

- 1. Call To Order**
- 2. Approval of the Agenda**
- 3. Approve Minutes From Previous Meeting**
- 4. Election of Officers**
- 5. Palace Transit Mileage Fee**
- 6. SD DOT Section 5311 Grant Amendment**
- 7. Bus Advertising**
- 8. Palace Transit Coordination Plan**
- 9. Palace Transit Procurement Policy**
- 10. Nutrition Desk Audit**
- 11. JVCC Rental Agreement**
- 12. Community Service Surplus Items**
- 13. Citizens Input**
- 14. Department Reports & Updates**
  - A. Palace Transit**

**B. Adult Nutrition**

**C. Mitchell Volunteer Program**

**D. James Valley Community Center**

**15. Schedule Next Meeting**

**16. Adjournment**

Individuals with disabilities who require special assistance to take part in this meeting may contact one of the following at City Hall (605) 995-8420 at least 24 hours prior to the meeting with requests for assistance: Human Resources Officer or the City Administrator.

**Community Services Board Minutes**  
City Council Chambers, City Hall, 612 N. Main Street  
April 13, 2023

**1. Call to Order**

No quorum

**2. Roll Call**

**Members Present:** Jordan Unterbrunner, Wendy Linke, Whitney Kroupa, and Al Jacklin

**Members Absent:** Jan Quenzer, Tonya Klingaman, and Jay Larson

**Ex-Officio Member Present:** John Doescher

**Staff Present:** Jessica Pickett and Amy Hurt

**3. Approval of the Agenda**

No Quorum

**4. Approve Minutes From Previous Meeting**

No Quorum

**5. Introductions**

Introductions were done by the members present, and went over members that were not present.

**6. Election of Officers**

No Quorum - Add to next meeting agenda

**7. Palace Transit Asset Inspection Report**

The Palace Transit Asset Inspection was completed by the State DOT with few minor issues, which have all been resolved. The inspection review has been closed.

**8. Palace Transit Vehicle Update**

Transit is struggling with having enough buses for the drivers. We have not received the three buses that were ordered three years ago and the current buses have many issues. Both transit mini vans are broken down and would cost more to fix than what they are worth. Since both vans are no longer drivable, we had to eliminate the van driver position. Transit has had to deny rides do to having not enough buses.

**9. Palace Transit Capital Grant**

The members were given a copy of the 2024 Palace Transit Capital Grant, which was approved by the City of Mitchell City Council on March 6th, 2023. The grant request 2 more buses, 2 mini vans, office computers, garage cameras, bus outside cameras, tablets, cradle points, and lock boxes.

**10. Palace Transit Operating Funds**

Palace Transit was awarded \$2,200.70 in additional operating funds with no local match. The funds will be used to cover operational expenses for Palace Transit for the current fiscal year.

**11. Palace Transit Operating Hours**

Palace transit is planning on operating on Sundays from 7:00am-2:00pm starting June 4th, as long as we have driver availability. A notice will be posted when it is finalized.

**12. Nutrition Desk Audit**

The Adult Nutrition Program requires a Desk Audit every three years at our outlining sites. Parkston and Tripp are due this year by May 8th, 2023. The purpose of the Desk Audit is to

ensure that the program specific indicators are being met for the Older American's Act (OAA). Amy will be doing the inspections this month.

### **13. United Way Applications**

United Way applications are due by May 26th for JVCC, Adult Nutrition, and MVP. We will be requesting \$10,000 for JVCC, \$5,000 for Adult Nutrition and \$5,000 for Mitchell Volunteer Programs. Next year we will also submit an application for Palace Transit.

### **14. Citizens Input**

No citizens input

### **15. Department Reports and Updates**

#### **A. Palace Transit**

The year-to-date Ridership Reports for January and February were given to the board members. The report breaks down the rides by special emphasis: elderly riders, handicap riders, medical rides, employment, nutrition, social rec, education, shopping, general public, school age, and total rides. Ridership has increased tremendously since last year.

#### **B. Adult Nutrition**

Board members were given the January, February , and March Nutrition reports. The meal counts are up to our projections. For the fiscal year we are up 468 meals to our projections. The Dine Card and the Second Meals have increased since the weather has been getting better.

#### **C. Mitchell Volunteer Program**

A monthly report was given to the members which shows the placement of the volunteers for the last couple of months.

#### **D. James Valley Community Center**

The JVCC Progress Report for February - April was given to the board members. The report shows activities that are going on at the James Valley Community Center. The report also shows fundraisers that are going on at JVCC. The Spring Quilt Auctions is currently going on, and there is a bus trip planned for April 27th. The line dancing group has greatly increased in participants on Monday afternoons.

### **16. Schedule Next Meeting**

The next meeting is scheduled for June 8th, but will not work for staff. The board was asked if June 1st or June 15th would work instead. Amy will send out an email and see what will work best in order to have a quorum.

### **17. Adjournment**

No adjournment was done do to lack of a quorum.

**AMENDMENT NUMBER 2**  
**AGREEMENT NUMBER 812102**

**BACKGROUND:**

1. On October 1<sup>st</sup>, 2022, the State of South Dakota, acting by and through its Department of Transportation, referred to in this Amendment as the "State," and City of Mitchell, South Dakota d/b/a Palace Transit, referred to in this Amendment as the "Sub-Recipient," entered into an Agreement, which agreement referred to in this Amendment as "AGREEMENT," was signed by representatives of each party and assigned agreement number 812102 by the State; and,
2. The parties wish to amend the AGREEMENT to revise the period of performance and revise the federal match rate.

**THE PARTIES MUTUALLY AGREE AS FOLLOWS:**

1. Paragraph 2 of the AGREEMENT, entitled "PERIOD OF PERFORMANCE OF THIS AGREEMENT" is amended to read as follows:
  - A. This Agreement will be effective on October 1<sup>st</sup>, 2022 and Sub-Recipient will incur all expenditures authorized under this Agreement by September 30,2023.
  - B. This Agreement will terminate upon completion of all obligations under this Agreement, unless sooner terminated pursuant to the terms of this Agreement.
2. Paragraph 4 of the AGREEMENT, entitled "BASIS FOR SUBAWARD AMOUNT" is amended to read as follows:

Estimated PROJECT costs, as shown in the application budget, are for programming purposes only. The State will pay actual eligible costs to the Sub-Recipient on a reimbursement basis. The Sub-Recipient may request reimbursement for eligible costs in an amount up to, but not greater than the following: a) FTA Section 5311 funds/State Supplemental funds-MAXIMUM limiting amount of Five Hundred Forty-Three Thousand, Five Hundred Sixty-two Dollars and Seven Cents (\$543,562.07), subject to availability of Section 5311 funds/State Supplemental funds; b) Title III-B funds-MAXIMUM limiting amount of Nineteen Thousand, Six Hundred Ninety-Seven Dollars and zero cents (\$19,697.00), subject to availability of Title III-B funds; and c) State Public Transportation funds-MAXIMUM limiting amount of Forty-Seven Thousand, Fifty-nine dollars and zero cents (\$47,059.00), subject to availability of State funds. The local matching funds that the Sub-Recipient will be required to contribute are set forth in the attached **Exhibit B**, which is incorporated into this Agreement. The Sub-Recipient will be responsible for all PROJECT costs that are ineligible for federal funding. Eligible costs for this Agreement will be determined in compliance with U.S. Office of Management & Budget Circular regulations found at 2 CFR Part 200. The Sub-Recipient will provide funds in an amount sufficient, together with the grant, to assure payment of actual PROJECT costs. The Sub-Recipient will initiate and prosecute to completion all actions necessary to provide the Sub-Recipient's share of the PROJECT costs at or prior to the time these funds are needed to meet the PROJECT costs.

3. The attached **Exhibit B** replaces the **Exhibit B** that was originally attached to the AGREEMENT.
4. Except as specifically modified by this Amendment, all terms and conditions of the AGREEMENT will remain in full force and effect.

The Sub-Recipient has designated its Mayor as the Sub-Recipient's authorized representative and has empowered the Mayor with the authority to sign this Agreement on behalf of the Sub-Recipient. A copy of

the Sub-Recipient's Commission or Council's minutes or resolution authorizing the execution of this Agreement by the Mayor as the Sub-Recipient's authorized representative is attached to this Agreement as **Exhibit A**.

This Amendment is binding upon the signatories not as individuals, but solely in their capacities as officials of their respective organizations and acknowledges proper action of the State and the Sub-Recipient to enter into the same.

City of Mitchell, South Dakota

State of South Dakota  
Department of Transportation

By: \_\_\_\_\_

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Name: Kellie Beck \_\_\_\_\_

Its: Mayor

Its: Division Director of Finance & Management

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

City Auditor/Clerk

(CITY SEAL)

AGENCY:	City of Mitchell			
d/b/a	Palace Transit			
CONTRACT PERIOD:	FY 2023 - October 1, 2022 - September 30, 2023			
CONTRACT:	812102			
CUSTOMER ID:	10272	UM 1823 (07) P	CFDA 20.509	
FAN Number:	FY23 Admin and Operating-5311	UM III-B (07) N	CFDA 93.044	
		SD 2023 (07) N	STATE FUNDS	
BUDGET NO. :	3			
APPROVED BY:	Terri Ceigle			
DATE:	05/08/2023			
<b>ADMINISTRATIVE BUDGET</b>				
	Project Director's Salary	\$ 50,989.00		
	Fringe Benefits	\$ 23,445.00		
	Supervisor Salary	\$ 66,597.00		
	Fringe Benefits	\$ 41,532.00		
	Admin Assistant Salary	\$ 39,777.00		
	Fringe Benefits	\$ 20,572.00		
	Travel	\$ 5,500.00		
	Office Utilities	\$ 1,510.00		
	Office Supplies/Telephone	\$ 5,000.00		
	Vehicle Insurance	\$ 16,200.00		
	Bus Facility Insurance	\$ 4,200.00		
	Other Contract	\$ 33,155.00		
	Marketing/Ads/Promotion	\$ 100.00		
	Miscellaneous Other (Specify)	\$ 1,000.00		
<b>OPERATING BUDGET</b>				
	Driver Wages	\$ 498,591.00		
	Fringe Benefits	\$ 212,331.00		
	Dispatcher Wages	\$ 62,805.00		
	Fringe Benefits	\$ 26,657.00		
	Mechanic Wages	\$ 52,386.00		
	Fringe Benefits	\$ 40,759.00		
	Facility Utilities	\$ 6,150.00		
	Facility Supplies	\$ 3,500.00		
	Facility Maintenance	\$ 3,550.00		
	Normal Maintenance	\$ 20,000.00		
	Tires	\$ 10,000.00		
	Fuel	\$ 55,000.00		
	Driver Physicals	\$ 750.00		
	Training	\$ 550.00		
	Other( Uniforms)	\$ 800.00		
<b>CAPITAL BUDGET</b>				
	Vehicle PM Budget			11460
	Facility PM Budget			
<b>TOTAL APPROVED BUDGET</b>		\$ 309,557.00	\$ 993,829.00	11460
<b>REVENUE</b>				
	Bus Donations/Fares	\$ -	\$ 110,000.00	
	Bus Advertising	\$ -	\$ 41,200.00	
	Medicaid	\$ -	\$ 49,400.00	
	Bus Contracts (Specify)	\$ -		
	Other Local Funds (Specify)	\$ -		
	Budget Line Adjustment	\$ 60,156.38	\$ 159,843.22	
<b>TOTAL REVENUE</b>		\$ 60,156.38	\$ 360,443.22	
<b>NET PROJECT COST</b>		\$ 249,400.62	\$ 633,385.78	11460
<b>5311 FUNDS</b>				
		\$ 206,553.59	\$ 327,840.48	\$ 9,168.00
<b>TOTAL LOCAL MATCH</b>				
		\$ 42,847.03	\$ 305,545.30	\$ 2,292.00
	Title III-B Funds	\$ -	\$ -	
	Local Funds	\$ 42,847.03	\$ 305,545.30	\$ 2,292.00
	Other Funds	\$ -	\$ -	
<b>PROJECT FUNDING</b>				
	Section 5311	\$ 543,562.07	CFDA 20.509	
	Title III-B	\$ 19,697.00	CFDA 93.044	
	State Funds	\$ 47,059.00	STATE FUNDS	
<b>TOTAL STATE &amp; FEDERAL FUNDING</b>		\$ 610,318.07		

## Palace Transit – Coordination Plan Update FY23

### 1. Goals Completed from FY23.

- Vision
  - o As stated in our vision “People understand how to use Palace Transit products and services and are happy with the variety of transportation options available.” With the recent number of changes regarding the need for same day transportation and lack of taxi service in our community we have been able to ensure that the community is understanding all the changes Palace Transit is making to provide the variety of transportation options to the community.
- Service Hours
  - o Due to the lack of taxi service and the increased need for transportation, Palace Transit needed to expand to meet the growing needs of our community. There was no transportation service available in Mitchell on Sundays and in the evenings. This fiscal year Palace Transit was able to expand the hours of service to operate until 8pm on the weekdays and provide transportation on Sundays.
- Staffing
  - o This continues to be an issue and Palace Transit needs to secure reliable employees who can work our open shifts. We were able to increase the number of part-time employees on staff as well as add two SDRS 30-hour positions, which was approved by the City Council.

### 2. Any new goals for FY24?

- Personnel = With gaining new staff there are new challenges and new personalities. Throughout the year we will be working with all employees, passengers, and the community to be a positive environment for all to be proud to be a part of.
- Level of Service = Utilize the software to its fullest potential by exploring the reporting and routing features. Research other dispatch software companies and what they offer to see if they fit our agency’s needs.
- Staffing = We would like to continue to reach this goal as this continues to be an issue, especially when employees need time off. Palace Transit needs to secure reliable employees who can work our open shifts. Mitchell’s unemployment rate is currently one of the lowest in the state at 2.0% with the statewide rate at 2.3%. Last year Mitchell’s unemployment rate was 2.8%. Many industries in the area are struggling to find quality employees.

3. Timeframes of these new goals.

- Personnel = This will be an ongoing goal throughout the year. Management will work on creating programs and resources to achieve this goal.
- Level of Service = This will be an ongoing goal throughout the year. The supervisor will continue to work with other transit agencies to find the best way to operate our current software while trying to secure software that will meet our needs.
- Staffing = This will be an ongoing goal throughout the year until all our shifts are covered.

4. Identify any coordination changes with other agencies.

- We continue to coordinate with the Mt. Vernon School District to provide rides to their students. We transport these students to and from a drop off/pick up location for their school bus to meet these students and provide the rest of the students' transportation.
- We are again transporting passengers from the nursing homes, assisted living centers, and local adjustment training center.

5. Explain if your service area changed.

- No change to the service area (still serving Davison County).
- We will continue to coordinate/partner with Peoples Transit (Huron) and River Cities Transit (Pierre) to provide transportation outside of our service area for our customers and to service their passengers as needed.

6. Any other big changes within your agency.

- With our partnership/coordination with the city's parks and recreation program and public library, we continued a service option this past summer by offering a summer bus pass. This pass allowed the public a pass to ride the bus to any park and recreation activity or library during business hours for one flat fee. This year we expanded this program to include rides to all city parks and buildings including around the lake. This was a very successful program with many compliments, and it continues to grow. We will continue to offer the summer pass program in the following summers.

7. What previous FY23 goals did not work and why?

- Level of Service = The transit supervisor has been working with the dispatcher to explore the software and reach out to the developer as questions arise; however, the developer is unwilling to make these changes. The supervisor has also reached out to other transit agencies and is part of the Centralized Dispatch Committee to try to procure new software that will suit our agency's needs.

# *Procurement Policy*



**Community Services Department**

**City of Mitchell, SD**

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## Introduction

This procurement manual applies specifically to purchases of goods and services for Community Services Department of the City of Mitchell, SD that are funded by Federal and State transit revenues.

Community Services receives funding from the Federal Government and the State, as well as other agencies. Local government contributors include city and county governments. Therefore, Community Services adopts procurement policies and procedures that are consistent with Federal regulations and the laws of South Dakota. These procedures apply to all procurements irrespective of the source of the funds. Specific requirements for procurements funded by the Federal Transit Administration (FTA) may also be identified.

The purpose of these policies is to set forth the procurement methods and establish standards for obtaining goods and services, including construction, professional, and Architectural/Engineering (“A/E”) services necessary for the operation of Community Services. This policy includes guidelines for the solicitation, award, and administration of formally advertised contracts, as well as the consultant selection, negotiation, award, and administration of competitively negotiated and A/E contracts. For more detailed information refer to the reference section of this document for references.

The procurement procedures are designed to:

- 1.) Instill public confidence in the procurement process of Community Services.
- 2.) Ensure fair and equitable treatment for all vendors who seek to deal with Community Services. Ensure maximum open and free competition in the expenditure of public funds. Provide the safeguards to maintain a procurement system of quality and integrity.

The methods by which the foregoing is implemented are described in detail in the remainder of this document.

The procurement process is ongoing throughout the fiscal year. During budget, the needs are identified for all goods that will be procured during the upcoming fiscal year.

## Delegations

1. Except as otherwise provided in these procedures, all rights, powers, duties, and authorities relating to the procurement of supplies, services, and construction are vested in the Director of Community Services or a designee.
2. The Mitchell City Council is specifically authorized to delegate approval authority to a designee.
3. The Mitchell City Council is specifically authorized to execute approval authorized at any level.
4. The Director of Community Services is specifically authorized to execute approvals delegated to a designee.

## Policies and Procedures

### Responsibilities

The Director of Community Services has authority to authorize contract actions. **Whenever the term “Director of Community Services” shall appear in this document, the term shall also include**

**authorized designee(s).** (The authority of the designees varies significantly depending on the value and type of procurement action.)

The Director of Community Services is responsible for updating these procurement procedures on an as-needed basis.

The Director of Community Services shall be authorized to enter into, administer, and terminate contracts. However, the Director of Community Services may bind City of Mitchell only to the extent of the contracting authority delegated to the Director of Community Services.

The Director of Community Services shall ensure that a clear and accurate specification/scope of work is developed for all procurement.

The Director of Community Services shall not enter into a contract unless all applicable requirements of Federal law, Federal regulations and circulars, South Dakota law, and all other applicable City of Mitchell procedures (including approvals) have been met.

The Director of Community Services shall ensure that contractors receive impartial, fair, and equitable treatment in accordance with the policies specified per State and Federal mandate.

The Director of Community Services or his/her designee shall be the primary City of Mitchell employee to determine that contract prices are fair and reasonable prior to signing the Contract or any changes thereto.

The Director of Community Services shall not make any purchase or enter into any contract for an amount which exceeds his or her specifically delegated contracting authority.

The Director of Community Services and/or his/her designee is responsible for submitting the simplified acquisition procurement bid packet and Independent Cost Analysis to SDDOT Transit staff for review prior to soliciting bids. In addition, the following documentation is required to be submitted to SDDOT Transit staff prior to award for review and approval.

- Completed procurement checklist documenting process up to the award.
- Summary of bids\proposals.
- Signed certifications and clauses.
- Recommendation of award.
- Documentation of responsiveness and responsibility.
- Price reasonableness analysis.
- DBE forms

The Director of Community Services and/or his/her designee is responsible for soliciting bids and proposals; for serving as the chairperson of pre-bid & pre-proposal conferences, qualification hearings and proposal evaluation meetings; for conducting contract negotiation sessions; for managing the non-technical aspects of post-award contract administration including negotiation of modifications, claims, and supplemental agreements.

The Director of Community Services and/or his/her designee is also responsible for such tasks as writing, preparing, and assembling contract documents; obtaining necessary pre-solicitation

approvals; advertising RFP's and IFB's, issuing amendments, obtaining post-bid opening approvals for award, conducting investigations of the proposed contractor's past performance, conducting consultant selection meetings for negotiated contracts and conducting negotiations, monitor the contractor's performance, and managing termination for default or convenience procedures whenever the need arises.

Normally, the Director of Community Services approves or disapproves the technical acceptability and timeliness of the work completed and the invoices submitted by the contractor for payment.

The Director of Community Services shall ensure that sufficient unencumbered funds are available for each contract.

The Director of Community Services is also the person to whom reports of warranted equipment malfunctions, failures, or any problems with the contractor's performance are submitted, pursuant to the specific authority granted by the user department manager. The Executive Director becomes involved when and if the lapse constitutes a serious, i.e., repetitive, or unresolved, breach of contractor's civil or contractual responsibility.

Should the contractor fail to respond in a timely or adequate manner to rectify any problem, the Director of Community Services takes any steps necessary and available to enforce City of Mitchell rights under the contract. This may include withholding payment, imposing liquidated damages, negotiation and recommending a settlement, terminating the contractor for default, or referring the matter for legal action.

## Standards of Conduct and Conflict of Interest Policies

There will be uniform and equitable application of the Standards of Conduct of the Community Services Department involving all activities associated with the procurement of goods and services. This section defines responsibility to identify and prevent a real or apparent conflict of interest.

### Conflict of Interest

The following groups shall not participate in or attempt to use their official position to influence any purchasing decisions in which they, or persons related to them, have a financial interest:

- (1) The employee, officer, agent, or board member;
- (2) Any member of his/her immediate family;
- (3) His or her partner; or
- (4) An organization that employs, or is about to employ, any of the above.
- (5) Organizational conflicts of interest. An organizational conflict of interest means that because of other activities, relationships, or contracts, a contractor is unable or potentially unable, to render impartial assistance or advice to the City of Mitchell; a contractor's objectivity in performing the contract work is or might be otherwise impaired; or a contractor has an unfair competitive advantage;

Members of the groups listed under conflict of interest section shall be subject to the conflict of interest laws of South Dakota. Anyone who violates the standards of the law shall be subject to the penalties, sanctions, or other disciplinary actions provided for therein.

### Gratuities, Kickbacks, and Contingent Fees

No member of the groups listed under conflict of interest section shall solicit, demand or accept from any person, contractor, potential contractor, or potential subcontractors, anything of a monetary value, including gifts, gratuities, favors, etc.; except when the financial interest is not substantial, or the gift is an unsolicited item of nominal intrinsic value. Anyone failing to adhere to the above will be subject to any disciplinary proceeding deemed appropriate by the City of Mitchell, including possible dismissal.

### Confidential Information

No member of the groups listed under conflict of interest section shall use confidential information for his or her actual or anticipated personal gain, or the actual or anticipated personal gain of any other person related to them by blood, marriage, or by common commercial or financial interest. Anyone failing to adhere to the above will be subject to any disciplinary proceeding deemed appropriate by the City of Mitchell, including possible dismissal.

### Organizational Conflict of Interest

Each entity that enters into a contract with the City of Mitchell is required, prior to entering such contract, to inform the City of Mitchell of any real or apparent organizational conflict of interest. Such organizational conflict of interest exists when the nature of the work to be performed under a contract may, without some restriction on future activities result in an unfair competitive advantage to the contractor or may impact the contractor's objectivity in performing the contract work.

### Purchasing Policies

#### *Equal Employment Opportunity/Affirmative Action*

All procurement documents issued by Community Services require all interested vendors to certify:

- (1) That the vendor does not discriminate against any employee, or applicant for employment, because of race, religion, sex, age, creed, color, disability or national origin;
- (2) That the vendor is in compliance with all Executive Orders and Federal, State, and local laws regarding fair employment practices and non-discrimination in employment; and
- (3) That the vendor agrees to demonstrate positively and aggressively the principle of equal opportunity in employment.

#### *Disadvantaged Business Enterprise*

The City of Mitchell, Community Services Department has determined that disadvantaged business enterprises, as defined in 49 C.F.R. Part 26, shall have the opportunity to compete fairly for contracts financed in whole or in part with Federal funds. Accordingly, all Community Services procurements funded with Federal funds may include, as appropriate, the use of DBE participation for the procurement of all classes of goods and services, as set forth in the Community Services Disadvantaged Business Enterprise (DBE) program.

#### *Open Competition Required*

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

- (1) Unreasonable requirements placed on firms in order for them to qualify to do business;
- (2) Unnecessary experience and excessive bonding requirements;
- (3) Noncompetitive pricing practices between firms or between affiliated companies;
- (4) Noncompetitive award to any person or firm on retainer contracts;
- (5) The specification of only a brand name product without listing its salient characteristics and not allowing an equal product to be offered;
- (6) Exclusionary or discriminatory specifications; and
- (7) Any arbitrary action in the procurement process.
- (8) Limited Geographic Preference

*Federal Clauses and Certifications*

Keep in mind that all procurement methods could require some or all the Federal clauses and certifications. Check the most current Federal clauses and certifications required each time you conduct procurement.

The Federal clauses and certifications are updated every year in October and can be found on the “Existing Grantees” page of the FTA website. National RTAP has a web app ProcurementPRO that uses the project information to determine and list the required Federal clauses and certifications that must be included in the procurement documentation.

*Buy America Requirements*

FTA required that all rolling stock, facility, or equipment purchased more than \$150,000 of Federal funds must contain a required 70% domestic components minimum by cost and final assembly is in the United States. FTA requires that all iron, steel, and manufactured products used in FTA-funded projects must be made in the United States. It is possible under the law to apply for and receive waivers for this requirement; it is rare that they will be granted.

The City of Mitchell will ensure that all the materials the contractor or bidder uses are in compliance with this requirement by including the Buy America Federal Clause in the specifications to be signed by the bidders. Refer to the South Dakota Department of Transportation (SDDOT) for guidance on procurement for Rolling Stock and Architectural and Engineering Services.

*Davis Bacon*

Prevailing Wages – Under 49 U.S.C. § 5333(a), Davis-Bacon Act prevailing wage protections apply to laborers and mechanics employed on FTA assisted construction, alteration, and repair projects. Third party contracts for construction, alteration, or repair at any contract tier exceeding \$2,000 must include provisions requiring compliance with the Davis-Bacon Act, 40 U.S.C. § 3141 et seq., and implementing DOL regulations “Labor Standards Provisions Applicable to Contracts Governing Federally Financed and Assisted Construction,” 29 C.F.R. part 5.

The Davis-Bacon Act requires that contractors pay wages to laborers and mechanics at a rate not less than the minimum wages specified in the wage determination made by the Secretary of Labor. The Davis Bacon Act also requires contractors to pay wages not less than once a week. The recipient must include a copy of the current prevailing wage determination issued by DOL in each contract solicitation and must condition contract award upon the acceptance of that wage determination.

Refer to The Department of Labor (DOL) below web page, for workers and small businesses regarding employment/labor laws, and assistance.

<http://www.dol.gov/elaws>

The DOL Davis Bacon web page, which also offers a guidance and a fact sheet, is available at: <https://www.dol.gov/agencies/whd/government-contracts/construction>

Davis Bacon Job Site Labor poster: <https://www.dol.gov/agencies/whd/posters/dbra>

### *Disposal of Expended Equipment*

Before they can be transferred or disposed of; Vehicles, equipment and facilities which have an initial purchase price that is greater than \$4,999.99 must have approval from South Dakota Department of Transportation-Transit's (SDDOT-Transit) office prior to the disposal. If the item is less than \$4,999.99 it can be disposed of without approval from SDDOT – Transit.

All computers, tablets, and anything with sensitive information per HIPAA guidance should be cleaned of all said data before being disposed of.

### **Evaluate project**

1. Determine the project and review procurement request to determine if the product or service is essential, quantities needed and estimate total cost.
2. Determine the funding source and whether the funds are available or to be raised; and whether the procurement will be informal or formal.
3. Conduct an Independent Cost Estimate (ICE) for the good or service your agency will be buying. Once a realistic estimated budget has been determined, a procurement method can be selected. After the prices, quotes, bids or proposals are received, the ICE can be used for the basis for the cost or price analysis that is required for all procurements.

The independent cost estimate is a tool to assist in determining the reasonableness or unreasonableness of the bid or proposal being evaluated and is required for all procurements regardless of dollar amount. FTA Circular 4220.1F, Ch. VI, Para. 6, advises grantees to "perform a cost or price analysis in connection with every procurement action, including contract modifications . . . the starting point for these cost/price analyses is an independent cost estimate which is made before receiving bids or proposals." The Best Practices Procurement Manual (BPPM), Section 4.6 - Cost and Price Analysis, suggests that the independent estimate can range from a simple budgetary estimate to a complex estimate based on inspection of the product itself and review of items like drawings, specifications and prior procurement data. The word "independent" does not imply that it is performed by someone other than the grantee. This could be the case, however, if the grantee does not have the expertise for a large complex procurement. The independent estimate is especially critical whenever there is no price competition (e.g., for architect-engineer procurements or where only one price proposal is received), or where offerors are submitting price proposals for goods or services that are not exactly comparable (e.g., for procurements of high-technology items or professional services). It is also useful in competitive procurements to alert the agency when all competitors are submitting unreasonably high cost proposals. **(Revised: May 2017)**. It is important for the integrity of the ICE that it be prepared before you receive bids or proposals. To develop an ICE, information such as: current market prices for commercial items; estimates based on previous, similar purchases or projects; informal cost estimates from manufacturers for the type and number of items you are procuring; or prices received by other transit agencies for good or services that are comparable to the project. More information about conducting an ICE can be found on the "Independent Cost Estimate" page on the FTA website or the exhibit A of this document. National

RTAP's ProcurementPRO web app includes an ICE spreadsheet that can be used to organize the data used to develop the ICE.

4. Decide if the procurement will qualify as a micro-purchase, small purchase or large purchase (defined within this document).

### Select procurement method

The procurement method option depends on the dollar value of the project. Conduct market research and determine method of procurement. For procurement type, Staff should refer to the policies described herein. Any questions regarding the procurement process should be immediately discussed with the Director of Community Services to ensure that the policies are being followed.

The Director of Community Services is responsible for the administration of the procurement, which includes obtaining the required approval, if necessary, before initiating the procurement process.

Upon completion of the procurement process, a document requesting the vendor to supply the good or service, such as a purchase order and/or contract agreement must be issued by the Director of Community Services prior to the execution of any contract, notice-to-proceed, or initiation of work.

Public Improvement \$100,000 or more and Simplified Acquisition SDCL 5-18A-14

### Goods and Services

**Definition:** Procurement of services, supplies, or other property, with the A/E services or labor and/or materials.

### Price Comparison purchases less than \$4,000

Three (3) oral or written prices are suggested to ensure you are purchasing at fair and reasonable price. Conduct a simple price or cost analysis to determine the best value according to internal purchasing thresholds and practices. Document criteria used to determine that your quotes were fair and reasonable. Use FTA Master Agreement or ProcurementPro to select necessary Federal clauses or certifications.

### Micro Purchases between \$4,000 and \$24,999

Three (3) written prices on vendor's letterhead or estimate forms are required to ensure you are purchasing at fair and reasonable price. Conduct a simple price or cost analysis to determine the best value. Document criteria used to determine that your quotes were fair and reasonable. Use FTA Master Agreement or ProcurementPro to select necessary Federal clauses or certifications. SDCL 5-18A.11

### Simplified Acquisition purchases that exceed \$25,000.00

Preferred procurement methods are either Invitation for Bid (IFB) or Request for Proposal (RFP). Other procurement methods such as Joint and Piggyback procurements are not recommended and shall only be used in extreme cases after consulting with the SDDOT Office of Air, Rail, and Transit. SDCL 5-18D-17.A request for proposal is required if exceeding \$50,000 for Professional services. SDCL 5-18D-18.A

- *Simplified Acquisition:* Purchases that exceed \$25,000
  - *Invitation for Bid or Request for Proposal*

- Contracts or purchases for construction, supplies or services \$25,000 or more must be advertised for bids or proposals. Additionally, procurement actions exceeding \$25,000 applicants must perform a cost analysis. The cost analysis method can be different depending on the type of work, but a good starting point is to make an estimate of what the work may be before receiving bids from contractors. Applicants must also negotiate profit as a separate element when cost analysis' is performed. For these types of projects applicants must also ensure the project is adequately protected through bonding.
- Public improvement contracts of \$100,000 or more must be advertised for bids or proposals. (Public Improvement - the process of building, altering, repairing, improving, or demolishing any public infrastructure facility, including any structure, building, or other improvements of any kind to real property, the cost of which is payable from taxes or other funds under the control of the purchasing agency, and includes any local improvement for which a special assessment is to be levied; (as per the \$50,000 bid limit)) SDCL 5-18A-14

Professional services are required to be procured if over \$50,000. For Architect and Engineering Services there is no threshold, and all services must be procured using the RFP process.

The services of attorneys, physicians, architects, engineers, consultants, auditors, specialized printers, or other individuals or organizations possessing a high degree of professional, unique specialized technical skill or expertise, not adaptable to competitive bidding, or where the service involves a contract for special activities, negotiations for the acquisition of land, trash services, insurance bonds or any other service similar to the above, engaged for a particular project or series of projects.

**Architectural Engineering (A/E) Services and Other Services:** Procurement of professional consultants for engineering, architectural, land surveying or other support services, such as program management, construction management, feasibility studies, preliminary engineering and design which require performance by a registered or licensed architect or engineer.

A complete discussion of the Federal requirements can be found under 6.5

Architect - Engineer Services found here:

[https://www.transit.dot.gov/funding/procurement/bppm-procurement-object-types-special-considerations#BM6\\_5](https://www.transit.dot.gov/funding/procurement/bppm-procurement-object-types-special-considerations#BM6_5)

Qualifications-Based Procurements for Architectural and Engineering Services (A&E) – FTA's enabling legislation at 49 U.S.C. § 5325(b)(1) requires the use of the qualifications-based procurement procedures contained in the Brooks Act, 40 U.S.C. §§ 1101-1104, to acquire program management, architectural engineering, construction management, feasibility studies, preliminary engineering, design, architectural, engineering, surveying, mapping, or related services for an FTA-funded project. Refer to the resource section for reference to obtain more information.

### **Construction Solicitation & Award Process**

With architectural and engineering services procurements, recipients must use competitive proposal procedures based on the Brooks Act, which requires selection to be based on qualifications and specifically excludes price as an evaluation factor (provided the price is fair and reasonable).

**Qualifications Exclude Price**

**Basic Requirement**

(49 USC 5325 (b), 40 USC 1101-1104 (Brooks Act), 2 CFR 200.320(d)(5))

Qualifications-based competitive proposal procedures require that:

1. An offeror's qualifications be evaluated for contract award
2. Price be executed as an evaluation factor

**Serial Price Negotiations**

**Basic Requirement**

(49 USC 5325 (b), 40 USC 1101-1104 (Brooks Act), 2 CFR 200.320(d)(5))

- Negotiations are conducted with only the most qualified offeror
- Failing agreement on price, negotiations with the next most qualified offeror may be conducted until a contract award can be made to the most qualified offeror whose price is fair and reasonable to the recipient.
- Show results of the negotiations

The resulting construction contract must include all applicable FTA-required contract clauses and certifications. The resulting construction contract must also comply with US Department of Transportation (USDOT) requirements set forth for the utilization of DBEs. Awards of contracts should be made to a responsible firm providing the lowest responsive bid. It should never be assumed by the agency that either the A&E firm or the construction manager are aware of FTA requirements in connection with the documents. It is normally the responsibility of the procurement manager to ensure required FTA clauses and certifications are contained in the bid documents. Refer to the agency's adopted policy and RTAP Procurement Pro for guidance.

\* Note: No purchases may be artificially divided to avoid the levels of purchase rules.

*Invitation for Bids (IFB)/Sealed Bids*

1. Develop a complete technical specification for the product(s) to be procured without unnecessary qualifications, bonds and experience. Determine the quantity of units to be purchased plus options on additional units to be purchased later. Length of options should be between three and five years, with an inflation clause included. (SDDOT procures vehicles, but if there is a need to procure vehicles other than those procured by SDDOT contact SDDOT for guidance.) (Including option does not pertain to construction projects.)
2. If a brand name product is used in the specifications to describe your needs the clause "brand name or equal" must be included after each reference to a brand name.
3. Prepare ICE Refer to sample in appendix
4. Prepare your bid package, finalize the product specifications, included equals, exception, and clarification forms, official bid forms, addenda process, DBE requirements, proposal package delivery instructions, general conditions, special provisions\conditions, contract drawings, if

applicable and all Federal clauses and certifications. No geographic preferences permitted. Use FTA Master Agreement or ProcurementPro to select necessary Federal clauses or certifications.

- a. Instructions for bid submittal, including the location and time of bid opening
- b. Number of copies to be provided
- c. Time, date, and location of the pre-bid conference
- d. DBE participation for the project – see DBE section.
- e. Instructions for submitting questions or requests for clarifications
- f. Cut-off dates for bid addenda
- g. Basis for contract award, timing for award and project schedule
- h. Bid protest procedures
- i. Requirements for bid security
- j. Retainage
- k. Payment Schedule
- l. Bid Form – This form will contain the bid amount submitted. In most cases the bid form will contain various unit costs for materials contained in the detailed specifications. Using unit pricing can simplify the values of quantities included in any future change orders. The bid form normally requires the bidder to express the total bid in both numerical form and verbal or word form.
- m. Bid Security – Bid security is normally allowed through a bid bond that is expressed in either 5 percent or 10 percent of the total bid amount. A bid bond may not be required (private non-profit and private for-profit subrecipients must comply with FTA Circular 4220.1F which requires a five percent bid bond) but is generally provided at no cost along with the bonding company’s agreement to provide a performance bond. The purpose of bid security is to ensure the low, responsive, and responsible bidder will enter into a contract for the amount provided in their bid. Bid security should secure the amount bid for the period identified in the “instructions for bidders” for the period of award (normally 60 to 90 days). Submission of proper bid security is a bid responsiveness requirement. If improper bid security is provided, the bid should be declared non-responsive and would be rejected.
- n. Financial Statements – It is a good practice to request a bidder’s most recent financial statements with the bid proposal. This information can assist in determining the financial ability of the bidder to complete the project.
- o. DBE Participation – Refer to the DBE section of this policy.
- p. Non-collusion affidavit – This form is a certification by the bidder that its bid was arrived at independently and it did not collude with any other bidder in arriving at the bid amount.
- q. Acknowledgment of Addenda – This form should contain a numerical listing of all addenda that were issued. Bidders must acknowledge by their signature receipt of each addendum issued. This form ensures the bids submitted reflect all modifications of the bid documents that were made prior to bid opening.
- r. Required FTA Certifications – If the project exceeds \$100,000, the agency must obtain a lobbying certification whereby the contractor certifies that it will disclose any professional lobbyist firms it retains.
- s. If the project exceeds the Federal simplified acquisition threshold (currently set at \$150,000); however, SD’s requirement is \$25,000 the agency must obtain a Buy America certification. FTA requires that iron, steel, and manufactured products used in the project have origin in the United States. The certification requires the bidder to either certify that its bid will comply with the Buy America requirement or that it will not comply. Compliance with the Buy America requirement is a condition of bid responsiveness. Buy America certifications cannot be provided by a bidder after the bid opening.

- t. Bid forms checklist –Refer to the Rural Transit Assistance Program (RTAP) Procurement Pro checklist or other sample forms from references listed below to develop a checklist related to procurement. The form will serve as a best practice to help ensure each bidder will be responsive to the requested bid submission requirements.
- u. The general conditions section of the bid documents represents all required contractual provisions for the project. It should be developed in consultation with legal counsel and is normally boilerplate. Certain FTA requirements are normally included in the general conditions, such as progress payment provisions, change order provisions, insurance requirements, termination clauses, dispute resolution provisions, liquidated damages provisions, Davis-Bacon prevailing wage determinations, and all required FTA contract clauses.
- v. The special conditions section normally contains special work-related requirements that the contractor will need to comply with. Special conditions can contain site safety requirements, clean up requirements, risk assessment and management, temporary utility requirements, training requirements, warranty requirements, project communications and general project close out requirements.
- w. The technical specification section contains the detailed project specifications prepared by the A&E firm. The agency should review these specifications to ensure they are not restrictive. If brand names are used, there should be wording that allows for an approved equal to the brand name specified. The specifications should also contain salient characteristics of brand names that are specified. The salient characteristics allow the ability to evaluate any approved equals requests from potential bidders.
- x. The contract drawing section contains the various drawings prepared by the A&E firm. The contract drawings should contain the A&E firm’s stamp and the signature of the lead designer.
- y. Holding a pre-bid conference is not an FTA requirement. However, the pre-bid conference is highly recommended. If a pre-bid conference will be held, the time and location of the conference should be included in the invitation for bid notice. If call-in participation is acceptable, the call-in number needs to be included, and the meeting location needs to be able to accept telephone participation. spacing
  - i. The primary purpose of the pre-bid conference is to answer any questions prospective contractors may have, to describe the DBE program and its requirements, and allow for a project site inspection, if applicable.
  - ii. The following project personnel should be in attend a pre-bid conference:
  - iii. Agency’s project manager
  - iv. Agency’s DBELO
  - v. Representatives from the A&E firm
  - vi. Representatives from the construction management firm (if applicable)
  - vii. A record of attendance list should be kept. A record of any questions or clarifications should be made and placed in the project folder.
  - viii. After completion of the pre-bid conference, it may be determined that questions or clarifications may need to be included in a formal bid addendum. Any clarifications or changes to the specifications or drawings that may materially change the project need to be documented in a formal bid addendum. The bid addendum should be serially numbered and prepared by the A&E firm. The project manager and the construction manager should review the addendum document and provide their approval. Once approved, the addendum must be sent to any bidder of record.

5. Advertise the IFB. Place ads in at least two newspapers, trade magazines, post on agency website (optional), and send announcements letters or email to all potential bidders. The ad should include a description of the project, contact information, deadline date, location of bid opening, and funding source. Retain proof of advertising in procurement folder. Any bids arriving after the stated date and time will be returned to the sender unopened.
  - a. The IFB is usually the same document that is used for advertising the bid. It should contain a brief description of the project, the time and place of bid opening, how to obtain bid documents, and applicable contact information.
  - b. FTA requires agencies to ensure full and open competition is achieved when obtaining bids.
  - c. The first publication must be made at least 10 days prior to the date for the opening of bids or the deadline for submission of proposals. (SDCL 5-18A-14) The invitation for bids shall include a purchase description, all contractual terms, and conditions applicable to the procurement. The invitation for bids for supplies shall include the length of 12 days, not to exceed forty-five days, between the bid opening and the award of the bid. (SDCL 5- 18A-5). Refer to local laws to determine if more restrictive.
  - d. However, the bid period must provide adequate time for bidders to prepare proper bids. The size and realistic complexity of the project should be considered when setting the advertisement period. For non-complex projects, a 30-day bid period is typical.
  - e. It is normally the duty of the A&E firm to distribute bid documents to prospective bidders once the advertisement is published. A deposit can be required before distribution of the bid documents. This deposit is refundable if the documents are returned in fair condition. A listing of firms obtaining the bid documents should be kept. This listing is referred to as the "bidders of record." spacing.
  - f. In addition to the bid document distribution, it is a good practice to allow for a location or locations where prospective bidders can come and review the documents. This should be part of the solicitation process.
6. Proposal Opening presentation. Open bids, read aloud, and record all vital information.
  - a. The opening of bids is held at the time and location specified in the bid documents. Bid opening is a function that is open to the public. This means that the agency must allow anyone to attend and witness the opening of bids. Submitted bids should be marked with a date stamp to signify the time/date of the accepted delivery and not opened.
  - b. The agency should maintain an official clock that is used to determine when the time for submission of bids has expired. Once the time has expired, no additional bids can be accepted, and formal bid opening can begin. All bids should be read aloud by the procurement manager with the name of the bidders, the amount of the bid, and the amount of the bid security (if necessary). An individual designated by the agency should enter this information into a tabulation of bids form, also referred to a bid abstract, and place this information in the project folder. Refer to the Bid Abstract Exhibit B.
  - c. After conclusion of bid opening, it should be announced that bids will be evaluated to determine the low responsive and responsible bidder. If any individual requests to view a bid or bids, it is a local determination to allow such a viewing. If viewing of the bids is allowed, care should be taken to closely observe this function to preserve the actual documents received.
7. Verify all bidders are active on the System for Award Management (SAM) website <https://sam.gov/content/home> and South Dakota Secretary of State website <https://sdsos.gov/> to verify the bidders in good standing with the State of South Dakota. **Documentation of this verification should be retained in the procurement file.**

8. Tabulate bid documents and complete selection process. Review the bid against the specifications to avoid duplicative or unnecessary purchases.
  9. Responsive and responsible check. Responsive - Receipt of 2 or more responsible bidders. If only 1 bidder – survey suppliers to determine cause, document reasons for No-Bids and Prepare Sole Source Justification or evaluate single bid.
    - a. Once received, bids should be reviewed to determine if they are responsive, and the bidders have provided the necessary information.
      - i. **Responsiveness** - This is determined by reviewing the bid for inclusion of all required bid forms. In addition, it should be determined if the submitted bid is conditioned upon situations not allowed for in the bid documents. A conditional bid can be deemed as being non-responsive.
      - ii. **Responsibility** - A responsibility determination is made to ensure the bidder has the technical and financial capability to perform the requested work.
        1. An agency may also choose to look at the contractor’s financial statements and past projects completed to assist in determining contractor responsibility. In most cases, a contractor can be determined responsible if it can obtain proper insurance and bonding and is not on the Federal debarred or suspended list. A formal determination of responsiveness and responsibility should be made and retained in the project procurement file.
    - b. It is required to make a determination that the contract price is reasonable before awarding the contract. In situations where there are two or more responsive and responsible bids, a price analysis will be sufficient to determine price reasonableness.
      - i. All responsive and responsible bids should be reviewed to determine if they are within a competitive cost range. Bids that are within a competitive cost range will not have significant price variances from one another.
    - c. The low responsive and responsible bid should also be compared to the pre-bid ICE developed by the A&E firm.
      - i. If the low bid is within an acceptable range of the ICE and all bids are within a competitive range, the low bid can be determined to be reasonable. However, care needs to be taken so that the apparent low bid is not provided with an advantage until after the full criteria have been evaluated.
  10. Conduct pre-award Buy America Review or obtain waiver (if applicable).
  11. A formal price reasonableness analysis containing the above elements should be prepared and retained in the procurement file. As stated, it is not sufficient to simply declare the price of the low bidder as reasonable. In some cases, the low bid could be far below the ICE and out of the competitive range of the other bidders. In such a situation, the bidder may have left something significant out of the bid. In this situation, the agency is advised to hold a post-bid conference with the low bidder and get a determination from the bidder that they are satisfied with their bid. In no event can the low bid be negotiated at this point. If the low bidder does not want to continue with the award, the agency can determine if it wants the bidder to forfeit their bid security.
- It is imperative to document a situation that results in the award to a contractor that was not the low bidder. Such documentation will include the determinations of responsiveness, responsibility, and price reasonableness.
12. Review process for arbitrary action.
  13. Complete award selection and justification and explain why bidder was awarded if the accepted bid was not the lowest.
  14. A written letter of intent to award a contract should be sent to the low responsive and responsible bidder. The letter of intent should direct the contractor to submit the required contracts, Federal

certifications, insurance certificates as well as the performance and payment bonds within a specified number of days. The letter should state that when these submittals are received and approved a formal letter of award will be issued. It is recommended that performance and payment bonds be required in the amount of 100 percent of the construction cost to be awarded.

15. Upon receipt and approval of insurance certificates and bonds, a recommendation of award should be made to the agency's governing body. Confirm schedules for inspections, milestones, delivery etc. Once approval to award is obtained, the agency and contractor should execute the contract documents and the agency should issue a formal letter of award and a notice to proceed. Refer to the FTA Best Practices Procurement & Procurement Manual for contract types.

<https://www.transit.dot.gov/funding/procurement/best-practices-procurement-manual>

16. Conduct post-award Buy America audit during manufacturing (if applicable)
17. Monitor contractor\vendor's progress and setup delivery and inspection time and location. Upon completion of inspection and acceptance of products, obtain all warranty and service arrangements. Vehicles - Complete post-award audits, if you are receiving multiple deliveries, you must complete multiple post-award audits forms. Construction - steel Buy America certification, punch lists, progress inspections.
18. Finalize the payment/reimbursement vouchers.
19. Review the project file for completeness. The project file should contain all documents and written or electronic correspondence in addition, to copies of payment vouchers etc. If your procurement has multiple delivery shipments (for example rolling stock), all the documents for each delivery must be included in the original project file.

#### *Request for Proposal (RFP)/Competitive Proposals*

1. Develop a complete technical specification for the product(s) to be procured without unnecessary qualifications, bonds, and experience describing in detail the professional services the procurement is requesting.
2. Develop evaluation criteria and weights. Include the specific method established and used to conduct the technical evaluation of each proposal. Technical expertise and past performance considerations play a dominant role in source selection and supersede low price criteria.
3. Prepare Independent Cost Estimate. Refer to sample in appendix.
4. Prepare your proposal package, finalize the proposal specifications and method and criteria to be used to evaluate the proposals, include approved vendor exception, and clarification forms, official proposal forms, addenda process, DBE requirements, proposal package delivery instructions, liquidated damages (if applicable), advance or progress payments (if applicable), general conditions, special provisions\conditions, contract drawings, if applicable and all Federal clauses and certifications. No geographic preferences permitted.
5. Formulate the evaluation team, which will review and rank all proposals received in accordance with the proposal specifications. For evaluation guidance refer to FTA Best Practices Procurement and Procurement Manual Any proposals arriving after the stated date and time will be returned to the sender unopened.
6. Advertise the RFP. Place ads in at least two newspapers, trade magazines, post on agency website (optional), and send announcements letters or email to all potential bidders. The ad should include a description of the project, contact information, deadline date, location of bid opening, and funding source. Retain proof of advertising in procurement folder. Any bids arriving after the stated date and time will be returned to the sender unopened.
  - a. The RFP is usually the same document that is used for advertising the request. It should contain a brief description of the project, the time and place of proposal opening, how to obtain bid documents, and applicable contact information.

- b. FTA requires agencies to ensure full and open competition is achieved when obtaining proposals.
  - c. The first publication must be made at least 10 days prior to the date for the opening of proposals or the deadline for submission of proposals. (SDCL 5-18A-14) The request for proposals shall include a purchase description, all contractual terms, and conditions applicable to the procurement. The request for proposal for supplies shall include the length of time, not to exceed forty-five days, between the proposal opening and the award of the request. (SDCL 5- 18A-5). Refer to local laws to determine if more restrictive.
  - d. However, the request period must provide adequate time for proposers to prepare proper proposals. The size and realistic complexity of the project should be considered when setting the advertisement period. For non-complex projects, a 30-day bid period is typical.
  - e. It is normally the duty of the A&E firm to distribute proposal documents to prospective proposers once the advertisement is published. A deposit can be required before distribution of the proposal documents. This deposit is refundable if the documents are returned in fair condition. A listing of firms obtaining the proposal documents should be kept. This listing is referred to as the “proposal of record.”
  - f. In addition to the proposal document distribution, it is a good practice to allow for a location or locations where prospective proposals can come and review the documents. This should be part of the solicitation process.
7. Responsive and responsible check. Responsive - Receipt of 2 or more responsible proposers. If only 1 proposer – survey suppliers to determine cause, document reasons for No-Bids and Prepare Sole Source Justification or evaluate single proposal.
- a. Once received, proposals should be reviewed to determine if they are responsive, and the proposers have provided the necessary information.
    - i. **Responsiveness** - This is determined by reviewing the proposals for inclusion of all required proposal forms. In addition, it should be determined if the submitted proposal is conditioned upon situations not allowed for in the proposal documents. A conditional proposal can be deemed as being non-responsive.
    - ii. **Responsibility** - A responsibility determination is made to ensure the proposer has the technical and financial capability to perform the requested work.
      - 1. An agency may also choose to look at the vendor’s financial statements and past projects completed to assist in determining vendor responsibility. In most cases, a vendor can be determined responsible if it can obtain proper insurance and bonding and is not on the Federal debarred or suspended list. A formal determination of responsiveness and responsibility should be made and retained in the project procurement file.
  - b. It is required to decide that the contract price is reasonable before awarding the contract. In situations where there are two or more responsive and responsible bids, a price analysis will be sufficient to determine price reasonableness.
    - i. All responsive and responsible proposals should be reviewed to determine if they are within a competitive cost range. Proposals that are within a competitive cost range will not have significant price variances from one another.
  - c. The low responsive and responsible proposal should also be compared to the pre-proposal ICE developed by the A&E firm.
    - i. If the low proposal is within an acceptable range of the ICE and all proposals are within a competitive range, the low proposal can be determined to be reasonable. However, care needs to be taken so that the apparent low proposal is not provided with an advantage until after the full criteria have been evaluated.

8. Evaluation team to evaluate and rank all proposals received using the established method and criteria. All proposals that have a reasonable chance of being selected shall be included in the Competitive range list. Review the proposal against the specifications to avoid duplicative or unnecessary purchases. Refer to FTA Best Practices Procurement and Procurement Manual
9. Complete Cost or Price Analysis
10. Verify all bidders are active on the System for Award Management (SAM) website <https://sam.gov/content/home> and South Dakota Secretary of State website <https://sdsos.gov/> to verify the proposers in good standing with the State of South Dakota. **Documentation of this verification should be retained in the procurement file.**
11. Start the negotiation process with the top ranked proposer. If you hold negotiation session with one offeror, you must negotiate with all the offers in the competitive range. Once the negotiations are complete, all the details, including cost are finalized, and the proposal is selected, then the contract can be completed. Refer to FTA Best Practices and Procurement Manual
12. Conduct pre-award Buy America review or obtain waiver (if applicable)
13. Review process for arbitrary action
14. Award Contract
15. Prepare purchase order or contract documents. Ensure sound and complete agreement which includes required contract clauses.
16. Conduct post-award Buy America Audit during manufacturing (if applicable).
17. Monitor contractor\vendor's progress and setup delivery and inspection time and location. Upon completion of inspection and acceptance of products, obtain all warranty and service arrangements. Vehicles - Complete post-award audits, if you are receiving multiple deliveries, you must complete multiple post-award audits forms. Construction - Steel Buy America certification, punch lists, progress inspections.
18. Finalize the payment/reimbursement vouchers.
19. Review the project file for completeness. The project file should contain all documents and written or electronic correspondence in addition, to copies of payment vouchers etc. If your procurement has multiple delivery shipments (for example rolling stock), all the documents for each delivery must be included in the original project file.
20. Finalize the payment/reimbursement vouchers.
21. Review the project file for completeness. The project file should contain all documents and written or electronic correspondence in addition, to copies of payment vouchers etc... If your procurement has multiple delivery shipments (for example rolling stock), all the documents for each delivery must be included in the original project file.

*Sole Source Procurement /Non- Competitive*

**Definition:** Procurement accomplished through solicitation or acceptance of a proposal from only one available source or solicitation of several sources in which competition is determined inadequate.

Price Threshold	Method of Procurement	Required Approval Level
Up to \$100,000	Sole Source	City Council Approval
Greater than \$100,000	Sole Source	City Council Approval

Sole source procurements are accomplished through solicitation or acceptance of a proposal from only one source or after solicitation of several sources, competition is determined inadequate. May be used only when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and at least one of the following circumstances applies:

1. The item is available only from a single source;
2. The public exigency or emergency (i.e., a threat to public health, welfare, safety, property, or other substantial loss to Community Services, or a situation requiring immediate action by Community Services, as determined by Community Services) for the requirement will not permit a delay resulting from competitive solicitation.
3. After solicitation of several sources, competition is determined inadequate; or
4. The item is an associated capital maintenance item as defined in 49 U.S.C. § 5307(a)(1) that is procured directly from the original manufacturer or supplier of the item to be replaced. The grantee must first certify in writing to FTA: (1) that such manufacturer or supplier is the only source for such item; and (2) that the price of such item is not higher than the price for such item by like customers.

Sole source procurements must be documented in writing and on file for review upon request explaining in detail, why this contract was issued under the Sole Source procurement method.

### *Other than Full and Open Competition*

Recipients may conduct procurements by noncompetitive methods only when one or more of the following circumstances apply:

- The item is available only from a single source;
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
- After solicitation of several sources, competition is determined inadequate. See 2 C.F.R § 200.320, Methods of procurement to be followed, and FTA Circular 4220.1F, Chapter VI, paragraph 3.i. – Other Than Full and Open Competition.

A recipient may use noncompetitive proposals only when the procurement action is inappropriate for small purchases procedures, sealed bids, or competitive proposals, and at least one of the following circumstances is present:

- Adequate Competition – After soliciting several sources, FTA expects the recipient to review its specifications to determine if they are unduly restrictive or if changes can be made to encourage submission of more bids or proposals. After the recipient determines that the specifications are not unduly restrictive and changes cannot be made to encourage greater competition, the recipient may determine the competition adequate. A cost analysis must be performed in lieu of a price analysis when this situation occurs.
- Sole Source – When the recipient requires supplies or services available from only one responsible source, and no other supplies or services will satisfy its requirements, the recipient may make a sole source award. When the recipient requires an existing contractor to make a change to its contract that is beyond the scope of that contract, the recipient has made a sole source award that must be justified under one of the bases below.
- Unique Capability or Availability. The property or services are available from one source if one of the conditions described below is present:
- Unique or Innovative Concept – The offeror demonstrates a unique or innovative concept or capability not available from another source.
  - Unique or innovative concept means a new, novel, or changed concept, approach, or method that is the product of original thinking, the details of which are kept confidential or

- are patented or copyrighted and is available to the recipient only from one source and has not in the past been available to the recipient from another source.
- Patents or Restricted Data Rights – Patent or data rights restrictions preclude competition.
  - 
  - Substantial Duplication Costs – In the case of a follow-on contract for the continued development or production of highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in substantial duplication of costs that are not expected to be recovered through competition.
  - Unacceptable Delay – In the case of a follow-on contract for the continued development or production of a highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in unacceptable delays in fulfilling the recipient’s needs.
- Single Bid or Single Proposal – Upon receiving a single bid or single proposal in response to a solicitation, the recipient should determine if competition was adequate. This should include a review of the specifications for undue restrictiveness and might include a survey of potential sources that chose not to submit a bid or proposal.
  - Adequate Competition – FTA acknowledges competition to be adequate when the reasons for few responses were caused by conditions beyond the recipient’s control. Many unrelated factors beyond the recipient’s control might cause potential sources not to submit a bid or proposal. If the competition can be determined adequate, FTA’s competition requirements will be fulfilled, and the procurement will qualify as a valid competitive award.
  - Inadequate Competition – FTA acknowledges competition to be inadequate when, caused by conditions within the recipient’s control. For example, if the specifications used were within the recipient’s control and those specifications were unduly restrictive, competition will be inadequate.
  - Unusual and Compelling Urgency – A recipient is permitted to limit the number of sources from which it solicits bids or proposals when the recipient has such an unusual and urgent need for the goods or services that the recipient would be seriously injured unless it were permitted to limit the solicitation. The recipient may also limit the solicitation when the public exigency or emergency will not permit a delay that would result from competitive solicitation for the property or services.
  - Authorized by FTA – Recipients are permitted to use noncompetitive proposals under the following circumstances:
    - Consortium, Joint Venture, Team, Partnership – With some exceptions, when FTA awards a grant agreement or enters into a cooperative agreement with a consortium, joint venture, team, or partnership, or provides assistance for a research project in which FTA has approved the participation of a particular firm or combination of firms in the project work, the grant agreement or cooperative agreement constitutes approval of those arrangements. In such cases, FTA expects the recipient to use competition, as feasible, to select other participants in the project.

### *Joint Procurement and Piggybacking*

In some situations, more than one agency will simultaneously go through this process and produce a solicitation that addresses the needs of all the agencies involved. These are joint procurements, and a great deal of advance planning is needed to do this type of procurement. There are also situations that an agency unintentionally acquires more than needed through a contract. In those cases, if the original contract includes an assignability clause, it is permissible for another agency to take on the contract rights for the additional goods or services after ensuring the price is fair and it can abide by the original contracts rights to the purchase supplies, equipment, or services. This method is not encouraged by FTA or SDDOT.

When circumstances warrant, the City of Mitchell may attempt to fill requirements through a cooperative purchasing agreement (without independent bids or quotations) with the SDDOT, or with other appropriate public agencies.

## DEVELOPMENT OF THE BID DOCUMENTS

Refer to either the IFB or RFP policy above.

### Brand Name

Recipients are permitted to use brand names in specifications when it is impractical or uneconomical to provide a clear and accurate description of the technical requirements of the property being acquired. Where brand names are included in the specifications, FTA requires that an “or equal” provision be included as well. In these instances, the specifications must also include the salient characteristics of each named brand that offerors must provide. See FTA Circular 4220.1F, Chapter VI, paragraph 2.a. (3) – Brand Name or Equal.

FTA recognizes that there are situations in which a recipient is locked into a specific named brand product, and, therefore, not able to accept “an equal” substitute. Not all these situations result in a non-competitive procurement. It is conceivable that multiple offerors can provide the same brand name product. Where competition exists, the recipient is permitted to proceed without processing the procurement as a sole source. In instances where the naming of brand products results in a restraint on competition, the recipient must process the procurement as a sole source (non-competitive) procurement action through the proper approving officials within the recipient’s organization prior to release of the solicitation.

### DBE

SDDOT aspires construction projects to have DBE participation through Race Neutral measures. This means there is no goal on the project. For the DBE contracted work to be counted towards the transit overall DBE goal the entity must be a SDDOT certified DBE.

Through Race Neutral measures on a contract, entities are required to solicitate DBEs, and each bidder is encouraged to use DBE Contractors; however, no bidder will be required to furnish GFE documentation.

DBE forms links on SDDOT website: [https://dot.sd.gov/doing-business/contractors/dbe#listItemLink\\_1550](https://dot.sd.gov/doing-business/contractors/dbe#listItemLink_1550)

- Form DOT-289R/N and that is used by the Prime when they utilize DBEs, and this is at bid letting time. This form will determine at the time of the letting the overall DBE participation. **This form is required to be submitted to SDDOT Transit staff in the procurement packet review prior to award.**
- Form DOT-289B – this is used after the project has been let and it goes into detail on what bid items the DBE is working on and they DBE and Prime both sign. **This form is required to be submitted to SDDOT Transit staff in the procurement packet review prior to award.**
- Form DOT-289 Certification of DBE Payments – and this is used by the Prime to verify what the Prime actually paid the DBE during the project. **This form is required to be submitted to SDDOT Transit staff throughout the project. This information will be used in documenting DBE activity in the semiannual DBE report.**

DBE regulations 49 CFR Part 26

## Protest Procedures

According to Circular 4220.1F your agency must have written protest procedures for both the sealed bid and competitive proposals methods and a protester must go through these procedures before he\she can appeal your decision to FTA. Information that should be included in the agency's protest procedures is as follows:

- Difference in procedures for pre-bid, pre-award and post-award protests.
- Specific deadlines (in working days) for filing a protest, filing a request for reconsideration and for your agency's response to a protest.
- Specific content of a protest (name of protester, solicitation\contract number or description, statement of ground for protest)
- Location where protests are to be filed.
- Statement that your agency will respond, in detail, to each substantive issue raised in the protest.
- Identification of the responsible official who has the authority to make the final determination.
- Statement that your agency's determination will be final.
- Statement that FTA will only entertain a protest that alleges your agency failed to follow your protest procedures and that such a protest must be filed in accordance with the FTA's Third-Party Contracting Guidance Circular (4220.1F)
- Allowance for request reconsideration (if data becomes available that was not previously known, or there has been an error of law or regulation)

## Price Analysis versus Cost Analysis

- Price Analysis is used if it is determined that competition was adequate, and price was within the expected range established by the ICE.
- Cost Analysis is used if it is determined that competition is inadequate, or price is inconsistent with the expected range established by ICE.

Procurement Type	Analysis Type
Small Purchase	Price and/or Cost
IFB	Price and/or Cost
RFP	Price and/or Cost/qualifications
Single Source	Cost
Sole Source	Cost
Contract Modifications	Cost

## Contract Administration

Refer to FTA Best Practices Procurement and Procurement Manual for details based on the procurement and contract type.

The below list consists of documentation required to be kept as the procurement file. The procurement files are to be kept three years after the project is closed.

### Procurement contract files

Standard Inclusions	Price Comparison	Micro purchase	IFB	RFP	Sole Source
Fair and Reasonable Price Determination	X	X			
Method of Procurement Decision Matrix			X	X	X
Independent Cost Estimate			X	X	X
Clear, Accurate, Complete Specifications			X	X	X
Price Quotations					
Cost\Price Analysis			X	X	X(cost)
Written Selection Procedures (Include in Solicitation)			X	X	
Emails to Potential Vendors, Proof of Publication			X	X	
Bid Opening Sheet/Record of Proposals Submitted			X	X	
Responsiveness Determination			X	X	
Bid/Proposal Rejection Explanation (if any)			X	X	
Responsibility Determination (copy of SAM and SD Sec. State search)			X	X	X
Bid Tabulation/Selection of Lowest Price			X		
Evaluation Rating Sheets and Summary				X	
Sole Source Justification					X
Sound and Complete Agreement (Signed Contract)			X	X	X
Clauses (In Solicitation and Contract)			X	X	X
Written Record of Procurement History			X	X	X
Awarded Supplier's Proposal			X	X	X
Contract Mods (in scope)			X	X	X
Progress Payments			X	X	X
Approval for Advance Payments from FTA		X	X	X	X
Documentation of Board Approval			X	X	X
Notice of Protests and Resolution			X	X	X
Notice of Contract Claims and Resolutions			X	X	X
Piggybacking			X	X	X
Davis-Bacon (Construction)	x>\$2000	x>\$2000	X	X	
Copies of Bonds (Construction)			X	X	X
Buy America (Rolling Stock)			X	X	X
Evidence of Negotiations with Highest Ranked Suppliers and Ranking Based on Technical Capacity Only (A&E)				X	

### Documentation of procurement history

The Community Services Department will maintain a list of bidders.

## References

Refer to the below sources for sample forms and documents.

- Federal Transit Administration: <http://www.fta.dot.gov>
- Title 49 United States Code Chapter 53: <https://www.law.cornell.edu/uscode/text/49/subtitle-III/chapter-53>
- FTA Circular 4220.1F Third Party Contracting: <https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/third-party-contracting-guidance>
- Procurement System Review: <https://www.transit.dot.gov/funding/procurement/third-party-procurement/guide-procurement-system-reviews>
- FTA Master Agreement: <https://www.transit.dot.gov/grantee-resources/sample-fta-agreements/fta-master-agreement-version-28-february-9-2021>
- Uniform Guidance (also referred to as the “Super Circular”, found at 2 C.F.R. part 200): <https://www.gpo.gov/fdsys/pkg/FR-2013-12-26/pdf/2013-30465.pdf>
- Best Practices Procurement Manual: <https://www.transit.dot.gov/funding/procurement/best-practices-procurement-manual>
- Brooks Act: <https://www.law.cornell.edu/uscode/text/40/subtitle-I/chapter-11>
- Frequently Asked Questions (FAQ): <https://www.transit.gov/regulations-and-guidance/civil-rights-ada/frequently-asked-questions>
- FTA Pricing Guide: <https://transit.dot.gov/funding/procurement/third-party-procurement/pricing-guide-fta-grantees>
- South Dakota Codified Laws: [http://sdlegislature.gov/statutes/Codified\\_Laws/](http://sdlegislature.gov/statutes/Codified_Laws/)
- National RTAP Transit Manager’s Toolkit: <http://nationalrtap.org/>
- National RTAP ProcurementPRO web application: <http://www.nationalrtap.org/Web-Apps/ProcurementPRO>
- Federal Transit Administration Procurement Website: <https://www.transit.dot.gov/funding/procurement/procurement>
- System for Award Management (SAM): <https://sam.gov/content/home>
- SD Secretary of State: <https://sdsos.gov>
- Disadvantaged Business Enterprise Program (DBE) 49 C.F.R. Part 26: <https://www.transportation.gov/osdbu/disadvantaged-business-enterprise/49-cfr-part-26-sample-disadvantaged-business>
- SDDOT Construction guidance on SDDOT Transit webpage
- SDDOT Planning guidance on SDDOT Transit webpage

# Procurement Glossary

## A&E Services

Projects, which require Architectural or Engineering consultation, are required to use competitive proposal procedures based on the Brooks Act.

## Acceptance

Agreement to the terms of an offer. In most jurisdictions “award” by a public agency can constitute acceptance and may create an enforceable contract.

## Brooks Act

Federal law that all architecture/engineering services being paid for with Federal funds to be obtained through Request for Proposal.

## Buy America Act

Federal legislation that requires all rolling stock, facility, or equipment purchases in excess of \$150,000.00 of Federal funds must contain 70% domestic components minimum by cost and final assembly is in the United States.

## Construction

Is any building, remodeling, expansion, or alternations to a facility, included is painting, roofing, or replacing facility equipment, such as water heaters, phone systems etc.

## Davis-Bacon Act

Federal law, which needs to be followed for any hired expenses in excess of \$2,000.00 when incurred in any federally funded construction, remodeling, and/or repair work.

## Disadvantaged Business Enterprises (DBE)

For-profit small business concerns where socially and economically disadvantaged individuals own at least 51% interests and control management and daily business operations.

## Federal Certifications

Specific documents referencing Federal Laws, Acts or Provisions, which parties participating in the procurement must agree to and sign.

## Federal Clauses

Federal Laws, Acts and Provisions which must be included in all procurement documents and required of all parties participating in the procurement of goods, services, or products.

## FMVSS

Federal legislation entitled Federal Motor Vehicle Safety Standard 49 CFR Part 571.

## Grant Funding Agreements

Legal document between grantor and grantee/subrecipients, which defines the type and amount of grant award and all requirements, which the grantee/subrecipients must comply with to qualify for the grant award.

## Invitation for Bids (IFB)

Competitive procurement procedure used to procure products or goods based on price and ability to meet the bid specifications. This method is also referred to as a Sealed Bid.

Independent Cost Estimate (ICE)

Determining cost of goods or services by means of obtaining cost of each part comprising the goods or services plus labor, overhead, production cost etc.

Joint Procurement

Procurement method of contracting in which two or more grantees agree from the outset to use a single solicitation document.

Master Agreement

Federal Transportation Administration (FTA) document, which states all the requirements, and regulations, which apply to FTA, grants awards.

Offer

A promise to provide goods or services according to specified terms and conditions in exchange for material compensation.

Piggybacking

The assignment of another recipient's contract rights as a substitute for a stand-alone procurement. Not encouraged by FTA or SDDOT.

Pre-award Audit

Verification and completing Federal certificates before awarding vehicle awards to ensure vehicles meet FTA Rolling Stock requirements.

Price Comparison

Price comparison is a method of procuring goods and services with a total value less than \$4,000. Requires price or cost analysis to determine the best value.

Price Estimate

Determining reasonable price of goods or services by collecting competing offers, catalog prices, internet prices, or local competitor's prices.

Post-Award Audit

Verification and completing Federal certificates after awarding vehicle awards to ensure vehicles meet FTA Rolling Stock requirements.

ProcurementPro

An on-line procurement tool that assists parties in developing procurement packages.

Procurement File

Each procurement project is required to have a permanent file, which contains all the documents and correspondence pertaining to the procurement.

### Purchasing Levels

Several different methods of procurement are available based on the total dollar value of the procurement. Splitting large purchases into smaller purchases to avoid the competitive proposal process shall not be permitted per Transit agency policy.

### Micro Purchases

A micro purchase is a method of procuring services, goods, or real property with a total value between \$4,000 and \$24,999\*. Require three (3) written quotes on vendor's letterhead or bid form. \* per South Dakota Codified Law

### Real Property

Real property consists of land and any existing buildings and/or structures on the parcel of land.

### Request for Proposals (RFP)

A competitive procurement method used when the nature of the procurement does not lend itself to sealed bidding and the recipient expects more than one source is willing and able to submit an offer or proposal. This method is often used when the award is based on pre-determined technical criteria instead of price. This method is also referred to as a Competitive Proposal.

### Simplified Acquisition Purchases

A simplified acquisition is a method of procuring services, goods, or real property with a value exceeding \$25,000.00. Requires invitation of bids, request for proposal or sole source.

### Sole Justification

If only one bidder is received per IFB or available due to limited local businesses. A letter of explanation must be written explaining the reasons for awarding the bid and placed in the procurement file.

### Solicitation

A purchasing entity's request for offers, including a telephone request for price quotations, an invitation for bids, or a request for proposals.

### System for Award Management (SAM)

Federal website to check for debarment and suspension from Federal projects.

### Useful Life

Standards established for the expected amount of time that a properly maintained piece of equipment or facility could be used before needing to be replaced.

# Exhibits

## INDEPENDENT COST ESTIMATE FORM Exhibit A

**INDEPENDENT COST ESTIMATE**  
**FOR SMALL PURCHASES (EXCEEDING \$10,000) AND LARGE PURCHASES (EXCEEDING \$150,000)**  
**Purchases exceeding \$10,000 must be advertised and procured through competitive bidding.**  
**Purchases exceeding \$20,000 must be approved by the Community Services Department Board.**  
Complete this form before requesting bids or proposals.

**FTB OR RFP NUMBER:** \_\_\_\_\_

**AMOUNT OF INDEPENDENT ESTIMATE: \$** \_\_\_\_\_

**GRANT NUMBER:** \_\_\_\_\_

**PROJECT TITLE:** \_\_\_\_\_

A. Telephone Budget Estimate

(Name of Company & Estimate) \$

(Name of Company & Estimate) \$

(Name of Company & Estimate) \$

\_\_\_ B Competitor's Catalogs (Sears, Home Depot, Office Depot, etc. -- Compare catalogs for the **same time frame**. The following 4 criteria must be met. 1. Established Catalog prices exist. 2. The items are commercial in nature. 3. Items are sold in substantial quantities. 4. Items are sold to the general public. (Attach copy of the catalogue pages to this form.)

\_\_\_ C. Newspaper Advertisements (Current advertisement only -- attach copy of ad to this form.)

\_\_\_ D. Industrial Catalogues (The National Mechanical Contractor Estimator (NMCE) is an excellent source for pricing mechanical items. Name: attach pages.)

\_\_\_ E. Established Market Prices (The current price established in the usual or ordinary course of business between buyers and sellers free to bargain. These prices must be verified by buyers and sellers who are independent of the offeror. If you do not know the names of other commercial buyers and sellers, you may obtain this information from the offeror. Attach information.)

\_\_\_ F. Comparison to Previous Recent Purchase (Changes in quantity, quality, delivery schedules, and the economy cause price variations. Make sure previous price was fair and reasonable based on physical review of documentation contained in previous files. Analyze each differing situation through trend analysis. Explain.)

\_\_\_ G. Comparison to a Valid Independent Estimate (Attach estimator's methodology and data used in developing the estimate and verify the facts and assumptions.)

\_\_\_ H. Value Analysis (Look at the item and the function it performs in order to determine its worth.

The decision of price reasonableness remains with the contracting officer. Attach explanation.)

\_\_\_ I. Government Catalogues (Federal Supply Schedules may be used for price comparison even though they may not be able to fulfill the requirement.) (Attach catalogue page.)

\_\_\_ J. Government Price Index (Use to compare or analyze historical prices to predict current prices.

Search [Http://stats.bls.gov](http://stats.bls.gov) under Data, Series Report. For code numbers for the Series Report, go to <ftp://ftp.bls.gov/pub/time.series/wp/wp.contacts> and call the contact listed. Attach analysis.)

\_\_\_ K. Prices Established by Law or Regulation (Prices determined through a rate schedule and verified that the prices apply to the situation, e.g., utilities. Attach schedule.)

\_\_\_ L. Personal knowledge of item procured. (Explain.)

\_\_\_ M. Other (e.g., Sole Source): (Explain) \_\_\_\_\_

**(Attach copies of catalogue pages, advertisements, purchase order, etc.)**

Buyer's Signature \_\_\_\_\_ Date \_\_\_\_\_

## ABSTRACT OF BIDS Exhibit B

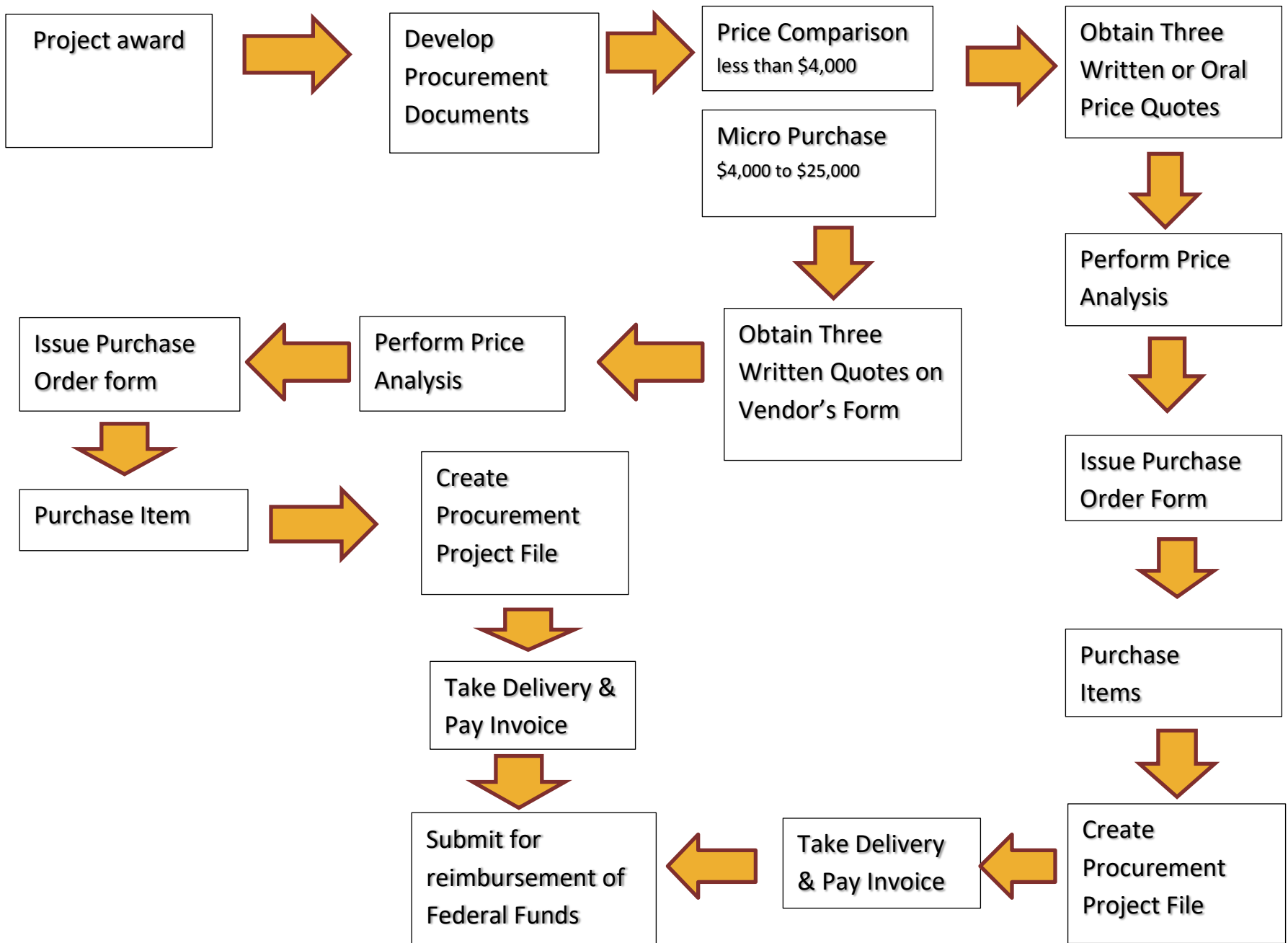
Company Name	
Company Address, City, State & Zip	
Telephone	
Fax	

## ABSTRACT OF BIDS

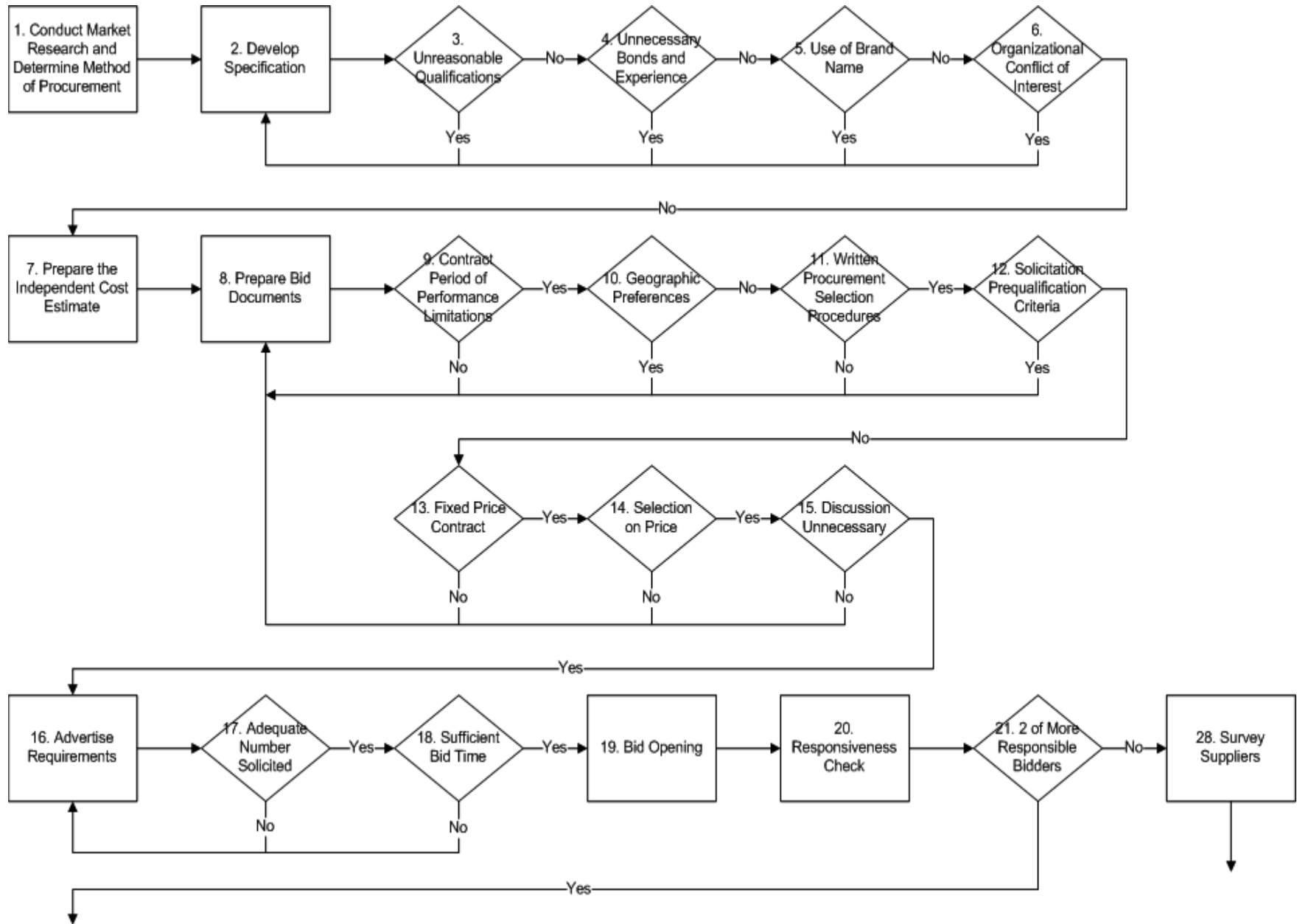
Project Number	Project Name	Location	Architect	Architect Estimate

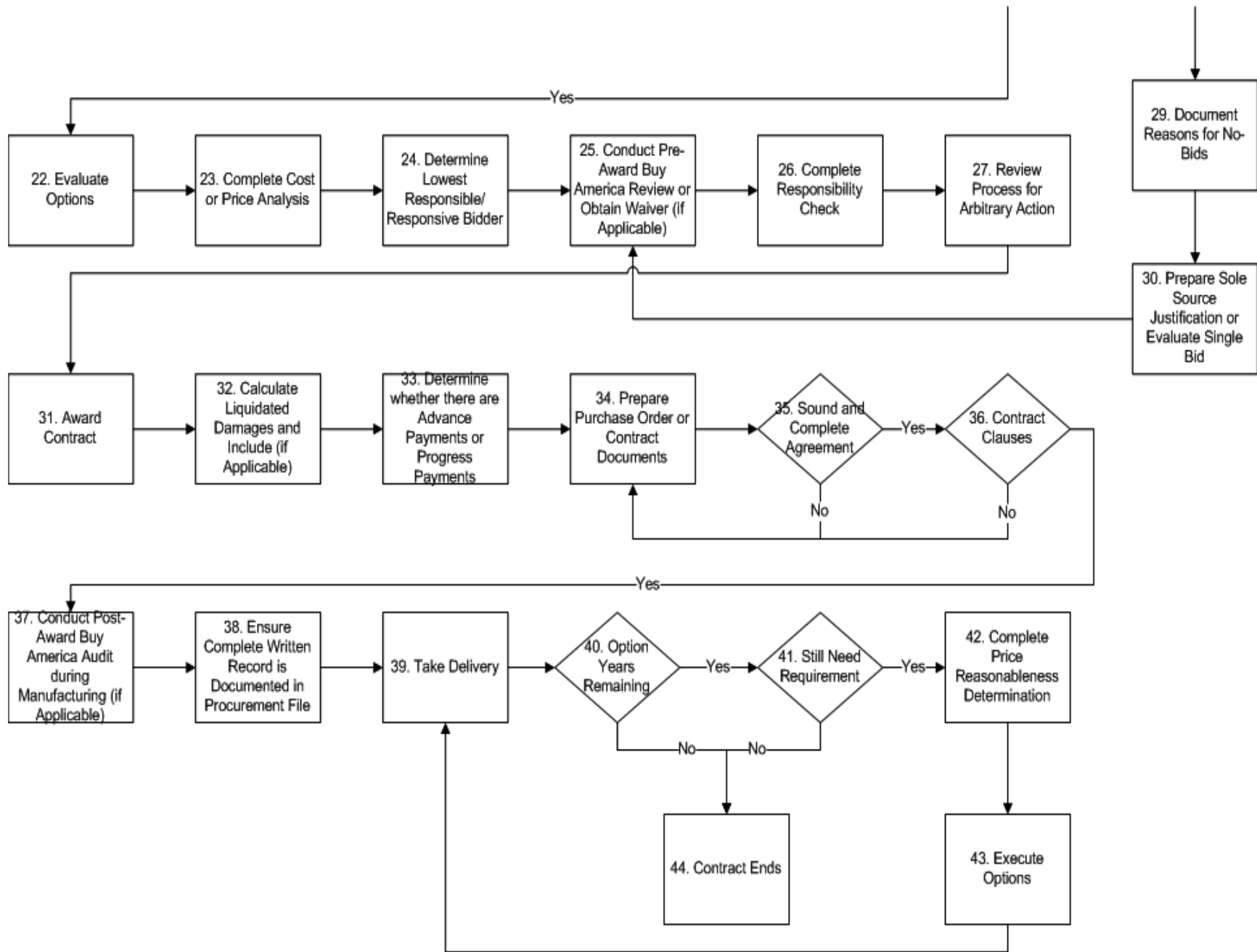
Bid		(Description)	(Description)	(Description)	Total of	Subs	Bidder's	Qualification
Date	Rank	Alternate 1	Alternate 2	Alternate 3	Base Bid +/- Alternates	Listed	Bond Attached	Verified

Price Comparison or Micro Purchase Flow Chart



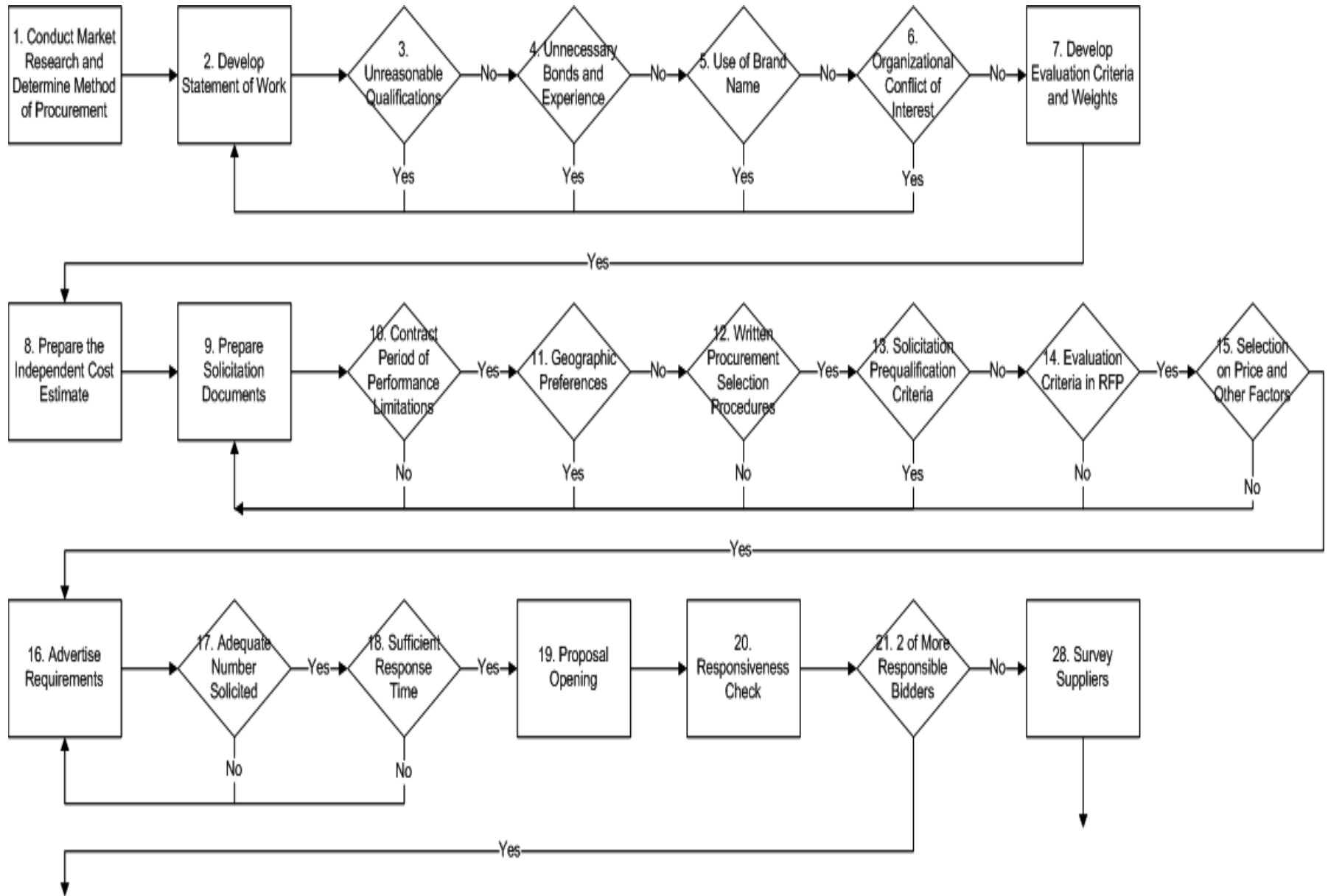
Simplified Acquisition - Invitation for Bid Flow Chart  
 (Source- FTA Procurement System Review FY2019 Workshop)

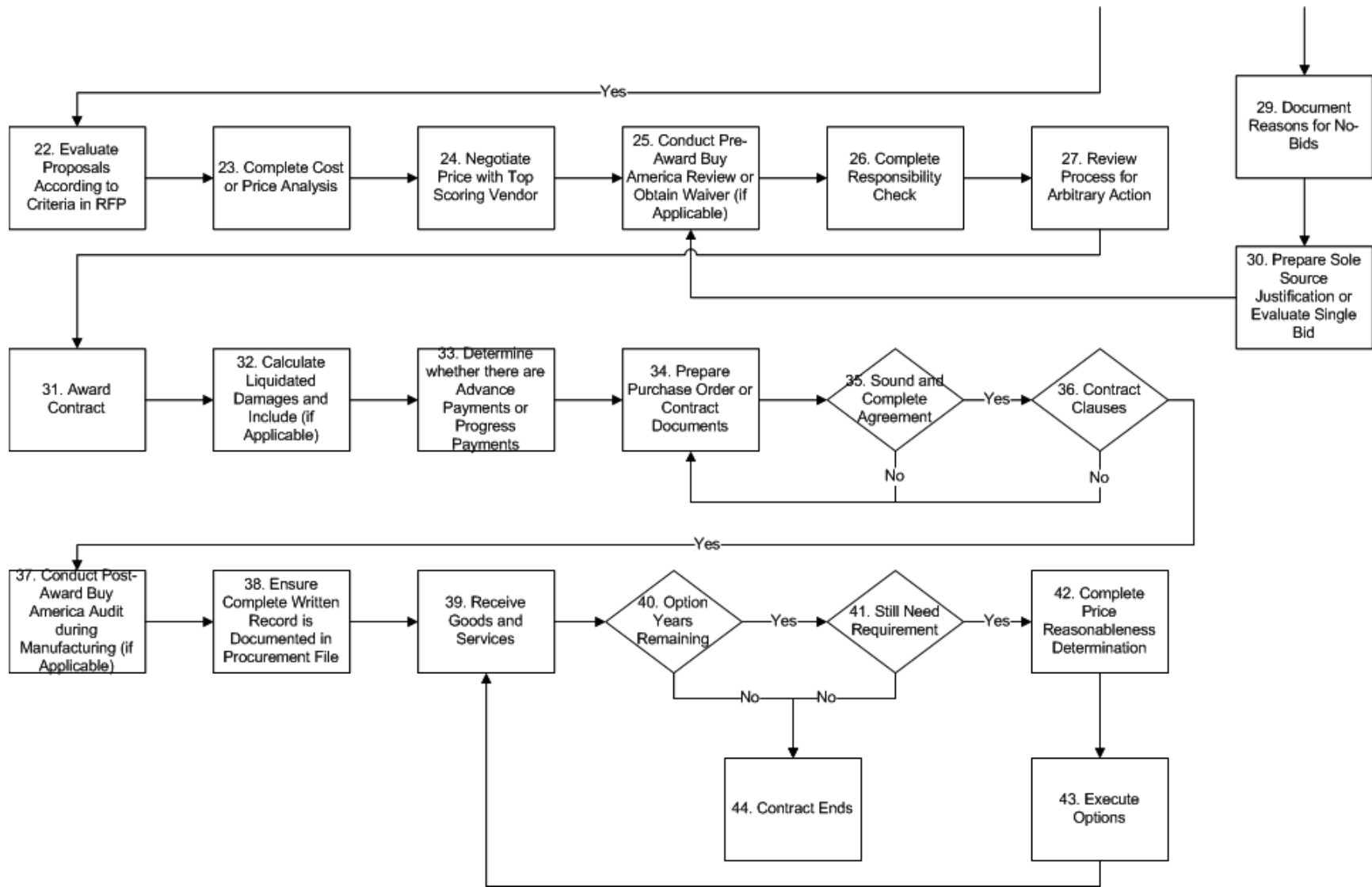




## Simplified Acquisition Request for Proposal Flow Chart

(Source- FTA Procurement System Review FY2019 Workshop)





## Master Checklist for Procurements Exhibit

Procurement Title: \_\_\_\_\_

Date: \_\_\_\_\_

Procurement for: \_\_\_\_\_

### Project Planning and Identification:

- Determine type of goods and qualities or services needed
- Securing funds via application process
- Locally executing a grant
- Written notice of activity approval to proceed
- Select the procurement method:
  - Micro-Purchase
  - Simplified Acquisition: \_\_\_\_\_ Invitation for Bid \_\_\_\_\_ Request for Proposal
- Develop Due dates and time deadlines

### Solicitation Development:

- If from a State or Local Government Purchasing Schedule, check here All FTA and federal requirements apply when utilizing federal funds. (Utilize the checklists below as guidance in assuring such compliance.)
- Complete Independent Cost estimate
- Develop Solicitation and Project Specifications and /or Scope of Work
- Written Standards of Conduct and Conflicts of Interest
- Protest and Appeals Process
- Disadvantage Business Enterprise Requirements (DBE)
- Assignability Rights
- Contract Term Limitations (e.g.: 5 years limit for rolling stock contracts)
- Appropriate supporting documentation
- Attachment of required federal clauses and certifications including Buy America if applicable
- Written notice of activity approval to proceed
- Define Bid/Proposal Submission requirements (how, date, time labeling etc.)
- Finalize draft copy of Bid/Proposal package
  - Federal clauses and certificates.
  - Instructions on how to obtain Bid/Proposal documents
  - Pre-Bid/Proposal Meeting Information (Optional)
  - Approved Equals/requests for clarifications/Exceptions process
  - Quantities
  - Schedule for procurement
  - Addenda process
  - Protest procedures
  - DBE Requirements
  - Buy America Certifications (If Applicable)
  - Instructions on Preparation of bids/Proposals
  - Definition of Bid/Proposal; Evaluation and Selection Criteria
- Finalize General Conditions (Definitions, Inspections, Changes, etc.)
- Finalize Special Provisions (Delivery, Assignability of Options, Service and parts, FMVSS, etc.)
- Finalize Federal requirements (Recommend ProcurementPro program)
- Finalize Project Specifications
- Submit to SDDOT for review and approval. (See the submittal requirements in the policy under Policies and Procedures
- SDDOT approval

### Solicitation and Bid\Proposal Opening:

- Prepare and release Advertisement announcing the Bid/Proposal to official news media
- Develop list of Potential Bidders/Proposers
- Post Advertisement to Transit Program Website and other electronic media (If applicable)
- Send written or electronic announcements to all potential bidders/proposers
- Approved Equals/Request for Clarification process
- Pre-Bid Meeting
- Conduct Bid/Proposal opening and recording on stated date, time, and location (If Sole Source, include justification.)
- Review all Bids/Proposals in accordance with selection criteria
- Evaluation and selection criteria of all Bids/Proposals for responsiveness
- Verify all bidders are not on the Excluded Parties List on the System for Award Management <https://sam.gov/content/home>
- Verify vendors are active and good standing on SD Secretary of State website <https://sdsos.gov>
- Tabulate Bid/Proposal documents including selection criteria and responsibility determination
- Complete Price or Cost Analysis
- Start negotiations if RFP procurement was used
- Complete review of Brooks Act (If Applicable)
- Complete award Selection and Justification
- Complete Davis Bacon and DBE Requirements (If Applicable)
- Award selection and justification
- Submit to SDDOT for review and approval. (See the submittal requirements in the policy under Policies and Procedures
- SDDOT Approval
- Draft copy of proposed contract (justification if IFB and other than low bid.)
- Prepare justification letter if selection is other than the lowest bidder
- Written notice of activity approval given to proceed
- Notify Selected and Rejected Bidders/Proposers
- Complete Pre-Award audit

### **Award and Contract Administration**

- Contract Draft
- Award Contract (adhering to applicable contract terms limitations)
- Finalize contract or purchase order with appropriate Federal clauses and certifications
- Secure Bonds and Insurance as required
- Develop schedules for deliver, inspections, milestones and anticipated closeout procedures
- Collect all documentation for written notice of activity approval to proceed
- Order to Proceed (changes will require approval before project can proceed further)
- Prepare Sole Source letter (If Applicable)
- Create project file folder (electronic or paper)
- Collect all documents, certifications and correspondence and file in project folder until project is closed

### **Project Progress Reports and Activities**

- Document progress and challenges of the project
- Document "Change Orders" and associated "Cost or Price Analysis"
- Document Process Payments if applicable
- Modify and report to oversight agency the changes to the milestones and anticipated closeout
- All documentation sent to oversight agency for the written notice of approval
- Monitor vendor or manufacturer activities, as applicable
- Schedule inspection/delivery activities
- Conduct post-delivery inspection (If Applicable)
- Confirm acceptance, warranty, and service arrangements with vendor

- Complete vehicle title/registration (If Applicable)
- Complete post-award audit

**Project Closeout and Reimbursement**

- Give notification approximately 30 days in advance of pending project completion
- Request documentation to advance to final payment\reimbursement process (local and federal)
- Finalize milestones
- Begin physical and administrative close out proceedings
- Review final project procurement history file for completeness such as, all documents, contracts, purchase orders, and correspondence and file in procurement file
- Request approval to close out project
- Are all the procurement options exercised or the contract is expired
- Mark the Project File folder with the corresponding 4-year retention date

Procurement Complete \_\_\_\_\_ (Reviewer) Date \_\_\_/\_\_\_/\_\_\_



**OFFICE OF THE SECRETARY**  
Hillsview Plaza, 3800 East Highway 34  
c/o 500 East Capitol Avenue  
Pierre, South Dakota 57501-5070  
Phone: (605) 773-5990 | TTY: (605) 773-6412  
FAX: (605) 773-5483  
Website: [dhs.sd.gov](http://dhs.sd.gov)

May 22, 2023

Jessica Pickett  
City of Mitchell – Adult Nutrition  
300 W 1<sup>st</sup> Ave  
Mitchell, SD 57301

Dear Ms. Pickett,

The department conducted a desk review regarding City of Mitchell – Adult Nutrition Income and Expense Summary for Title III-C Nutrition Program for the period June 1, 2020, through May 31, 2021.

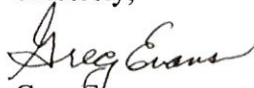
There were no adjustments to reported costs.

Our examination was a cursory review of the fiscal and statistical records used to support the Income and Expense Summary for Title III-C Nutrition Program and should not be considered as an evaluation of the over-all operation or financial condition of the Nutrition program.

Feel free to contact our office if you have questions.

I would like to take this opportunity to express my thanks to you and your staff for the cooperation shown to my staff during this desk review. It is appreciated - Thank You.

Sincerely,

  
Greg Evans  
Audit Manager  
Budget and Finance

**Non-Discrimination**

The Department of Human Services does not exclude, deny benefits to, or otherwise discriminate against any person on the basis of actual or perceived race, color, religion, national origin, sex, age, gender identity, sexual orientation or disability in admission or access to, or treatment or employment in its programs, activities, or services. For more information about this policy or to file a Discrimination Complaint you may contact: Discrimination Coordinator, Legal Services, 3800 E. Hwy 34, c/o 500 E Capitol Ave., Pierre SD 57501. Phone: 605.773.5990. Email: [dhsinfo@state.sd.us](mailto:dhsinfo@state.sd.us).



**DEPARTMENT OF HUMAN SERVICES**

Division of Long Term Services & Supports  
Hillsview Plaza, 3800 East Highway 34  
C/o 500 East Capitol Avenue  
Pierre, SD 57501

**PHONE:** 605-773-3656 or  
1-866-854-5465

**FAX:** 605-773-4085

**WEB:** [dhs.sd.gov](http://dhs.sd.gov)

**ACCEPTANCE OF DESK AUDIT**

<b>Grantee:</b>	City of Mitchell
<b>Site:</b>	Parkston Overtime
<b>Address:</b>	705 West Redwood Street
<b>Address:</b>	
<b>Date:</b>	June 20, 2023
<b>Assessor:</b>	Amy Hurt

**I acknowledge and accept the Grantee’s desk audit. Please keep this form for your records.**

Yes

No

**I do not accept the Grantee’s desk audit and will be sending a corrective action plan:**

*Taylor McLennan*

June 20, 2023

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



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<b>Date:</b>	June 20, 2023
<b>Assessor:</b>	Amy Hurt

**I acknowledge and accept the Grantee’s desk audit. Please keep this form for your records.**

Yes

No

**I do not accept the Grantee’s desk audit and will be sending a corrective action plan:**

The Corrective Action Plan is attached to this email.

*Taylor McLennan*

June 20, 2023

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



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**Corrective Action Plan**

<b>Grantee:</b>	City of Mitchell	
<b>Site:</b>	The Dugout in Tripp	
<b>Date:</b>	6/20/2023	
<b>Due Date:</b>	7/14/2023	
<b>Assessor:</b>	Amy Hurt	
<b>Food Service Codes set by Department of Health Administrative Rules of South Dakota ARSD</b> <a href="https://sdlegislature.gov/Rules/Administrative/17361">https://sdlegislature.gov/Rules/Administrative/17361</a>		
<b>Reference Number</b>	<b>Comment and Recommendations</b>	<b>Plan of Correction Date of Completion</b>
<b>Handwashing Lavatories and supplies</b>	<a href="https://sdlegislature.gov/Rules/DisplayRule.aspx?Rule=44:02:07:68">https://sdlegislature.gov/Rules/DisplayRule.aspx?Rule=44:02:07:68</a> <a href="https://sdlegislature.gov/Rules/DisplayRule.aspx?Rule=44:02:07:69">https://sdlegislature.gov/Rules/DisplayRule.aspx?Rule=44:02:07:69</a>	Reviewed by Dept. of Health with the Dugout to comply with these regulations and make changes immediately.
<b>44:02:07:57. Sanitizing solution testing devices</b>	A test kit or other device that accurately measures the concentration in mg/L of sanitizing solutions must be provided. Proper use of sanitizing container needs to be purchased to prevent possible cross contamination. Test strips need to be purchased and used to test the sanitizing solution mixture to ensure the appropriate PH levels are being reached.	Reviewed by Dept. of Health with the Dugout to comply with these regulations and make changes immediately.

- Please indicate in Plan of Correction how recommendation will be implemented.

*Jessica Pickett*

Project Director Signature

6/27/23

Date

**James Valley Community Center (JVCC)**  
**Facility Rental Application and Agreement**  
300 W 1<sup>st</sup> Avenue, Mitchell, SD 57301  
(605) 995-8048

This application is submitted by \_\_\_\_\_ (Renter) in order to rent JVCC facilities on:

**Event Date:** \_\_\_\_\_ **Event Time:** \_\_\_\_\_

The James Valley Community Center is owned and operated by the City of Mitchell. Facility Rental Applications submitted to the City by a Renter will be treated as an offer to enter into an agreement. Each Renter submitting an application must be at least 21 years old. The agreement consists of the following terms:

**THE RENTER AGREES TO:**

1. Ensure a responsible adult is on site throughout the event.
2. NOT use or permit to be used any staples, tape, nails, or paper clips on any walls, ceilings, doors, or windows.
3. NOT utilize candles or other potential fire hazards.
4. NOT use any other facility rooms not rented on this agreement.
5. NOT use the facility kitchen equipment, computers, bingo machine, popcorn machine, ice machine, pool tables, or dart machines or any optional equipment unless as marked and paid for below.
6. Return tables, chairs, and all other moved items back to the position they were in prior to the event.
7. Move any optional rented equipment back to its designated location.
8. Clean up any spills immediately.
9. Place all trash in the correct outside dumpster after the event and replace all garbage bags used. Do NOT place garbage in the (blue) recycling dumpster.
10. NOT leave or store any food in the facility.
11. Wash off countertops, tables, and chairs and clean glass if fingerprinted.
12. Sweep and mop the floor in all areas used.
13. Clean bathrooms if used.
14. Clean any carpet stains.
15. Vacuum rugs.
16. Shut off all lights.
17. Ensure all outside doors are locked.
18. Preserve and maintain the facility in good condition and not cause or permit damage to be done to the facility.
19. Use the facility solely for the event activities listed in Renter's application.

**THE CITY AGREES TO:**

1. Have the facility clean prior to Renter's event.
2. Make available tables and chairs for use during the event.
3. Complete any optional services or provide any optional equipment selected below by Renter.
4. Provide cleaning supplies (including broom, mop, bucket, and garbage bags) located in janitor's closet.

## **GENERAL TERMS:**

The JVCC's standard hours of operation are 8:00 am to 5:00 pm Monday through Friday. Rentals may occur during or outside of standard operating hours at the rates outlined below.

Completed applications **and payments** must be submitted a minimum of two weeks prior to the event. Rentals are approved on a first come/first served basis once the applicable **payments are made deposit has been paid.** The City will maintain a master schedule showing the availability of rentals.

The City may refuse an application for an event which is fundamentally incompatible with the operations of the JVCC. Incompatibility may be due to consumer protection concerns, an appearance of improper public endorsement of a particular ideology, candidate, or cause, disruption of normal JVCC operations, events which pose an unreasonable risk to the facility, or other similar issues.

A \$100 cancellation fee will be charged to persons who have approved rentals at the JVCC and cancel with less than 72 hours' notice from the event's scheduled start time.

Each Renter is responsible for making arrangements with the JVCC staff to have a tour of the JVCC for orientation of the facility usage. This includes contacts, and explanation of agreement obligations.

Each Renter is responsible for making their own arrangements with caterers. Caterers/Renters must provide their own catering supplies and staff members. **Caterers must deliver and remove all items during the scheduled rental time.**

The City reserves the right to inspect the facility at any time. Renters found violating any term of this agreement may have their event canceled (prior to or during the event), forfeit the rental amount/security deposit, and/or be prohibited from renting the JVCC in the future. **Any unlawful activity will be reported to the public safety department.**

A damage deposit of \$200.00 must be paid separately from the rental amount and **paid at the same time as the rental fee.** The facility will be inspected by City staff following Renter's event. Any costs for damage will be deducted before releasing the deposit, including an additional fee for clean-up not performed by the Renter. If the facility is found to be in unsatisfactory condition, the entire damage deposit will be forfeited by Renter and the City will bill for any additional damages. No money will be released until the final inspection has been completed.

Renter covenants and agrees that they will indemnify and hold the City harmless from all liabilities of any nature arising from renter's use of the facility. Depending on the nature of the event, the City may require Renter to provide proof of liability insurance relating to the event and naming the City as an additional insured.

## **ALCOHOL AND TOBACCO USE:**

Tobacco use is not permitted anywhere within the JVCC. An applicant must select one of three options relating to alcohol use when submitting an application: no alcohol, bring your own, or organization sponsored sales.

If the no alcohol option is chosen, then Renters and guests may not possess or consume alcohol on the premises.

If the bring your own option is chosen, then the Renter may bring their own alcoholic beverages for consumption but are solely responsible for ensuring that no alcohol is sold, consumed, or possessed by any person in a manner that violates federal, state, or local law. In compliance with SDCL 35-1-5.1, the JVCC does not sell or provide soft drinks, mix, or ice in relation to an event nor is there an additional charge for bringing such alcoholic beverages, soft drinks, mix, or ice onto the premises in relation to such event.

If the organization sponsored sales option is chosen, the Renter will need to contact an organization eligible to receive a special event alcohol permit and comply with any requirements or deadlines for the permit to be obtained. Only alcohol sold by the permitted organization is allowed on the premises during the event under this option. The Renter shall be solely responsible for ensuring that no alcohol is sold, consumed, or possessed by any person in a manner that violates federal, state, or local law.

<b>AREA TO BE RENTED (Capacity)</b>	<b>After Hours Rate</b>	<b>Member After Hours Rate</b>	<b>Operating Hours Rate</b>	<b>Members Operating Hours Rate</b>
_____ General Purpose (80)	\$150	\$125	\$125	\$100
_____ North Activity Room (54)	\$75	\$65	\$65	\$55
_____ South Activity Room (54)	\$75	\$65	\$65	\$55
_____ Sunroom (21)	\$50	\$40	\$40	\$30
_____ Deli Area (24)	\$45	\$35	\$35	\$25

\*\*\* All Rental rates are based on a 4-6-hour event period and do not include tax. Set-up and tear-down must be completed during this 6-hour rental time period. Renter will also have an allowance of 1 hour total to be used for set-up before or tear-down after an event. If set-up, tear-down, or total event time exceed their allocated amount, Renter will be charged at double the applicable rate.

**OPTIONAL ALCOHOL SELECTION**

\_\_\_\_\_ **No Alcohol**                      \_\_\_\_\_ **Bring Your Own Alcohol**                      \_\_\_\_\_ **Alcohol Sales**

**OPTIONAL EQUIPMENT REQUESTED**

_____ Coffeemaker (supply your own coffee) <del>\$15.00</del> \$10.00	_____ Podium \$15.00
_____ <del>Smart Board</del> Projector \$25.00	_____ Screen \$15.00
_____ Tables & Chairs (set up & arranged) \$25.00	_____ TV \$10.00

Rental Fee \_\_\_\_\_ Optional Equipment \_\_\_\_\_ **Total Rental Fee** \_\_\_\_\_

Activity Being Held \_\_\_\_\_

Check-In Time \_\_\_\_\_ Closing Time \_\_\_\_\_

Name of Renter \_\_\_\_\_ Person Responsible \_\_\_\_\_

Renter's Telephone \_\_\_\_\_ Renter's Address \_\_\_\_\_

Name of Caterer and/or Alcohol Sponsor Organization (if applicable) \_\_\_\_\_

PLEASE BE AWARE THAT THIS CONTRACT WILL NOT BE APPROVED UNTIL THE DEPOSIT, SIGNED RENTAL AGREEMENT, AND RENTAL PAYMENT HAVE HAS BEEN RECEIVED.

By signing this document, I acknowledge that I understand and agree with the contents and disclosures of the general rental agreement and facility rental deposit/payment agreement. Failure to abide by these conditions will terminate this reservation.

\_\_\_\_\_  
Renters Signature JVCC Staff

\_\_\_\_\_  
Renters Name (print) Date

**OFFICE INFORMATION**

Date Deposit Paid \_\_\_\_\_ Payment Method: Cash or Check # \_\_\_\_\_

Date Deposit Returned (if applicable) \_\_\_\_\_

Date Rental Paid \_\_\_\_\_ Payment Method: Cash, Credit or Check # \_\_\_\_\_

**Palace Transit Monthly Ridership Report**  
**Fiscal Year: October 1st, 2022 through September 30th, 2023**  
**Month: MARCH 2023**

	Month End		Year to Date		Difference		
	2022	2023	2022	2023	Month End	Year to Date	
<b>Elderly Riders</b>	1,143	1,330	6,407	6,843	187	436	
<b>General Public Riders</b>	454	877	2,079	4,174	423	2,095	
<b>Handicap Riders</b>	2,108	2,492	10,523	12,329	384	1,806	
<b>School - Age Riders</b>	2,816	3,074	14,414	15,445	258	1,031	
<b>Unduplicate</b>							
<b>59 &amp; Under</b>	12	39	469	628	27	159	
<b>Elderly 60 &amp; Over</b>	20	31	237	309	11	72	
<b>Total Rides</b>	6,521	7,773	33,423	38,791	1,252	5,368	
<b>Total Miles</b>	15,471	18,049	78,634	87,592	5,704	8,958	
<b>MARCH 2023</b>							
<b>Trip Type</b>	<b>Education</b>	<b>Employment</b>	<b>Medical</b>	<b>Nutrition</b>	<b>Same Day</b>	<b>Shopping</b>	<b>Social Rec</b>
	3,632	1,958	970	89	126	358	640

**Palace Transit Monthly Ridership Report**  
**Fiscal Year: October 1st, 2022 through September 30th, 2023**  
**Month: APRIL 2023**

	Month End		Year to Date		Difference	
	2022	2023	2022	2023	Month End	Year to Date
<b>Elderly Riders</b>	1,084	1,371	7,491	8,214	287	723
<b>General Public Riders</b>	448	696	2,527	4,870	248	2,343
<b>Handicap Riders</b>	1,972	2,139	12,495	14,468	167	1,973
<b>School - Age Riders</b>	2,598	2,554	17,012	17,999	(44)	987
<b>Unduplicate</b>						
<b>59 &amp; Under</b>	13	15	482	643	2	161
<b>Elderly 60 &amp; Over</b>	17	17	254	326	0	72
<b>Total Rides</b>	6,102	6,760	39,525	45,551	658	6,026
<b>Total Miles</b>	14,316	15,865	92,950	103,457	1,549	10,507

<b>APRIL 2023</b>	<b>Trip</b>	<b>Education</b>	<b>Employment</b>	<b>Medical</b>	<b>Nutrition</b>	<b>Same Day</b>	<b>Shopping</b>	<b>Social Rec</b>
<b>Type</b>		3,104	1,742	843	79	111	247	634

**Palace Transit Monthly Ridership Report**  
**Fiscal Year: October 1st, 2022 through September 30th, 2023**  
**Month: MAY 2023**

	Month End		Year to Date		Difference		
	2022	2023	2022	2023	Month End	Year to Date	
<b>Elderly Riders</b>	1,114	1,447	8,605	9,661	333	1,056	
<b>General Public Riders</b>	541	786	3,068	5,656	245	2,588	
<b>Handicap Riders</b>	1,746	2,068	14,241	16,536	322	2,295	
<b>School - Age Riders</b>	3,103	2,818	20,115	20,817	(285)	702	
<b>Unduplicate</b>							
<b>59 &amp; Under</b>	34	35	516	678	1	162	
<b>Elderly 60 &amp; Over</b>	14	15	268	341	1	73	
<b>Total Rides</b>	6,504	7,119	46,029	52,670	615	6,641	
<b>Total Miles</b>	13,514	14,882	106,464	118,339	1,368	11,875	
<b>MAY 2023</b>	<b>Education</b>	<b>Employment</b>	<b>Medical</b>	<b>Nutrition</b>	<b>Same Day</b>	<b>Shopping</b>	<b>Social Rec</b>
<b>Trip Type</b>	2,854	1,735	965	66	168	285	1,046

Prepared by: *Andrea Hamilton - Transit Operations Supervisor*

**Palace Transit Monthly Ridership Report**  
**Fiscal Year: October 1st, 2022 through September 30th, 2023**  
**Month: JUNE 2023**

	Month End		Year to Date		Difference		
	2022	2023	2022	2023	Month End	Year to Date	
<b>Elderly Riders</b>	1,201	1,369	9,806	11,030	168	1,224	
<b>General Public Riders</b>	849	1,219	3,917	6,875	370	2,958	
<b>Handicap Riders</b>	1,539	1,627	15,780	18,163	88	2,383	
<b>School - Age Riders</b>	5,250	3,923	25,365	24,740	(1,327)	(625)	
<b>Unduplicate</b>							
<b>59 &amp; Under</b>	55	57	571	735	2	164	
<b>Elderly 60 &amp; Over</b>	17	20	285	361	3	76	
<b>Total Rides</b>	8,839	8,138	54,868	60,808	(731)	5,940	
<b>Total Miles</b>	14,591	15,360	121,055	133,699	769	12,644	
<b>JUNE 2023</b>							
<b>Trip Type</b>	<b>Education</b>	<b>Employment</b>	<b>Medical</b>	<b>Nutrition</b>	<b>Same Day</b>	<b>Shopping</b>	<b>Social Rec</b>
	279	1,579	957	61	110	277	4,875

Prepared by: *Andrea Hamilton - Transit Operations Supervisor*

## June 2022 - May 2023 Eligible Nutrition Meals

Site	YTD Eligible	LY	Year Projection	Monthly Goal	Total Meals Served	YTD Projection	Diff to Projection
*Mt. Vernon	1549	1046	840	70	1549	770	779
Tripp	4823	4489	4800	400	4823	4400	423
Parkston	12932	13281	13200	1100	12932	12100	832
Cathedral Squares	4831	4886	5100	425	5069	4675	156
Meadowlawn	2109	2859	3000	250	2109	2750	-641
Wesley Acres	4043	4964	5100	425	4043	4675	-632
JVCC/Dine Card	10588	10103	12000	1000	10970	11000	-412
Greenridge	2301	2230	2400	200	2632	2200	101
<b>Total</b>	<b>43176</b>	<b>43858</b>	<b>46440</b>	<b>3870</b>	<b>44127</b>	<b>42570</b>	<b>606</b>
*No meals in June or July							
<b>Site</b>	<b>April</b>		<b>Monthly Goal</b>		<b>Difference</b>		
Mt.Vernon	226		70		156		
Tripp	518		400		118		
Parkston	1116		1100		16		
Cathedral Squares	401		425		-24		
Meadowlawn	176		250		-74		
Wesley Acres	326		425		-99		
JVCC/Dine Card	998		1000		-2		
Greenridge	247		200		47		
<b>Total</b>	<b>4008</b>		<b>3870</b>		<b>138</b>		
Eligible & Ineligible	<b>4047</b>						

## June 2022 - May 2023 Eligible Nutrition Meals

Site	April	Last Year April	Year To Date
County Fair Dine Card	232	134	1745
Coborns Dine Card	112	64	1213
JVCC Congregate	225	263	2851
Blizzard Meals	0	0	24
JVCC 2nd Meals	429	482	4763
Wesley Acres 2nd	0	23	74
Cath. Squares 2nd	0	20	152
Meadowlawn 2nd	20	57	422
Greenridge 2nd	8	0	61
Total 2nd Meals	469	640	5439
Eligible 2nd Meals	457	611	5472
Ineligible 2nd Meals	12	29	200
Greenridge Ineligible	0	40	331
Cath. Squares Ineligible	18	0	238
JVCC Ineligible	21	40	382

## June 2022 - May 2023 Eligible Nutrition Meals

Site	YTD Eligible	LY	Year Projection	Monthly Goal	Total Meals Served	YTD Projection	Diff to Projection
*Mt. Vernon	1717	1138	840	70	1717	840	877
Tripp	5416	4913	4800	400	5416	4800	616
Parkston	14099	14535	13200	1100	14099	13200	899
Cathedral Squares	5281	5321	5100	425	5531	5100	181
Meadowlawn	2311	3132	3000	250	2311	3000	-689
Wesley Acres	4407	5379	5100	425	4407	5100	-693
JVCC/Dine Card	11811	11011	12000	1000	12206	12000	-189
Greenridge	2528	2464	2400	200	2859	2400	128
<b>Total</b>	<b>47570</b>	<b>47893</b>	<b>46440</b>	<b>3870</b>	<b>48546</b>	<b>46440</b>	<b>1130</b>
*No meals in June or July							
<b>Site</b>	<b>May</b>		<b>Monthly Goal</b>		<b>Difference</b>		
Mt.Vernon	168		70		98		
Tripp	593		400		193		
Parkston	1167		1100		67		
Cathedral Squares	450		425		25		
Meadowlawn	202		250		-48		
Wesley Acres	364		425		-61		
JVCC/Dine Card	1223		1000		223		
Greenridge	227		200		27		
<b>Total</b>	<b>4394</b>		<b>3870</b>		<b>524</b>		
Eligible & Ineligible	<b>4419</b>						

## June 2022 - May 2023 Eligible Nutrition Meals

Site	May	Last Year May	Year To Date
County Fair Dine Card	253	135	1998
Coborns Dine Card	125	101	1338
JVCC Congregate	278	348	3129
Blizzard Meals	0	0	24
JVCC 2nd Meals	567	324	5330
Wesley Acres 2nd	0	5	74
Cath. Squares 2nd	0	0	152
Meadowlawn 2nd	28	50	450
Greenridge 2nd	0	0	61
Total 2nd Meals	595	386	6034
Eligible 2nd Meals	595	379	6067
Ineligible 2nd Meals	0	7	200
Greenridge Ineligible	0	42	331
Cath. Squares Ineligible	12	18	250
JVCC Ineligible	13	19	395

## June 2023 - May 2024 Eligible Nutrition Meals

Site	YTD Eligible	LY	Year Projection	Monthly Goal	Total Meals Served	YTD Projection	Diff to Projection
*Mt. Vernon	0	0	1020	85	0	85	-85
Tripp	559	461	5040	420	559	420	139
Parkston	1123	1328	14520	1210	1123	1210	-87
Cathedral Squares	441	446	5340	445	454	445	-4
Meadowlawn	246	255	2340	195	246	195	51
Wesley Acres	346	422	4500	375	346	375	-29
JVCC/Dine Card	885	884	11520	960	921	960	-75
Greenridge	213	212	2520	210	213	210	3
<b>Total</b>	<b>3813</b>	<b>4008</b>	<b>46800</b>	<b>3900</b>	<b>3862</b>	<b>3900</b>	<b>-87</b>
*No meals in June or July							
Site	June		Monthly Goal		Difference		
Mt.Vernon	0		85		-85		
Tripp	559		420		139		
Parkston	1123		1210		-87		
Cathedral Squares	441		445		-4		
Meadowlawn	246		195		51		
Wesley Acres	346		375		-29		
JVCC/Dine Card	885		960		-75		
Greenridge	213		210		3		
<b>Total</b>	<b>3813</b>		<b>3900</b>		<b>-87</b>		
Eligible & Ineligible	<b>3862</b>						

## June 2023 - May 2024 Eligible Nutrition Meals

Site	June	Last Year June	Year To Date
County Fair Dine Card	175	123	175
Coborns Dine Card	162	126	162
JVCC Congregate	215	273	215
Blizzard Meals	0	0	0
JVCC 2nd Meals	333	362	333
Wesley Acres 2nd	10	10	10
Cath. Squares 2nd	20	0	20
Meadowlawn 2nd	62	60	62
Greenridge 2nd	0	0	0
Total 2nd Meals	450	462	450
Eligible 2nd Meals	425	432	425
Ineligible 2nd Meals	25	30	25
Greenridge Ineligible	0	42	0
Cath. Squares Ineligible	13	21	13
JVCC Ineligible	36	46	36

## June 2023 - May 2024 Eligible Nutrition Meals

Site	YTD Eligible	LY	Year Projection	Monthly Goal	Total Meals Served	YTD Projection	Diff to Projection
*Mt. Vernon	0	0	1020	85	0	170	-170
Tripp	1018	857	5040	420	1018	840	178
Parkston	2241	2631	14520	1210	2241	2420	-179
Cathedral Squares	836	884	5340	445	862	890	-54
Meadowlawn	427	446	2340	195	427	390	37
Wesley Acres	657	785	4500	375	657	750	-93
JVCC/Dine Card	1722	1825	11520	960	1800	1920	-198
Greenridge	431	424	2520	210	431	420	11
<b>Total</b>	<b>7332</b>	<b>7852</b>	<b>46800</b>	<b>3900</b>	<b>7436</b>	<b>7800</b>	<b>-468</b>
*No meals in June or July							
Site	July		Monthly Goal		Difference		
Mt.Vernon	0		85		-85		
Tripp	459		420		39		
Parkston	1118		1210		-92		
Cathedral Squares	395		445		-50		
Meadowlawn	181		195		-14		
Wesley Acres	311		375		-64		
JVCC/Dine Card	837		960		-123		
Greenridge	218		210		8		
<b>Total</b>	<b>3519</b>		<b>3900</b>		<b>-381</b>		
Eligible & Ineligible	<b>3574</b>						

## June 2023 - May 2024 Eligible Nutrition Meals

Site	July	Last Year July	Year To Date
County Fair Dine Card	201	132	379
Coborns Dine Card	0	118	162
JVCC Congregate	211	245	426
Blizzard Meals	0	0	0
JVCC 2nd Meals	425	446	758
Wesley Acres 2nd	0	5	10
Cath. Squares 2nd	16	10	36
Meadowlawn 2nd	28	30	90
Greenridge 2nd	0	9	0
Total 2nd Meals	493	516	943
Eligible 2nd Meals	469	500	894
Ineligible 2nd Meals	24	16	49
Greenridge Ineligible	0	39	0
Cath. Squares Ineligible	13	20	26
JVCC Ineligible	42	32	78

## Mitchell Volunteer Program Monthly Volunteer Report

**Month: April – July 2023**

**1. Volunteers**

Total Volunteers– 231

**2. Stations:**

Total Stations– 69

**3. Volunteer Placements**

1. RSVP Patrol
2. Abbott House
3. Safehouse
4. Mitchell Main Street & Beyond – Event Prep and 1<sup>st</sup> Fridays on Main
5. Mitchell Middle School – Back to school packets
6. The Caring Closet Pop-Up Closet
7. Lovefeast
8. JVCC
9. Nutrition
10. Mitchell Library
11. Mitchell Schools (April)
12. Mitchell Chamber - Clerical
13. Meals on Wheels Daily
14. Salvation Army
15. Food Pantry
16. Hospital
17. First Circuit CASA – Mailing
18. Volunteers helping neighbors with home chores & care

## Kim Burg, Activities Coordinator - Progress Report – May-June 2023



### SPECIAL EVENTS/ACTIVITIES:

**Cinco De Mayo** – May 3 - The Mitchell High School Spanish Class celebrated Cinco de Mayo with us at JVCC. We learned the background of the holiday, phrases, foods, & sang happy birthday in Spanish. We enjoyed a word search, door prizes & ended with some piñata fun!

**8-Ball Pool Tournament** – May 10 - We had 16 people participate in our Singles Double Elimination Pool Tournament. Entry was \$5 Members (\$6 Non-Members). We paid 50% plus 1 meal for 1<sup>st</sup> place & 2<sup>nd</sup> place received 25%. Ralph Riggert was the winner and Bill Klinkhammer was the Runner-up. Both winners donated their winnings back to JVCC for programs which raised \$80.

**Horseshoes & Bean Bags** – Wednesday, June 21 @ 10:30 am – Enjoy the first day of summer & get outside! – Enjoy throwing horseshoes or bean bags in JVCC's court. JVCC Members: No Fee; Guests: \$1 Daily Fee – Call ahead for a meal @ 995-8441 if you plan on eating.

**4<sup>th</sup> of July Fun Day** - Wednesday, June 28<sup>th</sup> @ 11:15 am – Celebrate the 4<sup>th</sup> of July Holiday early at JVCC with patriotic games, music and fun! JVCC Members: No Fee; Guests: \$1 Daily Fee – Call ahead for a meal @ 995-8441 if you plan on eating.

### WEDNESDAY WELLNESS:

May 24 – School Bond Issue “Yes For Kids” & Lake Mitchell Initiative Measure

June 7 – Mitchell Area Garden Club

**REGULAR ACTIVITIES:** Card games (Cribbage, Pinochle and Pitch) Billiards/Pool, Ping Pong, Shuffleboard, Walking, Exercise and Line Dancing!!

### FUNDRAISERS:

**DANCES** – Taking a break from dances during the summer months due to rentals.

**QUILTS** - Quilters continue to finish one quilt on average per month. Raising on average \$100-\$150 per quilt.

**8-Ball Pool Tournament** – May 10 – See above in events. Winnings were donated back to JVCC for programs which raised \$80.

**Summer Bus Trip To Laura Ingalls Wilder Pageant in DeSmet** – Friday, July 14 @ 2 pm – 11 pm; Payment/Reg. due June 30<sup>th</sup> \$55 JVCC Members & \$65 Guests; Pageant Tickets Included/Dinner Not Included

### COMMUNITY OUTREACH:

**Cinco De Mayo** – May 3 - The Mitchell High School Spanish Class celebrated Cinco de Mayo with us at JVCC.

**DWU Cares** - Thank you DWU volunteers for sprucing up the exterior & interior during **Day of Service** May 2<sup>nd</sup>.

**Mitchell Area Garden Club** – Thank you Mitchell Area Garden Club for filling our landscape pots outside our entryway.

**BINGO** - 1<sup>st</sup> & 3<sup>rd</sup> Tuesdays @ 1pm and 2<sup>nd</sup> & 4<sup>th</sup> Thursdays at 7pm. Attendance is 20-30 people. Created a rule on minimum number of bingo sales, for bingo to be held. This gives guidance to the Cashier/Caller whether bingo is cancelled or not.

**MANA** – Host Mitchell Area Networking Association Meetings each month

**FREE Blood Pressure Checks** by Joy Schley, RN with Dakota Physical Therapy Home Care (4<sup>th</sup> Wednesdays of the month)

**MEMBERSHIP:** We continue to get new members each month. Beginning in July, memberships will be pro-rated.

## Kim Burg, Activities Coordinator - Progress Report – July – Aug. 2023

### SPECIAL EVENTS/ACTIVITIES:

**4<sup>th</sup> of July Fun Day** - Wednesday, June 28<sup>th</sup> @ 11:15 am – We celebrated the 4<sup>th</sup> of July Holiday early at JVCC with patriotic games, music and fun! JVCC Members: No Fee; Guests: \$1 Daily Fee.

**JVCC 8-Ball Pool Tournament** – Wednesday, Aug. 2 @ 10 am – Singles Double Elimination – \$5 Entry Fee (\$6 non-members); 1<sup>st</sup> Place: 25% plus 1 meal 2<sup>nd</sup> Place: 1 meal - Enter day of tournament – Questions call 605-995-8048



**Beach Bean Bags** – August 14 @ 11:15 am – Have fun with a new twist on bean bags with a beach flavor! Enjoy fun music and prizes! JVCC Members: Free; Guests: \$1 Daily Fee; Call 995-8441 prior to 8 am or the day prior for a meal reservation.

**Medicare 101: A Free Educational Event** - Wednesday, Aug. 16 & 23 @ 11:15 am at James Valley Community Center, 300 W 1<sup>st</sup> Ave - Guest: Jose Arreola Jr, CRC Capital Group (Life, Health, Retirement) – *What is Medicare, How & when to enroll, What are the different parts, What your options are for Medicare* – Refreshments will be served - Call 995-8441 prior to 8 am or the day prior for a meal reservation.

Kick Off Corn Palace Festival Week with **Nashville Recording Artist Rusty Rierson** at James Valley Community Center on Monday, August 21<sup>st</sup> @ 11:15 am – JVCC Members: Free; Guests: \$1 Daily Fee – Buck A Day Drawing will take place at the end of the concert/dance! - Call 995-8441 prior to 8 am for a meal reservation.

### WEDNESDAY WELLNESS:

**July 12** – “Looking At Your Nutrition” with Ellyn Eddy, Former Family & Consumer Sciences Educator

**July 16 & 23** – Medicare 101: A Free Educational Event – Jose Arreola Jr, CRC Capital Group

### FUNDRAISERS:

**DANCES** – Taking a break from dances during the summer months due to rentals – Dances scheduled for Sept – Nov.

**QUILTS** - Quilters continue to finish one quilt on average per month. Raising on average \$100-\$150 per quilt.

**8-Ball Pool Tournament** – Aug. 2<sup>nd</sup> - See above in events.

**Rusty Rierson Event** – Daily Entrance fees plus will hold a Buck A Day Drawing at end of concert.

### COMMUNITY OUTREACH:

**City Recreation Dept.** – Hosted Summer Rec. Camp Youth who learned table tennis on our equipment.

**4-H Presentation** – Gave a presentation to the 4-H Teen Leadership Camp in Wessington Springs about Community Development and Marketing.

**Greenridge Apartment Presentation** – Gave a presentation about JVCC Activities, Nutrition, Transit, & Volunteer Program.

**Daycare** – Site for temporary daycare as school location gets ready to resume classes.

**BINGO** - 1<sup>st</sup> & 3<sup>rd</sup> Tuesdays @ 1pm and 2<sup>nd</sup> & 4<sup>th</sup> Thursdays at 7pm. Attendance is 20-30 people.

**MANA** – Host Mitchell Area Networking Association Meetings each month

**FREE Blood Pressure Checks** with Dakota Physical Therapy Home Care (4<sup>th</sup> Wednesdays of the month)

**MEMBERSHIP:** We continue to get new members each month. Beginning in July, memberships are pro-rated.