Virgin Islands Waste Management Authority
Preserving Paradise

IFB-010-T-2026

VIRGIN ISLANDS WASTE MANAGEMENT AUTHORITY

The Virgin Islands Waste Management Authority is hereby soliciting proposals for **IFB-010-T-2026 for Roll On/Roll Off Truck Equipment Acquisition**

Interested parties and prospective respondents may request the complete IFB Package for their review from the Authority by submitting a request confirmation email with contact information for the respective company to mvante@viwma.org. All questions pertaining to the scope of services to be rendered should be directed to Michael Vante, Director, Procurement & Property Division, on or before **Friday, July 24th, 2026.** Responses to questions will be forwarded in the form of an Addendum to those parties who have confirmed interest by formally requesting the bid package.

Virgin Islands Waste Management Authority
Procurement and Property Division
7410 Estate Bovoni, Bay 2
St. Thomas, VI 00802
Tel: (340) 715-9170
mvante@viwma.org

Responses will be submitted electronically in PDF format bearing the respective IFB Number: IFB-010-T-2026 to mvante@viwma.org on or before Friday, August 14th, 2026, at 12:00 P.M. Atlantic Standard Time.

The Virgin Islands Waste Management Authority reserves the right to waive any non-substantive informalities, technicalities, or irregularities, or reject any or all qualifications and proposals/bids; or to re-advertise for proposals/bids, and to award or refrain from awarding the contract for the work.

Hannibal "Mike" Ware
Executive Director

VIRGIN ISLANDS WASTE MANAGEMENT AUTHORITY
INVITATION FOR BIDS

DATE: **July 9th, 2026**
IFB NUMBER: **IFB-010-T-2026**
PROJECT NAME: **Roll On/Roll Off Truck Equipment Acquisition**

Bids, for the work described herein will be received electronically in PDF format to mvante@viwma.org on or before **Friday, August 14th, 2026 at 12:00 P.M. Atlantic Standard Time.** Any bid received after the time and date specified shall not be considered.

All questions pertaining to the scope of services to be rendered should be directed to Michael Vante, Procurement & Property Director at mvante@viwma.org on or before **Friday, July 24th, 2026 at 5:00PM AST**. Responses to questions will be forwarded in the form of an Addendum to those parties who have confirmed interest.

All documents contained in the Contract Document book are made a part of this Invitation and by this reference incorporated herein as fully and effectively as if set forth in detail. The bidder's attention is directed to the fact that all applicable municipal ordinances, and the rules and regulations of all authority having jurisdiction over construction of the project shall apply to Contract throughout, and they will be deemed to be included in the Contract the same as though herein written out in full.

1.0 PROJECT SUMMARY

The Virgin Islands Waste Management Authority ("VIWMA") is soliciting sealed bids from qualified and licensed Vendors ("Respondents") to supply a Roll On/Roll Off Truck for the St. Thomas/St. John District, United States Virgin Islands. Interested Vendors that respond to this IFB ("Respondents") shall have the qualifications, experience and ability to supply equipment and materials related to the solid waste industry.

2.0 BACKGROUND

A Roll-On/Roll-Off (RORO) truck is a specialized heavy-duty waste collection and transport vehicle engineered to load, transport, and unload large open-top containers used for the collection and disposal of municipal solid waste, construction and demolition debris, bulky waste, green waste, and other heavy materials. Within VIWMA's operations, roll-on/roll-off trucks are critical assets that support the efficient movement of high-volume waste from transfer stations, convenience centers, illegal dumping sites, and other collection points to designated waste management facilities. These vehicles enhance operational efficiency by enabling the rapid exchange of waste containers, reducing equipment downtime, improving fleet productivity, minimizing manual handling of waste, and supporting the timely delivery of waste to VIWMA-operated landfills and other authorized disposal or processing facilities.

3.0 SCOPE OF WORK

The procurement of a roll on/roll off garbage truck for the island of St. John is essential to support, strengthen, and enhance solid waste management operations. This acquisition is necessary to ensure the timely, efficient, and safe collection and transportation of municipal solid waste, thereby safeguarding public health, maintaining environmental compliance, and ensuring operational continuity across the Territory. The additional equipment will mitigate service disruptions, improve collection reliability, and enhance system resilience in response to operational demands.

This procurement directly supports the Virgin Islands Waste Management Authority's (VIWMA) strategic objectives to:

- Strengthen essential public services
- Enhance environmental sustainability initiatives
- Improve community satisfaction and public trust
- Ensure regulatory compliance and long-term operational resilience

The scope of this procurement includes, but is not limited to, the following components:

- Purchase of Equipment: One (1) new roll on/roll off truck suitable for municipal solid waste collection operations.
- Shipping and Delivery: Transportation and delivery of the equipment to the Bovoni Landfill on St. Thomas, U.S. Virgin Islands (including Customs & VI Port Clearance).
- Installation and Training: Equipment commissioning and operator training to be conducted at Bovoni Landfill, St. Thomas.
- Maintenance and Support: Inclusion of a service agreement and preventative maintenance plan to ensure equipment reliability, longevity, and compliance with operational standards.

Technical specifications for the equipment are provided in Enclosure Document G.

The contract scope shall include purchasing of equipment, and all the shipping logistics required to ship the equipment to the US Virgin Islands. The vendor or contractor shall provide:

· Cost for items noted in the attached Bid Schedule
· The equipment specifications in the attached specification sheet until the title of "Vendor"
· Pictures, brochures or drawings of the equipment

The equipment list is as follows (see attached specifications):

Description	**Size/ Qty**	**Location**
Roll On/Roll Off Garbage Truck	1	Bovoni Landfill, St. Thomas

Notes:

1. The contractor or vendor shall provide the cost for each item noted on the bid schedule.

2. The contractor or vendor shall coordinate the shipping logistics (including VI Port & Customs Clearance) required to have the equipment shipped to the US Virgin Islands, including to the Bovoni Landfill on St. Thomas, USVI.

3. The contractor or vendor shall provide:

a) A manufacturing schedule of the equipment

b) A delivery schedule for the equipment to the Bovoni Landfill on St. Thomas, USVI

c) Specifications of the equipment

d) Drawings of the equipment (if applicable)

e) Operating procedures of the equipment

f) Recommended spare parts list of the equipment

g) Operator training for the equipment

h) All applicable warranties for the equipment

6. The contractor or vendor shall provide adequate packing to minimize any damages to the equipment.

7. The contractor or vendor shall ensure proper delivery to the Bovoni Landfill on St. Thomas, USVI.

8. The contractor or vendor shall ensure proper operation of equipment (this includes all the necessary tools and hardware).

4.0 QUALIFICATIONS

The selected Respondent must be able to adequately demonstrate their experience in their bid submittal.

A. Required Minimum Qualifications of Respondent

The following subsections are required minimum qualifications.

1. Respondents shall attach its license to do business or copy of its application for a license. Respondents should give a brief description of their company including brief history, corporate or organization structure, number of years in business. If the Respondent is partnering or subcontracting with any other entity, provide the information described above for each such entity.

2. The Respondent should also be registered with a valid System for Award Management (SAM) number.

3. Respondents that are corporations, partnerships, or any other legal entity, domestic or foreign, shall be properly registered to do business in the area in which they are incorporated at the time of the submission of their responses to this IFB. Such respondents shall attach a Business License (relevant to the SOW) and a Certificate of Good Standing from their respective jurisdictions to their bid submissions.

4. Respondent can comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and governmental business commitments.

5. Respondent has a satisfactory performance record.

6. Respondent has a satisfactory record of integrity and business ethics.

7. Respondent has the necessary organization, experience, operational controls, and other necessary technical skills, or the ability to obtain them.

8. Respondent has established prior experience in successfully performing the scope of services requested.

9. Respondent and its employees hold and maintain any and all territorial, federal, state, and local licenses or certifications as required to perform the services requested.
10. Respondent is otherwise qualified and eligible to receive an award under applicable laws and regulations.
11. Respondent can comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and governmental business commitments.
12. Respondent has adequate staffing to fulfill the required services throughout the entire contract term.
13. Respondent must not be debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in any federal or local programs in the Territory or any Federal department or agency.

5.0 PRICE AND PAYMENT

Respondents must submit **Enclosure Document (F)** Bid Sheet for costs associated with all required specifications outlined within the IFB. Respondents should also submit a payment schedule in conjunction with Enclosure Document F & G outlining proposed progress payments based on the manufacturing and equipment delivery schedules.

The contract or purchase order will be funded, in whole or in part, by federal funds. Therefore, funding and payment of the contract will be based on requirements and availability of the federal funding sources utilized by VIWMA. The prime Contractor is responsible to submit all required documentation for payment to VIWMA. The contract requires compliance with federal terms and conditions for federal grants such as 2 CFR200 (**Attachment A**).

Please note, the information requested in the cost sheet may not necessarily reflect what the structure of the final contract or purchase order will be.

6.0 NOTICE OF FEDERAL GUIDELINES

Because the contract is being funded with federal funds, the contract shall be governed by certain federal terms and conditions for federal grants, including 2 CFR 200 and other applicable OMB circulars. Respondent shall provide a description of experience with such grant requirements and affirmatively represent and certify that the respondent shall adhere to any requirements of applicable federal requirements. In addition, this IFB is intended to be conducted in accordance to 2 CFR 200 and the resulting contract will contain the required contract provisions. The successful contractor will be required to abide by the federal rules and regulations which govern this construction project.

7.0 CONFLICT OF INTEREST

A respondent submitting a bid hereby certifies that no officer, agent or employee of VIWMA has a pecuniary interest in this bid or has participated in contract negotiations on behalf of the WMA; that the bid is made in good faith without fraud, collusion, or connection of any kind with any other Bidder for the same request for proposals; the Bidder is competing solely in its own behalf without connection with, or obligation to, any undisclosed person or firm.

8.0 LIQUIDATED DAMAGES

It shall be agreed by and between the parties that liquidated damages will be assessed in the amount of Five Hundred Dollars ($500.00) per day as a result of delays, or failure to complete the service within the specified period of time. Liquidated damages will not be assessed during any delay in performance of the services caused by acts of God, the public enemy, fire, floods, epidemics, quarantine restrictions, supplier's or vendors strikes, freight embargoes, or other cause beyond the Contractor's reasonable control. The Contractor shall make every reasonable effort to mitigate the effects of said causes. The selected Contractor shall not be assessed with liquidated damages for delay in performance of the services caused by failure of the Authority to provide or perform those items of work required of the Authority under the contract. The Contractor shall have no claim for any additional compensation for any such delay.

9.0 REQUIRED DOCUMENTS

Respondent shall be required to submit the following documents:

A. **Corporate Documents –** The successful respondent will be required to provide a copy of their Corporate Documents.
    a. Provide a copy of Corporate Documents
        i. Corporation
            1. Copy of Articles of Incorporation & Bylaws
        ii. Limited Liability Company
            1. Copy of Articles of Organization
            2. Copy of Operating Agreement
        iii. Sole Proprietorship
            1. Copy of Trade Name Certificate

B. **Business License-** The successful respondent will be required to provide a copy of their Business License. An award will not be made to any firm or individual doing business in the Virgin Islands to perform work with the Authority until evidence is submitted that said firm or individual has a valid V.I. Business License to do business in the Virgin Islands. Firms or individuals operating outside of the Virgin Islands must submit evidence of a valid Business License from their operating location.

C. **Letter of Good Standing if Corporation or Certificate of Existence if Limited Liability Company (LLC) -** The successful respondent will be required to provide a copy of their Letter of Good Standing or Certificate of Existence. A copy of the receipt that demonstrates evidence of filing the company’s Annual Report on June 30th of the current Year from the Office of Lieutenant Governor (or their operating jurisdiction) will be acceptable as well.

D. **Social Security Number (SSN) or Employer Identification Number (EIN) -** The successful respondent will be required to provide an official copy of their SSN or EIN.

E. **Liability Insurance –** The successful respondent will be required to obtain and have in place Liability Insurance in an amount no less than One Million (1,000,000.00) Dollars. The Insurance policy shall name the WMA as an “Additional Insured”. The successful respondent must provide a copy of the Liability Insurance.

F. **Workers' Compensation Insurance –** The successful respondent will be required to obtain and have in place Workers' Compensation Insurance coverage.

G. **CAGE Number–** The successful respondent will be required to submit a Valid CAGE Number that is actively registered on SAM.GOV https://www.sam.gov/SAM/pages/public/index.jsf

10.0 CONTRACTOR'S RESPONSIBILITIES

- Bear all cost related to the preparation and submission of the bid package in response to this IFB solicitation.
- Provide a completed "Base Bid Sheet" with a price guaranteed for 90 days and provide the documentation as specified in this IFB solicitation.
- Pay all taxes and fees as required by the local and federal statutes.
- Obtain and provide a copy of current Liability Insurance to cover any claims and damages occasioned by executing the Scope of Work.
- Provide acceptable workmanship, according to "Industry Standards" in each Trade or Scope of Work.
- Provide written proof of equipment lead time from manufacturer to justify timeframe for equipment acquisition.
- Remedy and repair any defects in materials or workmanship, without expense to WMA, no later than thirty (30) days after receipt of a written notice of a defect and provide a warranty on such repairs.
- Transfer all manufacturer warranties for all equipment acquisitions to VIWMA.

11.0 VIWMA's RESPONSIBILITIES

- The Equipment Specifications shall be provided by WMA.
- Acceptance of equipment at Bovoni Landfill (St. Thomas).

12.0 INVITATION FOR BID SCHEDULE

The following dates are proposed by the VIWMA Procurement Division. The deadlines associated with this IFB are further outlined below:

IFB SCHEDULE	DATES	TIMES
IFB Advertisement Date	Thursday, July 9, 2026	
Final Date to submit written questions	Friday, July 24th, 2026	5:00 PM
IFB Submittal Deadline	Friday, August 14th, 2026	12:00 PM

The VIWMA reserves the right to change the IFB Schedule by issuing an Addendum at any time.

13.0 ISSUING AND PROCURING OFFICE

This IFB is being issued for the VIWMA. All general correspondence and inquiries about the IFB should be submitted via email and sent to:

Michael Vante, Procurement & Property Director
Virgin Islands Waste Management Authority
7410 Estate Bovoni, Bay 2
St. Thomas, VI 00802
Phone (340) 715-9191 Fax (340) 715-9179
Email: mvante@viwma.org
Mark subject line for email "IFB-010-T-2026"
Roll On/Roll Off Truck Equipment Acquisition

From the issue date of this IFB until a determination is made regarding the selection of a Respondent, refer all contacts concerning this RFP to Michael Vante, Director, Procurement & Property Division at mvante@viwma.org. Any violation of this condition is cause for the VIWMA to reject a Respondent's package. The VIWMA will NOT be responsible for any oral information given by any employees.

Failure to ask questions, request changes or submit objections shall constitute the acceptance of all terms, conditions and requirements in this IFB. The issuance of a written addendum by the VIWMA is the only official method by which interpretation, clarification or additional information can be given. If the VIWMA amends this IFB, they will email the addenda to all potential Respondents. The WMA will **not** be held responsible if any potential respondent does not check the website on a regular basis for all addenda. It is the responsibility of the potential respondents to update all contact information, contact the Procurement/Contract Officer to ensure that they receive all addenda prior to the submittal of the bid package, and/or check VIWMA's website for updates. The bid package will be considered non-responsive if all modifications are not incorporated.

14.0 FORMAT OF BID PACKAGE

To be considered for award, the bid package shall meet the following requirements. Failure to meet the requirements as outlined will disqualify the respondent.

A. IFB Cover Letter - Complete **Enclosure Document A**.

B. Commitment Statement Letter – The Commitment Statement letter should be on the company's letterhead with contact information and must be signed by an officer of the organization that is authorized to bind the company contractually to all of the commitments made in its submittal. The letter shall also include a statement of understanding of the work to be done and to certify that the company shall adhere to the all the terms and conditions governing the contract. It shall state that the firm will be solely responsible for all aspects of the engagement including any portion that may be performed by its subcontractors, if any. It should make a positive commitment to perform the work required as specified to industry standards of workmanship and in a professional manner. It should also state that the bid package will remain in effect for a period of 90 days from the submission deadline and thereafter, until the firm withdraws it, or a contract is approved and executed, or the procurement is canceled, whichever occurs first. Respondent shall also confirm that the firm has not engaged in any unethical practices within the past five (5) years.

C. Non-Collusive Affidavit – Complete **Enclosure Document B**. The form must be notarized.

D. Debarment Certification Form – Complete **Enclosure Document C**. The form must be notarized.

E. Contract Document Checklist Form – Complete **Enclosure Document D and submit your current Business License**. For this section, Respondent must provide evidence that the company is licensed to provide the requested equipment. The Business License must be relevant to the Scope of Work for this solicitation.

F. Contractor's Qualifications Statement Form – Complete **Enclosure Document E**. For the Reference Section of the form, you must provide three (3) reference letters for the most recent, relevant work comparable to the scope requested in this IFB whom would be willing to discuss your company's competency and performance. If you currently have more than three (3) references, a client listing with contact information should be provided as well.

G. Bid Sheet – Complete **Enclosure Document F**. All bid pricing must be valid for 90 days from the submission deadline and thereafter until the company withdraws it, a purchase order is approved and executed, or the procurement is canceled, whichever occurs first.

Each respondent must adhere to the requirements of this section relative to the bid package content and format in order to simplify the review process and facilitate the maximum degree of comparison. Respondents should ensure that their bid package closely follows the sequence and organizational outline described in this section.

H. Other Required Documents – Respondents must submit all required documentation outlined within the Scope of Work Notes, Equipment Specifications and Procurement Requirements.

16.0 DELIVERY OF BID PACKAGES

All responses to this IFB are to be submitted, via electronic .pdf , no later than **12:00 p.m. AST on Friday, August 14th, 2026.** This acquisition and installation of all equipment is expected to be completed in about seven (7) months or less. Submittals must be made via email and contain a single pdf document submission including technical specifications and a detailed pricing submittal (cost proposal). All bid pricing must be valid for 90 days. VIWMA will **not** consider e-mail submission of a bid received after the bid due date.

Bid Packages must be submitted to:

SEALED BIDS – DO NOT OPEN
Virgin Islands Waste Management Authority
7410 Estate Bovoni, Bay 2
St. Thomas, VI 00802

Attention:
Michael Vante, Director
Procurement Division
IFB-010-T-2026
Roll On/Roll Off Truck Equipment Acquisition

The email must be clearly marked. Failure to clearly mark each email submission with this information may cause the VIWMA to inadvertently open the bid package before official closing date and time. The WMA will log all received bid packages with the date and time of receipt. Bids received after the official deadline will be considered **LATE** and will **not** be opened or considered.

17.0 SELECTION PROCESS

The WMA's Evaluation Committee Panel is responsible for evaluating all respondents' submittals. The Evaluation Committee Panel will consider the following criteria:

- Contractor is duly organized, validly existing, qualified and licensed to conduct business.
- Experience, including references, in providing the types of services detailed herein.
- Understanding of the services requested (including completeness and clarity of submissions), and qualitative nature of the equipment requested
- Ability to provide services in a timely manner
- **Lowest reasonable price and responsive bid package.**

18.0 RIGHT TO REJECT BID PACKAGES

The WMA reserves the right to reject, without prejudice, any and all bids submitted in response to this solicitation. Further, bids submitted in response to this solicitation become the property of the WMA and the WMA may use any idea or concept in a submitted bid, regardless of whether that bid is selected for award.

19.0 ENCLOSURES & APPENDICES

Enclosure Document A- IFB Cover Letter
Enclosure Document B- Non-Collusive Affidavit
Enclosure Document C- Debarment Certification Form
Enclosure Document D- Contract Document Checklist Form
Enclosure Document E- Contractor's Qualification Statement Form
Enclosure Document F- Bid Sheet
Enclosure Document G- Specifications Sheet

Attachment A: 2CFR 200

ENCLOSURE DOCUMENT A
VIRGIN ISLANDS WASTE MANAGEMENT AUTHORITY
IFB COVER LETTER

RESPONDENT
Name: ____
Address: ____
Tax Identification Number: ____

RESPONDENT'S CONTACT PERSON
Name: ____
Title: ____
Telephone: ____
Email Address: ____

INVITATION FOR BIDS INFORMATION
IFB Number: ____
IFB Project Name: ____

SCHEDULE OF ADDENDA(I) or (We) acknowledge receipt of the Addenda to the IFB Package hereinafter named, for the project(s) included in this IFB and declare that (I) or (We) accept these Addenda and that every change is included in this proposal.

Addendum Number ______________________ Date ____________________

Addendum Number ______________________ Date ____________________

Addendum Number ______________________ Date ____________________

Addendum Number ______________________ Date ____________________

Addendum Number ______________________ Date ____________________

RESPONDENT'S AUTHORIZED REPRESENTATIVE

Name: ____

Title: ____

Signature: ____________________________ Date: __________________

ENCLOSURE DOCUMENT B
VIRGIN ISLANDS WASTE MANAGEMENT AUTHORITY
Non-Collusion Affidavit

, being first duly sworn, deposes and says that (1) he/she is [owner, partner, officer, representative, or agent] of: ________________________ ________________________,the bidder that has submitted the attached bid;

(2) He/She is duly informed respecting the preparation and contents of the attached bid and of all pertinent circumstances respecting such bid;

(3) Such bid is genuine and is not a collusive or sham bid

(4) Neither the said bidder nor any of its officers, partners, owners, agents, representative, ex-employee or parties in interest, including the affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with any other bidder, firm or person to submit a collusive or sham bid in connection with the contract for which the attached bid has been submitted or to refrain from bidding in connection with such contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other bidder, firm or person to fix the price or prices in the attached bid or of any other bidder, or to fix any overhead, profit or cost element of the bid price or the bid price of any other bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against The Virgin Islands Waste Management Authority or any person interested in the proposed contract, and

(5) The price or prices quoted in the attached bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(Name of Respondent, Name of Corporation, LLC, or Sole Proprietor)

Subscribed and sworn to before me on/in the Island/State of ____________________, this ____________ day of ______________ 2026, by __________________________ of legal age, ____ and personally known to me.
(Trade or Corporation)

(Seal)

____
Notary Public

ENCLOSURE DOCUMENT C
VIRGIN ISLANDS WASTE MANAGEMENT AUTHORITY

DEBARMENT CERTIFICATION FORM

Certification Regarding Debarment, Suspension and Ineligibility

(1) The Respondent certifies, by submission of this solicitation, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in any federal or local programs in the Territory or any Federal department or agency.

(2) Signing this Certification without disclosing all pertinent information about a debarment or suspension shall result in rejection of the offer or cancellation of a contract. The VIWMA may also exercise any other remedy available by law.

(3) Where the Respondent is unable to certify any of the statements in this certification, such Respondent shall attach an explanation to this solicitation.

Name of Authorized Representative: ____________________________________

Title of Authorized Representative: _____________________________________

Signature: _______________________________________ Date: ________________

Subscribed and sworn to before me on/in the Island/State of ______, this _______ day of __________,2026,by____________________________of legal age, ________ ____ and personally, known to me.
(Trade or Corporation)

(SEAL) ______________________________________
Notary Public

ENCLOSURE DOCUMENT D
VIRGIN ISLANDS WASTE MANAGEMENT AUTHORITY
RESPONDENT QUALIFICATIONS STATEMENT

Name of License Holder: ____
Name of Company/DBA (if any): ____
Legal Status (check one): ☐Corporation ☐LLC ☐Sole Proprietorship ☐Partnership
Business Location (Office): ____
Mailing Address: ____
Telephone Number: _____________ Fax Number: _____________ Email:_________________
Website address (if any): ____

Do you have a current USVI Business License? ☐Yes ☐No
Number of Years licensed to conduct business in the USVI: ____________________________
Type of License(s): ____
Number of Design/Builds completed in the last 5 Years _________, Average value of these Contracts $: ________________________
Do you have a plan to use Subcontractors? ☐Yes ☐No If yes, company:
____

Have you ever failed to complete a project, been fired, sued by one of your clients and/or found in default of contract terms? ☐Yes ☐No
If yes, explain on another sheet if a Performance Bond or other means were used to resolve the issue and the circumstances and the outcome.
Are there or have there been any Claims, Arbitration, Judgments or Liens against you?
☐Yes ☐No
If yes, explain on another sheet the circumstances and outcome.

List three non-VIWMA references that can be contacted for their input concerning your abilities:

1) Client Name: _____________________________ Contact Number: ______________________
2) Client Name: _____________________________ Contact Number: ______________________

3) Client Name: _____________________________ Contact Number: ______________________

List your current Projects under Contract (Project Title or Clients Name), Value (Contract Value) and Percentage of Completion:

1)Client Name: _______________________________ Value: _______________ % _______
2)Client Name: _______________________________ Value: _______________ % _______
3)Client Name: _______________________________ Value: _______________ % _______
(If you have more contracts, please list on separate sheet)

Respondent shall certify that the above information is true and shall grant permission to VIWMA to contact the above-named person or otherwise verify the information.

ENCLOSURE DOCUMENT E
VIRGIN ISLANDS WASTE MANAGEMENT AUTHORITY
CONTRACT DOCUMENT CHECKLIST

Name of Business: ____
Contact Person: ____
Telephone Number: ____
Email Address: ____
EIN Number: ____
CAGE Number: ____

☐ Current USVI Business License — Expiration Date ___/___/20____
☐ Government Insurance Coverage/Workman's Comp. — Expiration Date ___/___/20____
☐ Insurance
- ☐ Certificate of General Liability & Endorsement — Expiration Date ___/___/20____
- ☐ Proof of Automobile Insurance — Expiration Date ___/___/20____
- ☐ Certificate of Professional Liability & Endorsement — Expiration Date ___/___/20____
- ☐ Errors & Omissions Insurance — Expiration Date ___/___/20____
- ☐ Malpractice Insurance — Expiration Date ___/___/20____

The Insurance Policy shall name the VIWMA as a Certificate Holder and an Additional Insured via an endorsement as followed:

Virgin Island Waste Management Authority
7410 Estate Bovoni, Bay 2
St. Thomas, USVI 00802

Business Formation Documents

For all business entities, please submit a Trade Name Certificate (if applicable) in addition to the following:

☐Corporation	☐Articles of Incorporation & By Laws ☐Certificate of Resolution ☐Certificate of Authority/ Good Standing
☐LLC	☐Articles of Organization ☐Certificate of Authority/ Good Standing
☐General Partnership	☐Partnership Agreement ☐ Certificate of Authority/ Good Standing
☐LP, LLP, LLLP	☐Certificate of Ltd. Partnership or Statement of Qualifications ☐ Certificate of Authority/ Good Standing
☐Sole Proprietorship	☐Tradename Certificate

ENCLOSURE DOCUMENT F
VIRGIN ISLANDS WASTE MANAGEMENT AUTHORITY
BASE BID SHEET

QUANTITY	DESCRIPTION	UNIT	UNIT COST	COST
1	Roll On/Roll Off Truck	EA		
1	Training – Roll On/Roll Off Truck Operation & Safety	LS		
1	Shipping – Roll On/Roll Off Truck – St. Thomas, VI (including to Bovoni Landfill)	LS		
1	Preventative Maintenance Agreement (1 Year)	LS		
1	Operational Years 2-5 Preventative Maintenance	Annual Price		
	TOTAL COST			$

____
Name of Company's Certifying Official (Print)

____
Signature of Certifying Official

____
Name of Company

____
Date

ENCLOSURE DOCUMENT G
VIRGIN ISLANDS WASTE MANAGEMENT AUTHORITY
EQUIPMENT SPECIFICATION SHEET

Respondents are responsible for identifying the Equipment Specifications for all requested line items below.

RORO Garbage Truck:	VIWMA	Vendor
Qty	1	
Manufacturer	-----	
Truck Chassis		
Model	-----	
Engine **Cummins**	0130366 X15 565V 565@2000 1850@1150,2024	
Transmission	Allison 4500 RDS 6 Speed With PTO	
Gross Vehicle Weight Rating (GVWR) (LBS)	80,000	
Brakes	Air Brakes ABS System	
75,000 Lbs Roll Off	58,000 lbs. Hendrickson Ultimax rear suspension with lockers. Dual Meritor RT58-185 Single Reduction Rear Axle 7:17 Gear Ration Dana Spicer D2200 Front Axle rated 22,000 lbs. Front Tires: 445/65R22.5 Rear Tires: 315/80R22.5 75,000 Lbs. Galbreath Hoist	
Accessories & Features		
	LED work lights and safety lighting Backup alarm and hoist alarm system Automatic Tarp System Fire extinguisher and first aid kit Minimum two years manufacturer's warranty Minimum 3 people seating capacity	
Compliance		
	Equipment must comply with local and national safety standards, environmental regulations and manufacturer specifications	

Title 2 —Federal Financial Assistance
Subtitle A —Office of Management and Budget Guidance for Federal Financial Assistance
Chapter II —Office of Management and Budget Guidance
Part 200 —Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
Subpart D —Post Federal Award Requirements

Authority: 31 U.S.C. 503; 31 U.S.C. 6101-6106; 31 U.S.C. 6307; 31 U.S.C. 7501-7507.

Source: 89 FR 30136, Apr. 22, 2024, unless otherwise noted.

PROCUREMENT STANDARDS

§ 200.317 Procurements by States and Indian Tribes.

When conducting procurement transactions under a Federal award, a State or Indian Tribe must follow the same policies and procedures it uses for procurements with non-Federal funds. If such policies and procedures do not exist, States and Indian Tribes must follow the procurement standards in §§ 200.318 through 200.327. In addition to its own policies and procedures, a State or Indian Tribe must also comply with the following procurement standards: §§ 200.321, 200.322, 200.323, and 200.327. All other recipients and subrecipients, including subrecipients of a State or Indian Tribe, must follow the procurement standards in §§ 200.318 through 200.327.

§ 200.318 General procurement standards.

(a) ***Documented procurement procedures.*** The recipient or subrecipient must maintain and use documented procedures for procurement transactions under a Federal award or subaward, including for acquisition of property or services. These documented procurement procedures must be consistent with State, local, and tribal laws and regulations and the standards identified in §§ 200.317 through 200.327.

(b) *Oversight of contractors.* Recipients and subrecipients must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. See also § 200.501(h).

(c) *Conflicts of interest.*

(1) The recipient or subrecipient must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts. No employee, officer, agent, or board member with a real or apparent conflict of interest may participate in the selection, award, or administration of a contract supported by the Federal award. A conflict of interest includes when the employee, officer, agent, or board member, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an entity considered for a contract. An employee, officer, agent, and board member of the recipient or subrecipient may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors. However, the recipient or subrecipient may set standards for situations where the financial interest is not substantial or a gift is an unsolicited item of nominal value. The recipient's or subrecipient's standards of conduct must also provide for disciplinary actions to be applied for violations by its employees, officers, agents, or board members.

(2) If the recipient or subrecipient has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian Tribe, the recipient or subrecipient must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest mean that because of relationships with a parent company, affiliate, or subsidiary organization, the recipient or subrecipient is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

(d) *Avoidance of unnecessary or duplicative items.* The recipient's or subrecipient's procedures must avoid the acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. When appropriate, an analysis should be made between leasing and purchasing property or equipment to determine the most economical approach.

(e) *Procurement arrangements using strategic sourcing.* When appropriate for the procurement or use of common or shared goods and services, recipients and subrecipients are encouraged to enter into State and local intergovernmental agreements or inter-entity agreements for procurement transactions. These or similar procurement arrangements using strategic sourcing may foster greater economy and efficiency. Documented procurement actions of this type (using strategic sourcing, shared services, and other similar procurement arrangements) will meet the competition requirements of this part.

(f) *Use of excess and surplus Federal property.* The recipient or subrecipient is encouraged to use excess and surplus Federal property instead of purchasing new equipment and property when it is feasible and reduces project costs.

(g) *Use of value engineering clauses.* When practical, the recipient or subrecipient is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering means analyzing each contract item or task to ensure its essential function is provided at the overall lowest cost.

(h) *Responsible contractors.* The recipient or subrecipient must award contracts only to responsible contractors that possess the ability to perform successfully under the terms and conditions of a proposed contract. The recipient or subrecipient must consider contractor integrity, public policy compliance, proper classification of employees (see the Fair Labor Standards Act, 29 U.S.C. 201, chapter 8), past performance record, and financial and technical resources when conducting a procurement transaction. See also § 200.214.

(i) ***Procurement records.*** The recipient or subrecipient must maintain records sufficient to detail the history of each procurement transaction. These records must include the rationale for the procurement method, contract type selection, contractor selection or rejection, and the basis for the contract price.

(j) ***Time-and-materials type contracts.***

(1) The recipient or subrecipient may use a time-and-materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time-and-materials type contract means a contract whose cost to a recipient or subrecipient is the sum of:

(i) The actual cost of materials; and

(ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

(2) Because this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the recipient or subrecipient awarding such a contract must assert a high degree of oversight to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

(k) ***Settlement of contractual and administrative issues.*** The recipient or subrecipient is responsible for the settlement of all contractual and administrative issues arising out of its procurement transactions. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the recipient or subrecipient of any contractual responsibilities under its contracts. The Federal agency will not substitute its judgment for that of the recipient or subrecipient unless the matter is primarily a Federal concern. The recipient or subrecipient must report violations of law to the Federal, State, or local authority with proper jurisdiction.

(l) ***Examples of labor and employment practices.***

(1) The procurement standards in this subpart do not prohibit recipients or subrecipients from:

(i) Using Project Labor Agreements (PLAs) or similar forms of pre-hire collective bargaining agreements;

(ii) Requiring construction contractors to use hiring preferences or goals for people residing in high-poverty areas, disadvantaged communities as defined by the Justice40 Initiative (see OMB Memorandum M-21-28), or high-unemployment census tracts within a region no smaller than the county where a federally funded construction project is located. The hiring preferences or goals should be consistent with the policies and procedures of the recipient or subrecipient, and must not prohibit interstate hiring;

(iii) Requiring a contractor to use hiring preferences or goals for individuals with barriers to employment (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(24)), including women and people from underserved communities as defined by Executive Order 14091;

(iv) Using agreements intended to ensure uninterrupted delivery of services; using agreements intended to ensure community benefits; or

(v) Offering employees of a predecessor contractor rights of first refusal under a new contract.

(2) Recipients and subrecipients may use the practices listed in paragraph (1) if consistent with the U.S. Constitution, applicable Federal statutes and regulations, the objectives and purposes of the applicable Federal financial assistance program, and other requirements of this part.

§ 200.319 Competition.

(a) All procurement transactions under the Federal award must be conducted in a manner that provides full and open competition and is consistent with the standards of this section and § 200.320.

(b) To ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids must be excluded from competing on those procurements.

(c) Examples of situations that may restrict competition include, but are not limited to:

(1) Placing unreasonable requirements on firms for them to qualify to do business;

(2) Requiring unnecessary experience and excessive bonding;

(3) Noncompetitive pricing practices between firms or between affiliated companies;

(4) Noncompetitive contracts to consultants that are on retainer contracts;

(5) Organizational conflicts of interest;

(6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and

(7) Any arbitrary action in the procurement process.

(d) The recipient or subrecipient must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

(1) Are made in accordance with § 200.319(b);

(2) Incorporate a clear and accurate description of the technical requirements for the property, equipment, or service being procured. The description may include a statement of the qualitative nature of the property, equipment, or service to be procured. When necessary, the description must provide minimum essential characteristics and standards to which the property, equipment, or service must conform. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to clearly and accurately describe the technical requirements, a “brand name or equivalent” description of features may be used to provide procurement requirements. The specific features of the named brand must be clearly stated; and

(3) Identify any additional requirements which the offerors must fulfill and all other factors that will be used in evaluating bids or proposals.

(e) The recipient or subrecipient must ensure that all prequalified lists of persons, firms, or products used in procurement transactions are current and include enough qualified sources to ensure maximum open competition. When establishing or amending prequalified lists, the recipient or subrecipient must consider objective factors that evaluate price and cost to maximize competition. The recipient or subrecipient must not preclude potential bidders from qualifying during the solicitation period.

(f) To the extent consistent with established practices and legal requirements applicable to the recipient or subrecipient, this subpart does not prohibit recipients or subrecipients from developing written procedures for procurement transactions that incorporate a scoring mechanism that rewards bidders that commit to specific numbers and types of U.S. jobs, minimum compensation, benefits, on-the-job-training for employees making work products or providing services on a contract, and other worker protections. This subpart also does not prohibit recipients and subrecipients from making inquiries of bidders about these subjects and assessing the responses. Any scoring mechanism must be consistent with the U.S. Constitution, applicable Federal statutes and regulations, and the terms and conditions of the Federal award.

(g) Noncompetitive procurements can only be awarded in accordance with § 200.320(c).

§ 200.320 Procurement methods.

There are three types of procurement methods described in this section: informal procurement methods (for micro-purchases and simplified acquisitions); formal procurement methods (through sealed bids or proposals); and noncompetitive procurement methods. For any of these methods, the recipient or subrecipient must maintain and use documented procurement procedures, consistent with the standards of this section and §§ 200.317, 200.318, and 200.319.

(a) ***Informal procurement methods for small purchases.*** These procurement methods expedite the completion of transactions, minimize administrative burdens, and reduce costs. Informal procurement methods may be used when the value of the procurement transaction under the Federal award does not exceed the simplified acquisition threshold as defined in § 200.1. Recipients and subrecipients may also establish a lower threshold. Informal procurement methods include:

(1) ***Micro-purchases*** —

(i) ***Distribution.*** The aggregate amount of the procurement transaction does not exceed the micro-purchase threshold defined in § 200.1. To the extent practicable, the recipient or subrecipient should distribute micro-purchases equitably among qualified suppliers.

(ii) ***Micro-purchase awards.*** Micro-purchases may be awarded without soliciting competitive price or rate quotations if the recipient or subrecipient considers the price reasonable based on research, experience, purchase history, or other information; and maintains documents to support its conclusion. Purchase cards may be used as a method of payment for micro-purchases.

(iii) ***Micro-purchase thresholds.*** The recipient or subrecipient is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. The micro-purchase threshold used by the recipient or subrecipient must be authorized or not prohibited under State, local, or tribal laws or regulations. The recipient or subrecipient may establish a threshold higher than the Federal threshold established in the Federal Acquisition Regulations (FAR) in accordance with paragraphs (a)(1)(iv) and (v) of this section.

(iv) ***Recipient or subrecipient increase to the micro-purchase threshold up to $50,000.*** The recipient or subrecipient may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The recipient or subrecipient may self-certify a threshold up to $50,000 on an annual basis and must maintain documentation to be made available to the Federal agency or pass-through entity and auditors in accordance with § 200.334. The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any of the following:

(A) A qualification as a low-risk auditee, in accordance with the criteria in § 200.520 for the most recent audit;

(B) An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or,

(C) For public institutions, a higher threshold is consistent with State law.

(v) ***Recipient or subrecipient increase to the micro-purchase threshold over $50,000.*** Micro-purchase thresholds higher than $50,000 must be approved by the cognizant agency for indirect costs. The recipient or subrecipient must submit a request that includes the requirements in paragraph (a)(1)(iv) of this section. The increased threshold is valid until any factor that was relied on in the establishment and rationale of the threshold changes.

(2) ***Simplified acquisitions —***

(i) ***Simplified acquisition procedures.*** The aggregate dollar amount of the procurement transaction is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold. If simplified acquisition procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources. Unless specified by the Federal agency, the recipient or subrecipient may exercise judgment in determining what number is adequate.

(ii) ***Simplified acquisition thresholds.*** The recipient or subrecipient is responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk, and its documented procurement procedures, which may be lower than, but must not exceed, the threshold established in the FAR.

(b) ***Formal procurement methods.*** Formal procurement methods are required when the value of the procurement transaction under a Federal award exceeds the simplified acquisition threshold of the recipient or subrecipient. Formal procurement methods are competitive and require public notice. The following formal methods of procurement are used for procurement transactions above the simplified acquisition threshold determined by the recipient or subrecipient in accordance with paragraph (a)(2)(ii) of this section:

(1) ***Sealed bids.*** This is a procurement method in which bids are publicly solicited through an invitation and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid conforms with all the material terms and conditions of the invitation and is the lowest in price. The sealed bids procurement method is preferred for procuring construction services.

(i) For sealed bidding to be feasible, the following conditions should be present:

(A) A complete, adequate, and realistic specification or purchase description is available;

(B) Two or more responsible bidders have been identified as willing and able to compete effectively for the business; and

(C) The procurement lends itself to a firm-fixed-price contract, and the selection of the successful bidder can be made principally based on price.

(ii) If sealed bids are used, the following requirements apply:

(A) Bids must be solicited from an adequate number of qualified sources, providing them with sufficient response time prior to the date set for opening the bids. Unless specified by the Federal agency, the recipient or subrecipient may exercise judgment in determining what number is adequate. For local governments, the invitation for bids must be publicly advertised.

(B) The invitation for bids must define the items or services with specific information, including any required specifications, for the bidder to properly respond;

(C) All bids will be opened at the time and place prescribed in the invitation for bids. For local governments, the bids must be opened publicly.

(D) A firm-fixed-price contract is awarded in writing to the lowest responsive bid and responsible bidder. When specified in the invitation for bids, factors such as discounts, transportation cost, and life-cycle costs must be considered in determining which bid is the lowest. Payment discounts must only be used to determine the low bid when the recipient or subrecipient determines they are a valid factor based on prior experience.

(E) The recipient or subrecipient must document and provide a justification for all bids it rejects.

(2) *Proposals.* This is a procurement method used when conditions are not appropriate for using sealed bids. This procurement method may result in either a fixed-price or cost-reimbursement contract. They are awarded in accordance with the following requirements:

(i) Requests for proposals require public notice, and all evaluation factors and their relative importance must be identified. Proposals must be solicited from multiple qualified entities. To the maximum extent practicable, any proposals submitted in response to the public notice must be considered.

(ii) The recipient or subrecipient must have written procedures for conducting technical evaluations and making selections.

(iii) Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the recipient or subrecipient considering price and other factors; and

(iv) The recipient or subrecipient may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby the offeror's qualifications are evaluated, and the most qualified offeror is selected, subject to negotiation of fair and reasonable compensation. The method, where the price is not used as a selection factor, can only be used to procure architectural/engineering (A/E) professional services. The method may not be used to purchase other services provided by A/E firms that are a potential source to perform the proposed effort.

(c) *Noncompetitive procurement*. There are specific circumstances in which the recipient or subrecipient may use a noncompetitive procurement method. The noncompetitive procurement method may only be used if one of the following circumstances applies:

(1) The aggregate amount of the procurement transaction does not exceed the micro-purchase threshold (see paragraph (a)(1) of this section);

(2) The procurement transaction can only be fulfilled by a single source;

(3) The public exigency or emergency for the requirement will not permit a delay resulting from providing public notice of a competitive solicitation;

(4) The recipient or subrecipient requests in writing to use a noncompetitive procurement method, and the Federal agency or pass-through entity provides written approval; or

(5) After soliciting several sources, competition is determined inadequate.

§ 200.321 Contracting with small businesses, minority businesses, women's business enterprises, veteran-owned businesses, and labor surplus area firms.

(a) When possible, the recipient or subrecipient should ensure that small businesses, minority businesses, women's business enterprises, veteran-owned businesses, and labor surplus area firms (See U.S. Department of Labor's list) are considered as set forth below.

(b) Such consideration means:

(1) These business types are included on solicitation lists;

(2) These business types are solicited whenever they are deemed eligible as potential sources;

(3) Dividing procurement transactions into separate procurements to permit maximum participation by these business types;

(4) Establishing delivery schedules (for example, the percentage of an order to be delivered by a given date of each month) that encourage participation by these business types;

(5) Utilizing organizations such as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

(6) Requiring a contractor under a Federal award to apply this section to subcontracts.

§ 200.322 Domestic preferences for procurements.

(a) The recipient or subrecipient should, to the greatest extent practicable and consistent with law, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards, contracts, and purchase orders under Federal awards.

(b) For purposes of this section:

(1) “Produced in the United States” means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

(2) “Manufactured products” means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

(c) Federal agencies providing Federal financial assistance for infrastructure projects must implement the Buy America preferences set forth in 2 CFR part 184.

§ 200.323 Procurement of recovered materials.

(a) A recipient or subrecipient that is a State agency or agency of a political subdivision of a State and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 as amended, 42 U.S.C. 6962. The requirements of Section 6002 include procuring only items designated in the guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired during the preceding fiscal year exceeded $10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

(b) The recipient or subrecipient should, to the greatest extent practicable and consistent with law, purchase, acquire, or use products and services that can be reused, refurbished, or recycled; contain recycled content, are biobased, or are energy and water efficient; and are sustainable. This may include purchasing compostable items and other products and services that reduce the use of single-use plastic products. See Executive Order 14057, section 101, Policy.

§ 200.324 Contract cost and price.

(a) The recipient or subrecipient must perform a cost or price analysis for every procurement transaction, including contract modifications, in excess of the simplified acquisition threshold. The method and degree of analysis conducted depend on the facts surrounding the particular procurement transaction. For example, the recipient or subrecipient should consider potential workforce impacts in their analysis if the procurement transaction will displace public sector employees. However, as a starting point, the recipient or subrecipient must make independent estimates before receiving bids or proposals.

(b) Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that the costs incurred or cost estimates included in negotiated prices would be allowable for the recipient or subrecipient under subpart E of this part. The recipient or subrecipient may reference its own cost principles as long as they comply with subpart E of this part.

(c) The recipient or subrecipient must not use the “cost plus a percentage of cost” and “percentage of construction costs” methods of contracting.

§ 200.325 Federal agency or pass-through entity review.

(a) The Federal agency or pass-through entity may review the technical specifications of proposed procurements under the Federal award if the Federal agency or pass-through entity believes the review is needed to ensure that the item or service specified is the one being proposed for acquisition. The recipient or subrecipient must submit the technical specifications of proposed procurements when requested by the Federal agency or pass-through entity. This review should take place prior to the time the specifications are incorporated into a solicitation document. When the recipient or subrecipient desires to accomplish the review after a solicitation has been developed, the Federal agency or pass-through entity may still review the specifications. In those cases, the review should be limited to the technical aspects of the proposed purchase.

(b) When requested, the recipient or subrecipient must provide procurement documents (such as requests for proposals, invitations for bids, or independent cost estimates) to the Federal agency or pass-through entity for pre-procurement review. The Federal agency or pass-through entity may conduct a pre-procurement review when:

(1) The recipient's or subrecipient's procurement procedures or operation fails to comply with the procurement standards in this part;

(2) The procurement is expected to exceed the simplified acquisition threshold and is to be awarded without competition, or only one bid is expected to be received in response to a solicitation;

(3) The procurement is expected to exceed the simplified acquisition threshold and specifies a “brand name” product;

(4) The procurement is expected to exceed the simplified acquisition threshold, and a sealed bid procurement is to be awarded to an entity other than the apparent low bidder; or

(5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the simplified acquisition threshold.

(c) The recipient or subrecipient is exempt from the pre-procurement review in paragraph (b) of this section if the Federal agency or pass-through entity determines that its procurement systems comply with the standards of this part.

(1) The recipient or subrecipient may request that the Federal agency or pass-through entity review its procurement system to determine whether it meets these standards for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding and third-party contracts are awarded regularly.

(2) The recipient or subrecipient may self-certify its procurement system. However, self-certification does not limit the Federal agency's or pass-through entity's right to review the system. Under a self-certification procedure, the Federal agency or pass-through entity may rely on written assurances from the recipient or subrecipient that it is complying with the standards of this part. The recipient or subrecipient must cite specific policies, procedures, regulations, or standards as complying with these requirements and have its system available for review.

§ 200.326 Bonding requirements.

The Federal agency or pass-through entity may accept the recipient's or subrecipient's bonding policy and requirements for construction or facility improvement contracts or subcontracts exceeding the simplified acquisition threshold. Before doing so, the Federal agency or pass-through entity must determine that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. The bid guarantee must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute any required contractual documents within the specified timeframe.

(b) A performance bond on the contractor's part for 100 percent of the contract price. A performance bond is a bond executed in connection with a contract to secure the fulfillment of all the contractor's requirements under a contract.

(c) A payment bond on the contractor's part for 100 percent of the contract price. A payment bond is a bond executed in connection with a contract to assure payment as required by the law of all persons supplying labor and material in the execution of the work provided for under a contract.

§ 200.327 Contract provisions.

The recipient's or subrecipient's contracts must contain the applicable provisions described in Appendix II of this part.