

P.O. #9135304  
XYBIX

**FEDERALLY REQUIRED AND OTHER MODEL CLAUSES**

**APPLICABILITY OF THIRD PARTY CONTRACT CLAUSES**  
(excluding micro-purchases, except for construction contracts over \$2,000)

| TYPE OF PROCUREMENT  |   |   |   |  |   |   |
|--|---|---|---|--|---|---|
| Clause   | ✓ | Professional Services/A& E                  | Operations/ Management  | Rolling Stock Purchase                   | Construction  | Materials & Supplies  |
| No Federal Government Obligation To Third Parties (by Use of a Disclaimer) | ✓ | All   | All   | All                                      | All   | All   |
| False Statements or Claims Civil and Criminal Fraud                        | ✓ | All   | All   | All                                      | All   | All   |
| Access To Third Party Contract Records                                     | ✓ | All   | All   | All                                      | All   | All   |
| Changes to Federal Requirements  | ✓ | All   | All   | All                                      | All   | All   |
| Termination  | ✓ | All   | All   | All                                      | All   | All   |
| Civil Rights (Title VI, EEO, ADA)  | ✓ | >\$10,000                                   | >\$10,000   | >\$10,000                                | >\$10,000   | >\$10,000   |
| Disadvantaged Business Enterprises (DBEs)                                  | ✓ | All   | All   | All                                      | All   | All   |
| Incorporation of (FTA) Terms   | ✓ | All   | All   | All                                      | All   | All   |
| Suspension and Debarment   | ✓ | >\$25,000                                   | >\$25,000   | >\$25,000                                | >\$25,000   | >\$25,000   |
| Buy America  |   |   |   | >\$100,000                               | >\$100,000  | >\$100,000  |
| Resolution of Disputes, Breaches, or Other Litigation                      |   | >\$100,000                                  | >\$100,000  | >\$100,000                               | >\$100,000  | >\$100,000  |
| Lobbying   |   | >\$100,000                                  | >\$100,000  | >\$100,000                               | >\$100,000  | >\$100,000  |
| Clean Air  |   | >\$100,000                                  | >\$100,000  | >\$100,000                               | >\$100,000  | >\$100,000  |
| Clean Water  |   | >\$100,000                                  | >\$100,000  | >\$100,000                               | >\$100,000  | >\$100,000  |
| Cargo Preference   | ✓ |   |   | All                                      | All   | All   |
| Fly America  |   | Involves foreign transport or travel by air | Involves foreign air transport or travel  | Involves foreign air transport or travel | Involves foreign air transport or travel  | Involves foreign air transport or travel  |
| Davis-Bacon And Copeland Anti-Kickback Acts                                |   |   |   |  | >\$2,000 (including ferry vessels)  |   |
| Contract Work Hours And Safety Standards Act                               |   |   | >\$2,500 (except transportation services)                                       | >\$2,500                                 | >\$2,000 (including ferry vessels)  |   |
| Bonding  |   |   |   |  | \$100,000   |   |
| Seismic Safety   |   | A & E for New Buildings & Additions         |   |  | New Buildings &   |   |
| Transit Employee Protective Agreements                                     |   |   | Transit Operations  |  |   |   |
| Charter Bus  |   |   | All   |  |   |   |
| School Bus   |   |   | All   |  |   |   |
| Drug Use - Testing and Alcohol Misuse - Testing                            |   |   | Transit Operations  |  |   |   |
| Patent Rights and Rights in Data and Copyright Requirements                |   | Research & Development                      |   |  |   |   |
| Energy Conservation  | ✓ | All   | All   | All                                      | All   | All   |
| Recycled Products  |   |   | Contracts for items designated by EPA, when procuring \$10,000 or more per year |  | Contracts for items designated by EPA, when procuring \$10,000 or more per year | Contracts for items designated by EPA, when procuring \$10,000 or more per year |
| Conformance With ITS National Architecture                                 |   | ITS Projects                                | ITS Projects  | ITS Projects                             | ITS Projects  | ITS Projects  |
| ADA Access   | ✓ | A & E                                       | All   | All                                      | All   | All   |
| Bus Testing  |   |   |   | All                                      |   |   |
| Pre-Award And Post Delivery Audits   |   |   |   | All                                      |   |   |

P.O. # 9135304  
XYBIX

Small Purchase of:

Title: Transfort Dispatch Center Workstations

Date: September 27, 2013

**CONTRACT CHECKLIST FOR SMALL PURCHASES**

| Checklist Item   | Contract File Location | Comments                           |
|--|------------------------|------------------------------------|
| <b>7) Independent Cost Estimate</b><br>The City made and documented an independent cost estimate before receipt of proposals.  |                        | See attached I.C.E. dated 8/11/13. |
| <b>9) Unreasonable Qualification Requirements</b><br>This solicitation did not contain unreasonable requirements placed on firms in order for them to qualify to do business.  |                        | No                                 |
| <b>1 2) Arbitrary Action</b><br>There was no arbitrary action in the procurement process. (An example of arbitrary action is when award is made to other than the contractor who most satisfied all the City Requirements as specified in the solicitation and as evaluated by staff.)   |                        | No                                 |
| <b>1 3) Brand Name Restrictions</b><br>Brand Name or Equal. When it is impractical or uneconomical to provide a clear and accurate description of the technical requirements of the property to be acquired, a "brand name or equal" description may be used to define the performance or other salient characteristics of a specific type of property. The City must identify the salient characteristics of the named brand that offerors must provide. When using a "brand name" specification, the City does not need to reverse-engineer a complicated part to identify precise measurements or specifications in order to describe its salient characteristics. FT A's "Best Practices Procurement Manual," (BPPM) contains additional information on preparation of specifications including examples with specific language. |                        | No                                 |
| <b>1 4) Geographic Preferences</b><br>The solicitation contains no in-State or local geographic preference except where Federal statutes mandate or encourage them.  |                        | No                                 |
| <b>1 5) Contract Term Limitation</b><br>The contract period of performance for rolling stock and replacement parts does not exceed five (5) years inclusive of options without prior written FTA approval. For all other types of contracts, the procurement file contains evidence that the contract term is based on sound business judgment.  |                        | No                                 |

|   |  |  |
|---|--|--|
| <p><b>23) Price Quotations</b><br/>Price or rate quotations were obtained from an adequate number of qualified sources.</p>   |  | <p>Yes – Per Note-To-File Dated 09/30/13.</p>                                    |
| <p><b>24) Clear, Accurate, and Complete Specification</b><br/>A complete, adequate, and realistic specification or purchased description was available and included any specifications and pertinent attachments which define the items or services sought in order for the bidder to properly respond.</p>   |  | <p>Yes - Per Request for Quotation dated 08/07/13.</p>                           |
| <p><b>41 ) Cost or Price Analysis</b><br/>Either a cost analysis or a price analysis was performed and documented. The price was determined to be fair and reasonable.<br/>Price reasonableness based on:<br/>Price quotations.<br/>Previous purchase.<br/>Current price list or advertisement.<br/>Value Analysis – copy in file.</p>                              |  | <p>Price Analysis.<br/>See Memorandum dated 09/23/13.</p>                        |
| <p><b>42) Written Record of Procurement History</b><br/>The file contains records detailing the history of this procurement. At a minimum, these records include:<br/>(1) the rationale for the method of procurement,<br/>(2) Selection of contract type,<br/>(3) reasons for contractor selection or rejection, and<br/>(4) the basis for the contract price.</p> |  | <p>Yes.<br/>Per P.O. # 9135304 and Price Analysis Memorandum dated 09/23/13.</p> |
| <p><b>Excluded Parties Search</b><br/>EPS run and include in the file</p>   |  | <p>Yes, run 09/27/13.</p>  |

## David Carey

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**From:** David Carey  
**Sent:** Monday, September 30, 2013 2:39 PM  
**To:** David Carey  
**Subject:** Price Analysis & Contractor Responsibility-Transfort Dispatch Workstations

### NOTE TO FILE:

Request for Quote notification and document file were sent via email on August 08, 2013 to the following five (5) vendors:

- Xybix Systems
- Watson Furniture Group
- Elements
- Evans Consoles

Responses were due by Wednesday, August 21, 2013.

Quotes were received from two (2) vendors.

### **Price Analysis:**

Xybix Systems was determined to be the lowest responsive and responsible bidder per Quote Summary dated September 12, 2013 and Price Analysis Memorandum dated September 23, 2013..

### **Contractor Responsibility:**

1. Contractor has a satisfactory performance record with the City.
2. Contractor has the ability to meet the required delivery schedule.
3. Contractor has the necessary production facilities.

David Carey, CPPB  
Buyer-City of Fort Collins  
Phone: (970) 416-2191  
Email: [dcarey@fcgov.com](mailto:dcarey@fcgov.com)





**Independent Cost Estimate**

Date of Estimate: 11-Aug-13

Contract Type:

Existing Contract or PO (Y/N): N (Prior Bid from Watson)

| Description of Goods (A) or Services (B): | Materials Required                                     | Qty Required |
|---|--|--------------|
|   | Automatic-powered, ergonomic dispatch workstation desk | 4            |
|   | Desk includes:   |              |
|   | Position memory control system                         | /            |
|   | Cable management system                                | /            |
|   | Mounting arm for four (4) monitors each                | /            |
|   | Data and power access panel                            | /            |
|   | Personal storage space                                 | /            |
|   | Horizontal/vertical adjust 4 monitor mount bracket     | /            |
|   | Three Year Warranty                                    | 4            |

**I have obtained the following estimate from;** Purchase Order for procurement of CoFC Police Dispatch desks  
 Published Price List / Past Pricing (date) 22-Dec-08  
 Engineering or Technical Estimate (performed by)  
 Independent Third Party Estimate (performed by)  
 Other (specify) Referencing Watson response to Quote Request - Work Stations for Transfort Dispatch on 18-Jul-12

**A**

| Product  | Price    | CPI Adj. | Adjusted Price | Quantity | Total            |
|--|----------|----------|----------------|----------|------------------|
| <b>Hardware</b>  |          |          |                |          |                  |
| Automatic-powered, ergonomic dispatch workstation desk   | \$ 6,408 | 2.00%    | \$ 6,536       | 4        | \$ 26,145        |
| Storage and Accessories                                  | \$ 1,538 | 2.00%    | \$ 1,569       | 4        | \$ 6,275         |
| <b>Sub-Total - Hardware Costs</b>                        |          |          |                |          | <b>\$ 32,420</b> |
| <b>Support and Shipping</b>                              |          |          |                |          |                  |
| Freight + Installation + Shipping                        | \$ 7,149 | 2.00%    | \$ 7,292       | 1        | \$ 7,292         |
| <b>Sub-Total - Hardware &amp; Software Support Costs</b> |          |          |                |          | <b>\$ 7,292</b>  |
| <b>Total Estimated Project Costs</b>                     |          |          |                |          | <b>\$ 39,712</b> |

**B**

Note: CPI Adjustment based on 2% per year for 1 years.

Completed by:

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