Each Best and Final Offer (If Applicable)	
14.	Award Recommendation Memorandum	
15.	Board Consent	
16.	Legal Review of Contract Documents (Routing Slip)	
17.	Notice of Award	
18.	Notice to Unsuccessful Proposers	
19.	Procurement Summary	
20.	Bonds (If Applicable)	
21.	Certification of Insurance	
22.	Contract Document (Drawings not Required)	
23.	Notice to Proceed	
24.	Contract/Purchase Order	

Contract No.: _____

Contract Administrator: _____

Date: _____

CHECK LIST – RFP’s

Applicable items should be entered in chronological order. Documents maintained in the file will be filed consecutively in each section with the highest number on top. When an item is not applicable, it will be designated with “NA” in the Tab column.

	RFP No. _____ Section C CONTRACT ADMINISTRATION DOCUMENTS	
Tab No.	Document(s)	Audited By
1.	Post Award Conference	
2.	Quality Assurance Records	
3.	Change Notices/Modification/Change Orders	
4.	Periodic Status Reports	
5.	Site Visit Reports	
6.	Termination/Stop Work Notices or Resolution Plan	
7.	Notice of Claims	
8.	Release of Claims/Bonds	
9.	Assignments	
10.	Notice of Final Payment	
11.	Audit Reports	
12.	Liquidated Damages	
12.	Close out Documentation	

Contract No.: _____

Contract Administrator: _____

Date: _____

REQUISITIONING OF MATERIALS & SERVICES

Materials Management Department

- Review Purchase Requisitions received from Budget Authority. Return Purchase Requisitions to Requisitioner/User which are incomplete, incorrect, or reflect improper approvals for corrections and resubmission, as appropriate. The appropriate Department Head is to review to determine whether an adequate independent cost estimate and material description/salient characteristic(s) are with the Using Department’s requisition package, if not, the requisition will be returned to the Using Department to supply the appropriate documentation.
- If requested Materials and/or Services may not be procured by Direct Purchase or by Procurement Card (as determined by Procurement Division or Professional Services/Contract Divisions, as applicable) make final determination, consistent with past practice, as to whether Bidder(s) are to be selected solely on the basis of price (i.e. Materials and/or Services to be acquired by Sealed Bids/Invitation for Bid (IFB) in accordance with applicable procurement policies and procedures), or whether other factors should be considered (i.e. Materials and/or Services to be acquired by a Request for Proposal (RFP) in accordance with applicable procurement policies and procedures).
- Forward approved Purchase Requisitions to Procurement Department (if for Materials) and/or Professional Services/Contract Divisions (if for Services). Additionally, for Purchase Requisitions requesting Services to be acquired by RFP, determine if Brooks Method should or should not be utilized in procuring such Services, and alert Professional Services/Contract Divisions as to determination.

Procurement Division or Professional Services/Contract Divisions (as applicable)

- Oversee METRA Purchase Requisition procedures and systems.
- Review Purchase Requisitions received from Materials Management Department. Return Purchase Requisitions to Requisitioner/User which are incomplete, incorrect, or reflect improper approvals for corrections and resubmission, as appropriate.
- If Purchase Requisition acceptable, first determine whether requested Materials and/or Services may be procured by Direct Purchase or by Procurement Card pursuant to applicable procurement policies and procedures (see above) and, if so, coordinate with Requisitioner/User in directly procuring the requested Materials and/or Services. When progress payments are utilized the solicitation documents must indicate that Metra will receive title to property (materials, work in progress, and finished goods).
- If requested Materials and/or Services may be procured by Direct Purchase or by Procurement Card, approved Purchase Requisition and appoint Procurement Agent to procure such Materials and/or Services Card pursuant to applicable procurement policies and procedures (see above).

REVISIONS	ISSUE DATE	PREPARED BY	APPROVED BY	PAGE	OF
8f	2-20-13	Materials Management		6	13

ATTACHMENT C

Subject: Staff Meeting

Date 2/26/13 Time 8:30AM Location 11th Floor Bid Opening Room

Name	Affiliation/Position	Phone No.	E-mail Address (if applicable)
Paul A. Kielius	Metra - Gen. Adm.	312-322-6666	kiscieiu@metra.com
Diana Keizer	Inventory Clerk	312-322-7096	dkeizer@metra.com
Paul J. Masto	CONTRACT & COMPLIANCE	312-322-6423	PMASTO@METRA.COM
Rick Ross Jr	Purchasing Clerk	322-6673	rrios@metra.com
U. Damir	Buyer	x6662	
A. Johnson	Buyer	x6654	
J. Thomas	Purchasing Clerk	6672	
Bruce ...	Materials Dept. Head	6655	b...@metra.com
Ann Marie DiPrima	Professional Services Assoc	6676	adiprima@metra.com
JOSEPH ONESTO	SR. BUYER/PROCUREMENT	6659	JONESTO@METRA.COM
Bob Rich	metra/ Contracting Agent	312-322-6674	rich@metra.com
Jim BARKER	Metra Prof. Services	312-322-6668	
STEVEN VARGAS	SR. MATH MEETING	6669	
LORI LEB	SR. BUYER	x6656	
Marchee Redmond	Seal	x6666	mredmond@metra.com
Brenda Resendez	Buyer	6671	bresendez@metra.com
ED REMUS	SR. AGENT	6658	
Steve Bauman	Prof. Services Coordinator	x7095	sbauman@metra.com
Carolyn Capronia	Dept. Head, Procurement	6667	ccapronia@yahoo.com
Lydia Elbing	Asst. Mat'l Coord.	6670	Final
Bill Mofsky	materials ANALYST	6583	wmofsky@metra.com
Michael Doherty	Material Coord.	6678	mdoherty@metra.com
Marcia Kitter	Gen Adm	8099	mkitter@metra.com
Geoffrey Urban	Metra - Mat. Mgmt	6664	gurban@metra.com
Jennifer Zellers	Buyer	6663	

Exception #2: Requisitions identify brand name or equal products without specifying sufficient salient characteristics.

Recommendation: Audit recommends that Management update procurement policies and procedures to prohibit the use of brand names without identification of salient characteristics of equal items. Management should clearly communicate this requirement to Procurement staff. Audit also recommends that checklists used to assess evidence of compliance in procurement files (e.g., Invitation for Bid Checklists) specifically identify the criteria that make a document compliant. Currently, checklists identify elements including purchase requisition and specifications but do not contain specific criteria that would assist the reviewer in identifying inadequate execution of the element.

Management Response: Management concurs that requisitions typically will identify an item to be procured by listing a description, manufacturer, manufacturer's part number, and a statement of "or equal." Further, depending upon the complexity of item to be purchased, salient characteristics may be limited to a few words on the requisition or extend to a lengthy detailed technical specification. The amount of salient characteristics to be listed is subjective, but, at a minimum, should be sufficient to allow multiple firms to competitively bid the item being requested. In the case of the procurements reviewed, that indeed was true as multiple bids were received.

Management Action Plan: Management will review its procedures to ensure that they reflect language that salient characteristics are to be included for requested items by using departments in addition to brand names and part numbers. Procurement staff will also be refreshed on this topic. Procurement staff will also be directed to request that using department's furnish as many of a requested item's salient characteristics as practical.

Metra

Exception #1: Policies and procedures are not revised to reflect all best practices identified in the FTA Follow-Up Procurement System Review.

Condition: During Audit's review of policies and procedures, Audit found:

- Procedures requiring a cost or price analysis do not specifically define significant variances nor require adequate explanation of significant variances between the independent cost estimate and bids/proposals received when assessing whether prices or costs are fair and reasonable. Also, forms used to document price or cost analysis do not identify the need for explaining significant variances between bids/proposal prices and independent cost estimates.
- An independent cost estimate form, which includes a date field, was used to prepare all 2013 independent cost estimates reviewed by Audit; however, the form was not included in revised procedures as an attachment.

Regarding Condition Bullet Point #2, Management partially concurs and partially disagrees.

Management concurs that significant variances between bids and independent cost estimates for formal procurements of significant dollar values should be addressed as part of an overall determination that bid pricing is fair and reasonable. Based upon information received from National Transit Institute instructors, Management proposes to have variances between bids and independent cost estimates for formal procurements of greater than 20% addressed. Procurement staff will be refreshed accordingly. However, Management disagrees that such differences need to be addressed for smaller dollar value informal procurements. In fact, this response is consistent with the requirements of FTA Circular 4220.1F and the findings/recommendations of FTA's PSR consultant. Management further disagrees with the second sentence of this Condition as this is not required by FTA.

Finally, Management partially concurs and partially disagrees with Condition Bullet Point #3.

Management agrees that an independent cost estimate is to include a date field. However, Management disagrees that the form indicated should be included in revised procedures as an attachment. The form is only a single example. Depending upon the complexity of the purchase, independent cost estimates may include at minimum a description of the good or service to be purchased; the estimated quantity to be purchased (e.g. units of goods, hours of services, etc.); the estimated unit prices (e.g. per item, hourly labor rate, etc.) including, where appropriate, estimated overhead, reimbursable costs and profit; and an extension of the estimated unit prices multiplied by the estimated quantities to establish the total estimate. As the foregoing demonstrates, independent cost estimates can take many forms and therefore, no single form should be attached as the only acceptable form.

Management Action Plan: Regarding Condition Bullet Point #2, Management has revised the applicable procedure to incorporate language regarding a comparison of bid prices received with independent cost estimates when there are significant variances of greater than 20% for formal procurements. The revised procedure has been submitted to the Audit Department.

Regarding Bullet Point #3, Management has included in its procedures, as of July 30, 2012, a statement to the effect that all independent cost estimates must be dated prior to bids being received and will refresh Procurement staff accordingly. The revised procedure has been submitted to the Audit Department.

Meeting Attendance

Subject: Staff Meeting & PSR Final Report Review (Elements No. 7, 13 & 41)

Date 4/9/13 Time 8:30AM Location 11th Floor Bid Opening Room

Name	Affiliation/Position	Phone No.	E-mail Address (if applicable)
Paul A. Kisielius	Metra - Sr. Div. Dir, Gen. Adm	312-322-6666	kisiel@metra-arr.com
Marcia Kitter	Sr Mgmt Coord	8099	mkitter@ " "
Shaf / m	Contract & Compliance Analyst	6324	JMUSTO@METRARR
Jim BARKER	Prof. Services + Contractors	6668	JBARKER@METRARR
Brenda Resendez	Procurement	6671	bresendez@metrarr.com
Steve Bauman	Prof. Services / Contracting Agent	x 7015	sbauman@metrarr.com
Bob Rich	Prof. Svcs / Contracting Agent	6674	mch@metrarr.com
Joseph Crest	Procurement	6659	jonestoc@METRARR.COM
DIANE KEZERLE	MATERIALS / CLERK	7096	dkezerle@metrarr.com
Bruce Davis	Dyrt. Head Materials	x 6655	BDAVIS@METRARR.COM
Joycelyn Thomas	Procurement	x 6672	jthomas@metrarr
STEVEN VARGAS	SR. MATL. COORD	6669	SVARGAS " " "
AnnMarie Di Prima	Professional Services Assoc.	6676	adiprima@metrarr.com
Michael Darnell	Materials	6678	mdarnell@metrarr.com
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DENISE JOHNSON	Buyer Procurement	6654	djohnson@metrarr.com
Marcell REDMOND	Admin Secretary	6661	MREDMOND@METRARR.COM
U. Damian	Buyer	6661	UDamian@metrarr.com
Lori Lee	Sr. Buyer	6656	ll@metrarr.com
Candyn Caprara	Dept. Head	6667	ccapranica@metrarr.com
Bell Mohler	Matl. Analyst	6583	wmohler@metrarr.com
Jennifer Zellars	Buyer	6663	jzellars@metrarr.com
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7. Independent Cost Estimates

Metra Internal Audit Review Findings:[Summary] *Metra Internal Audit reviewed a sample of six (6) FTA-funded contracts that were executed during the period from January 1, 2013 through February 7, 2013 to determine whether independent cost estimates included the date of the estimate and were prepared prior to receipt of bids. Of these six (6) contracts reviewed, two (2) procurements were found to be deficient because the estimates were either undated or prepared after bid receipt.*

Internal Audit made the following recommendations to Metra Management as a result of their audit review:

- *A standard independent cost estimate form should be included in revised procedures as an attachment. This standard form should include a date field and should visibly state that the form "Must be completed prior to bid receipt."*
- *Checklists should be utilized to assess evidence of compliance in procurement files. These checklists should identify elements such as independent cost estimates along with the specific compliance requirements.*

Metra Management concurred with the finding that estimates should be prepared and dated prior to bid receipt, but disagreed that a standard independent estimate form should be utilized and included in policies and procedures. The Management Action Plan submitted in response to the Internal Audit report stated that procedures have been updated to state that independent cost estimates must be dated prior to bid receipt, that Procurement staff will be trained accordingly, and that the revised procedure has been submitted to the Audit Department for review.

Reviewing Contractor's Response: This response did not include all of the agreed-upon corrective actions. Metra Internal Audit found that deficiencies still exist in the procurement system that preclude independent estimates from being prepared properly. Therefore, this element remains deficient. Metra must respond with evidence of revised procedures or an approval process that sufficiently establishes a system for ensuring that estimates are dated and prepared prior to receipt of bids. Furthermore, Metra must provide evidence of an adequate management review or approval process that ensures that this deficiency does not reoccur.

13. Brand Name Restrictions

Metra Internal Audit Review Findings: [Summary] *Metra Internal Audit reviewed a sample of six (6) FTA-funded contracts that were executed during the period from January 1, 2013 through February 7, 2013 to determine if brand names were used in specifications. If brand names were found, Internal Audit evaluated the specification to ensure that "or equal" language and salient characteristics were included. Of these six (6) procurements reviewed, two (2) were found to include specifications with brand names that did not specify salient characteristics.*

Internal Audit made the following recommendations to Metra Management as a result of their audit review:

- *Policies and procedures should be updated to prohibit the use of brand names without identification of salient characteristics, and staff should be trained on this requirement.*
- *Checklists should be utilized to assess evidence of compliance in procurement files. These checklists should identify elements such as brand name requirements along with specific instructions for those preparing specifications to ensure compliance.*

Metra management concurred that requisitions including a brand name should specify salient characteristics and a statement of "or equal." The Management Action Plan submitted in response to the Internal Audit report stated that procedures will be reviewed to ensure that they reflect language that salient characteristics are to be included in brand name requisitions. Management also committed to training staff on updated procedures and having an independent consultant review these procedures for conformance with the requirements of FTA Circular 4220.1F.

Reviewing Contractor's Response: Metra Internal Audit found that deficiencies still exist in the procurement system that are preventing brand name specifications from being treated appropriately. Therefore, this element remains deficient. Metra must respond with evidence of revised procedures that sufficiently establish a system for ensuring that brand name specifications include the statement "or equal" along with relevant salient characteristics. Furthermore, evidence of a management review or approval process must be provided to ensure that this deficiency doesn't reoccur.

41. Cost or Price Analysis

Attachment C

Metra Internal Audit Review Findings: [Summary] *Metra Internal Audit reviewed a sample of six (6) FTA-funded contracts that were executed during the period from January 1, 2013 through February 7, 2013 to evaluate the variances between independent estimates and bids received. Metra policies and procedures related to cost and price analysis were also reviewed along with cost and price analysis forms. Internal Audit determined that two (2) of the six (6) procurements reviewed were deficient because independent estimates for small purchases were higher than bids received. In one (1) case the highest price received came in 33% under the estimate, and in another case the highest bid was 9% below the estimate.*

Internal Audit made the following recommendations to Metra Management as a result of their audit review:

- *Procurement must update policies and procedures to establish guidance regarding the circumstances under which a written explanation would be required to explain significant variances between estimates and bids received. A percentage threshold should be established to delineate the amount of difference between estimates and bids that would necessitate this explanation.*
- *Checklists should be utilized to assess evidence of compliance in procurement files. These checklists should identify elements such as cost and price analysis along with specific instructions for those preparing these analyses to ensure compliance.*

Metra management did not concur with this finding based on their understanding of FTA Circular 4220.1F, stating that the Circular does not require a comparison between bid prices and the independent cost estimate for cost and price analysis on procurements within the small purchase threshold. Rather, the Management Action Plan submitted in response to the Internal Audit report acknowledged that significant variances between bids and estimates should be addressed for formal procurements and not for small purchases. Management proposed that variances greater than 20% be addressed for formal procurements.

Management now considers this item closed and Internal Audit concurs.

Reviewing Contractor's Response: When evaluating cost and price analysis, the Reviewing Contractor found several instances where bids received came in 30-50% greater than the independent estimate without evidence of comparison between bids and estimates or supporting analysis. All of these instances pertained to purchases greater than \$10,000, which is Metra's threshold between small purchases and formal procurements.

It appears that Metra Internal Audit focused primarily on small purchases under this \$10,000 threshold when conducting their review of contract files and was unable to adequately assess whether cost and price analyses are sufficient for formal procurements. Furthermore, the changes that management has proposed to modify existing policies and procedures have not been adopted and training has not been provided to staff on these new requirements for cost and price analysis on formal procurements. Therefore, this element is still deficient. To achieve compliance, Metra must respond with evidence that policies and procedures have been incorporated and training has been conducted on these updated requirements. Evidence must also be provided within this period of an independent audit confirming that revised procedures are being consistently followed for procurements above the micro-purchase threshold.

ATTACHMENT D

REQUISITIONING OF MATERIALS & SERVICES

- With respect to requested Materials, determine if the desired Materials are already available by accessing the Materials System.
- Prepare a Purchase Requisition(s) for needed Materials and/or Services which are not otherwise already available in accordance with the policy and procedures specified herein. Descriptions/specifications for materials or services should be well defined, but non restrictive and they should be complete, clear, accurate, and unambiguous descriptions. If specifying a “brand name” product the solicitation must allow for offers of “an equal” product, and allowing “an equal” product listing the salient characteristics that the “equal” product must meet to be acceptable for award. Such “approved equal” determination shall be done as part of the Using Department’s technical evaluation. A dated Independent Cost Estimate (“ICE”) must be provided for all formal procurements. If requesting both inventory and non-inventory Materials, prepare a Purchase Requisition for inventory Materials and a separate Purchase Requisition for non-inventory Materials.
- Assign the proper user department account/distribution code(s) to the Materials and/or Services requested in the Purchase Requisition(s).
- Determine, consistent with past practice and subject to approval by Materials Management Department, whether Bidder(s) are to be selected solely on the basis of price, or whether other factors should be considered.
- If requesting Materials and/or Services from a Sole Source, provide memorandum explaining the reason(s) for such Sole Source restriction.
- If requesting Materials and/or Services pursuant to an Emergency Requisition, provide memorandum and supporting evidence fully justifying the requested Materials and/or Services and the urgency for such Materials and/or Services.

Budget Authority

- Review accuracy and completeness of Purchase Requisition, including required signatures, identification of proper account/distribution code(s), and attachment of memorandums and supporting evidence, as applicable. Return Purchase Requisition to Requisitioner/User which are incomplete, incorrect, or reflect improper account/distribution code(s) for correction and resubmission.
- Verify availability of funds in the appropriate budget account. Return Purchase Requisition to Requisitioner/User for which funds are not available.
- Assuming funds are available and Purchase Requisition is complete, approve Purchase Requisition and forward approved Purchase Requisitions to Materials Management Department.
- Maintain a record of all Purchase Requisitions and purchases of Materials and Services to ensure that budget limitations are not exceeded.

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REQUISITIONING OF MATERIALS & SERVICES

Materials Management Department

- Review Purchase Requisitions received from Budget Authority. Return Purchase Requisitions to Requisitioner/User which are incomplete, incorrect, or reflect improper approvals for corrections and resubmission, as appropriate. The appropriate Department Head is to review to determine whether an adequate independent cost estimate and material description/salient characteristic(s) are with the Using Department’s requisition package, if not, the requisition will be returned to the Using Department to supply the appropriate documentation.
- If requested Materials and/or Services may not be procured by Direct Purchase or by Procurement Card (as determined by Procurement Division or Professional Services/Contract Divisions, as applicable) make final determination, consistent with past practice, as to whether Bidder(s) are to be selected solely on the basis of price (i.e. Materials and/or Services to be acquired by Sealed Bids/Invitation for Bid (IFB) in accordance with applicable procurement policies and procedures), or whether other factors should be considered (i.e. Materials and/or Services to be acquired by a Request for Proposal (RFP) in accordance with applicable procurement policies and procedures).
- Forward approved Purchase Requisitions to Procurement Department (if for Materials) and/or Professional Services/Contract Divisions (if for Services). Additionally, for Purchase Requisitions requesting Services to be acquired by RFP, determine if Brooks Method should or should not be utilized in procuring such Services, and alert Professional Services/Contract Divisions as to determination.

Procurement Division or Professional Services/Contract Divisions (as applicable)

- Oversee METRA Purchase Requisition procedures and systems.
- Review Purchase Requisitions received from Materials Management Department. Return Purchase Requisitions to Requisitioner/User which are incomplete, incorrect, or reflect improper approvals for corrections and resubmission, as appropriate.
- If Purchase Requisition acceptable, first determine whether requested Materials and/or Services may be procured by Direct Purchase or by Procurement Card pursuant to applicable procurement policies and procedures (see above) and, if so, coordinate with Requisitioner/User in directly procuring the requested Materials and/or Services. When progress payments are utilized the solicitation documents must indicate that Metra will receive title to property (materials, work in progress, and finished goods).
- If requested Materials and/or Services may be procured by Direct Purchase or by Procurement Card, approved Purchase Requisition and appoint Procurement Agent to procure such Materials and/or Services Card pursuant to applicable procurement policies and procedures (see above).

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ATTACHMENT E

PURCHASE REQUISITION CHECKLIST

TO: _____

DATE: _____

FROM: _____

SUBJECT: Purchase Requisition(s) No.(s) _____

- 1. Complete Box Nos. 2, 3, 5, 6, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27. _____
- 2. Provide a current Price List. _____
- 3. Provide current Signature Authorizations Sheets. _____
- 4. Provide Correct/Complete Account/Project Nos. _____
- 5. Provide Specification(s)/Drawings. _____
- 6. Formal (Over 10K) provide a minimum of 12 drawings. _____
- 7. Need more information. List the salient characteristics, provide a catalog cut, and state what it will be used for. _____
- 8. In Box No. 6, print person's and phone number for any questions the buyer may have. _____
- 9. Provide a Sole Source justification letter when there is only one source for the item requested. _____
- 10. Complete Requisitioner's Checklist before submitting to Procurement. _____
- 11. Show person's name the material should be directed to. _____
- 12. Complete the Requisitioner's Checklist, items 1 through 18. _____

13. Other: _____

ATTACHMENT F

FORMAL QUOTATIONS AND AWARD

II. POLICY (Continued)

Whenever possible and practical, Metra will endeavor to secure three or more bids (quotations) in the open market. If less than two bids are obtained, the reasons should be documented. When a specific, brand name or vendor is specified, a written memorandum explaining the reasons for the restriction must be provided. The memorandum must be signed by the manager of the Requisitioning Department, Division, or Office, the Senior Director or Deputy Executive Director, as appropriate, and the Executive Director/CEO.

Purchase orders that include capital funds, a price/cost analysis and history of procurement must be prepared and maintained on file for a single bid or sole source procurement. The solicitation documents must also include as an Exhibit the Federal Transit Administration required contract clauses. Upon receiving a single bid or proposal in response to a solicitation, it should be determined if competition was adequate. This should include a review of the specifications for undue restrictiveness and will include a canvas of potential sources that chose not to submit a bid or proposal. A determination is to be made to either re-solicit or continue with the award based upon the information obtained in the review. The canvas conducted by Materials Management is to be maintained in the contract file.

For purchase orders that include capital funds, a price/cost analysis and history of procurement must be prepared and maintained on file for a single bid or sole source procurement. To determine price reasonableness through the price/cost analysis, if the independent cost estimate is significantly different (20 % or greater) than the price received, an explanation as to the significant difference should accompany the determination whether the price/cost is fair and reasonable. The Contract and Compliance Analyst will do a review of the bid if a variance of 20 percent or greater exists to determine why the ICE was off and will assist staff in a review of price reasonableness.

A sole source must be the only available vendor that can provide the materials or services. If capital funding is involved, approval of a sole source may be required.

Only bids received by the announced due date and time will be considered.

Solicitation for bids among vendors will be made by media advertisements, (Invitation for Bids/Requests for Proposals). See Exhibit II in PU-04-RC, for Informal Quotations and Awards), and Metra’s corporate website.

Purchase orders will be awarded to the lowest responsive and responsible bidder.

III. DEFINITIONS

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PROFESSIONAL SERVICE CONTRACTS (GRANT-FUNDED, NON-BROOKS)

on the Evaluation Criteria. The Professional Services/Contracts Division shall continue to negotiate with such selected Offeror to determine the compensation that is fair and reasonable, taking into account the scope, complexity, and professional nature of the services. To determine price reasonableness through the price/cost analysis, if the independent cost estimate is significantly different (20% or greater) than the price received, an explanation as to the significant difference should accompany the determination whether the price/cost is fair and reasonable. The Contract and Compliance Analyst will do a review of the bid if a variance of 20 percent or greater exists to determine why the ICE was off and will assist staff in a review of price reasonableness.

Contracts with respect to a given RFP will be generally awarded on a maximum compensation basis, and will reflect a specified maximum amount, payment schedule, and method of payment. Advance payments prior to the incurrence of costs by the Offeror are prohibited. If no contract can be concluded with the highest ranking Offeror, negotiations will be formally terminated with that Offeror and new negotiations will be undertaken with the second highest ranking Offeror (and so on). Upon completion of the foregoing negotiations, the Professional Services/Contracts Division shall prepare, and have internally approved, a Professional Service Contract to be executed by the selected Offeror. No Professional Service Contract shall exceed five (5) years including options, if any. No portion of the work to be performed by Consultant pursuant to a Professional Service Contract may be assigned to a subcontractor unless explicitly approved in advance by the Requisitioner/User. When a subcontractor is permitted to be utilized by the selected Consultant by the Requisitioner/User, and as a condition of such permission, the Consultant/subcontractor must submit: (a) the required cost details to the Professional Services/ Contracts Division using the RC4400 form; and (b) all such other information necessary to enable an understanding of the basis of the subcontract relationship and/or as otherwise requested by the Professional Services/Contracts Division.

The Professional Services/Contracts Division will maintain all substantive records and correspondence with respect to each RFP. Such records include, but are not limited to, the documentation relating to the rationale for the method of procurement, the selection of contract type, compensation method, the basis of Offeror selection/ rejection based on the Evaluation Criteria, Evaluation Committee rankings (individual and group) with respect to each Offeror (explaining any wide variances in scores) and the basis for the contract price. All such information shall be maintained by the Professional Services/Contracts Division in the respective procurement file (other than large maps, drawing and plans which are to be kept in respective department file).

Once a Professional Service Contract has been executed, the Requisitioner/User and the Professional Services/Contracts Division will continuously monitor Consultant's compliance with the provisions of the Professional Service Contract. In the event of non-compliance by a Consultant, the Professional Services/Contracts Division will contact said Consultant and

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**ARCHITECTURAL AND ENGINEERING
SERVICES CONTRACTS
(BROOKS METHOD)**

ranked Offerors based on the subject Evaluation Criteria with which the Professional Services/Contracts Division shall arrange to engage in further discussions.

The Professional Services/Contracts Division, with the assistance of the Requisitioner/User, shall coordinate further discussions with the identified highest ranking Offerors, including the scheduling of a pre-award interview to clarify any final matters. The Professional Services/Contracts Division shall also obtain such other information, other than cost information, necessary to evaluate the identified highest ranking Offerors and their respective proposals.

Upon obtaining the foregoing information, the Evaluation Committee shall re-evaluate the identified highest ranking Offerors, first individually by each member, then collectively as a group, to determine the Offeror whose proposal appears to be the best/most qualified to Metra based on the Evaluation Criteria. The Professional Services/Contracts Division shall continue to negotiate with such selected Offeror to determine compensation that is fair and reasonable, taking into account the scope, complexity, and professional nature of the services. Except in the case of Blanket RFPs, cost details from the highest ranking Offeror will be obtained on a RC4400 form after the evaluation process. For Blanket RFPs, a schedule of positions with the range of hourly rates including overhead and burden and any other costs to be determined will be obtained on a RC4400 form, from the highest ranking Offeror after the evaluation process. The Professional Services/Contracts Division shall complete the Price Analysis Documentation and forward such documentation, together with all other information received with respect to the subject Offeror to the Evaluation Committee. To determine price reasonableness through the price/cost analysis, if the independent cost estimate is significantly different (20 % or greater) than the price received, an explanation as to the significant difference should accompany the determination whether the price/cost is fair and reasonable. The Contract and Compliance Analyst will do a review of the bid if a variance of 20 percent or greater exists to determine why the ICE was off and will assist staff in a review of price reasonableness.

Contracts with respect to a given RFP will be generally awarded on a maximum compensation basis, and will reflect a specified maximum amount, payment schedule, and method of payment. Advance payments prior to the incurrence of costs by the Offeror are prohibited. If no contract can be concluded with the highest ranking Offeror, negotiations will be formally terminated with that Offeror and new negotiations will be undertaken with the second highest ranking Offeror (and so on). Upon completion of the foregoing negotiations, the Professional Services/Contracts Division shall prepare, and have internally approved, a contract to be executed by the selected Offeror.

The Professional Services/Contracts Division will maintain all substantive records and correspondence with respect to each RFP. Such records include, but are not limited to, the

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**FORMAL SOLICITATION AND AWARD
FOR CONSTRUCTION CONTRACTS**

IV. RESPONSIBILITIES (Continued)

measure the cost reasonableness of the subject bid. To determine price reasonableness through the price/cost analysis, if the independent cost estimate is significantly different (20% or greater) than the price received, an explanation as to the significant difference should accompany the determination whether the price/cost is fair and reasonable. Contract and Compliance Analyst will do a review of the bid if a variance of 20 percent or greater exists to determine why the ICE was off and will assist staff in a review of price reasonableness.

Ensures that justification memorandum is signed by the Senior Director, Materials Management, Deputy Executive Director, and the Executive Director. Prepares purchase order/contracts and obtains signatures. Distributes purchase order/contract copies. Advises the Risk Management Division of the purchase of real property, new equipment, construction activities, and other insurable items. Maintain all substantive records and correspondence with respect to each IFB. Such records include, but are not limited to, the documentation relating to the rationale for the method of procurement, the selection of contract type, the basis for the contract price, and the required Buy America Certifications.. All such information shall be maintained by the Professional Services/Contracts Division in the respective procurement file (other than large maps, drawing and plans which are to be kept in respective department file).

General Development Department

Obtains all necessary approvals from required funding agencies. Reviews and approves purchase order when capital funds are involved. On a weekly basis, notifies the Procurement Division or Professional Services/Contracts Division of contracts that are held pending the approval of the funding agency. Forwards contract to Accounts Payable.

Accounts Payable

If capital funds are involved, encumbers funds and forwards purchase orders to the Procurement Division or Professional Services/Contracts Division.

V. INSTRUCTIONS

Responsibility

Action

Requisitioner/User

1. In accordance with Requisitioning of Materials & Services (PU-02-RC), submit completed Purchase Requisition RC 73 (see Exhibit I in PU-02-RC, Requisitioning of Materials and Services) to:
 - a) General Development Department, if capital funds are involved, for review and required actions. Proceed to Step 2.
 - b) Professional Services/Contracts Division, if

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