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Texas Comptroller of Public Accounts
Glenn Hegar

TxSmartBuy (http://www.txsmartbuy.com)

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Contract Details: # 071-A1

Search for items in this contract (/ex_search/false/contract_number/071~A1)

Number 071-A1

Description Automobiles and Law Enforcement Vehicles

Category TxSmartBuy

Type Term

Start Date 6/17/2013

End Date 8/31/2017

Purchase Category Code
(Agencies Only) PCC AOptional Renewal Terms
September 1, 2017 through August 31, 2018

Purchase Orders Only purchase orders issued through TxSmartBuy are eligible for contract pricing. The Contractor will not ship any products or provide related services until receipt of a Purchase Order generated by the TxSmartBuy system.

TRADE-IN VEHICLES: Customers are NOT authorized to trade in vehicles under this contract.

AWARD LEVELS: This contract consists of tiered awards for each vehicle series:

- Primary
- Secondary
- Tertiary
- 4th level
- 5th Level
- 6th Level
- 7th Level
- 8th Level

STATE AGENCY ORDERS HOLD PROCESS: State Agency purchasers should order through the primary contractor.

Orders entered into TxSmartBuy for non-primary awards will be placed on automatic hold by the TxSmartBuy system. The state agency purchaser will receive an email from the system requiring the purchaser to submit a justification via email to Sara Kassem at sara.kassem@cpa.texas.gov (mailto:sara.kassem@cpa.texas.gov). The explanation should identify in detail why the primary contractor does not meet the state agency's operational requirements.

The request will be reviewed and processed within two (2) business days from date of receipt. Purchaser's order(s) shall remain on hold, until the justification submitted is reviewed and approved or rejected. The Customer will notify the Strategic Sourcing contact immediately if a primary contractor is unable to provide any vehicle or option under this contract.

See **Contract Specifics/Notes** section for additional ordering information.

NIGP Code(s)

071-04 071-05 071-80

071-90 071-92

CPA Contract Management Questions regarding contract management issues, price changes, amendments or other post-award concerns should be directed to:

SPD Contract Management Office (SCMO)
Texas Comptroller of Public Accounts (CPA)
Phone: (512) 463-3034 option 3
Email: spd.cmo@cpa.texas.gov (mailto:spd.cmo@cpa.texas.gov)

Contract Specifics/Notes

VEHICLE SPECIFICATIONS: This contract is established by a Vehicle Series number outlined in the Texas Fleet Specification(s) Please note the effective dates on each. Each vehicle series lists the make and model and all minimum equipment required by the State. The Texas Fleet Specification is referenced throughout these instructions and can be accessed online at:

TEXAS FLEET SPECIFICATION NO. 071-072-AT-2017 (pdf)
<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072 State of Texas Specifications FY17.pdf>

COLORS: Base prices include the manufacturer's standard solid colors. Customers should contact the Contractor for available colors and shades. The color must be specified by the Customer at the ordering time and can be entered in the Line Item note.

OPTIONS: Options will be available in the *Add to Cart* view for each vehicle. Quotes or Charges can also be added in the *Add to Cart - Charges* section.

Any option which is not part of the Texas Standard Equipment including the ones offered by the Contractor at "no cost" must be entered into the system.

This contract is intended to cover the State's normal requirements for fleet vehicles with options that have historical usage and to offer best value for vehicles with options. Items/options that are not specifically listed in this contract may be purchased from the manufacturer's catalog provided by the Contractor. The Contract price for the catalog items offered by each awarded contractor can be found by going to the Contractor's link shown below:

CONTRACTOR CATALOG ITEMS:

Caldwell Country Chevrolet (xls) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072 Catalog Template Caldwell Country Chevrolet5-15-15.xls>)

→ Caldwell Country Ford (xls) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072 Catalog Template Caldwell Country Ford5-15-15.xls>)

Johnson Whitesboro Ford (xls) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog - Johnson Whitesboro Ford.xls>)

Reliable Chev (2) (xls) ([http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog Reliable Chev \(2\).xls](http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog Reliable Chev (2).xls))

CBS 2 (xls) (http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog CBS_2.xls)

Cowboy Dodge Jeep (xls) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog Cowboy Dodge Jeep.xls>)

DOGETT Freightliner of South Texas, LLC (xls) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog DOGETT Freightliner of South Texas, LLC.xls>)

Grande (xls) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog Grande.xls>)

Gunn v2 (xls) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog Gunn v2.xls>)

Johnson-Grayson Automotive (xls) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog Johnson-Grayson Automotive.xls>)

McKinney Dodge (xls) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog McKinney Dodge.xls>)

Meador (xls) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog Meador.xls>)

National Bus Sales (xls) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog National Bus Sales.xls>)

Reliable (xls) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog Reliable.xls>)

Sam Pack (xls) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog Sam Pack5-5-15.xls>)

Silsbee Ford (xls) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog Silsbee Ford.xls>)

RoundRockNissan (xls) (http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog_Pricing_RoundRockNissan.xls)

Silsbee Toyota (xls) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog Silsbee Toyota.xls>)

VED Heritage (xls) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog VED Heritage.xls>)

CBS (xls) (http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 Catalog_CBS_.xls)

NOTE: Discount-from-Catalog is a percentage (%) discount deducted from the manufacturer's suggested or list price (MSRP). The discount must be for all items available for purchase in the manufacturer's catalog.

MANUFACTURER'S BUILD OUT SCHEDULE: The vehicle manufacturers publish build out schedules for the vehicles listed under this Contract. The order cut-off dates for the current model year and the order start dates for the upcoming model year are listed in this schedule. Please note that if a model is being discontinued by the manufacturer, the build out schedule will show no order start date for the upcoming model year. CPA will remove all line items related to the discontinued model soon after the build out date has passed. The build out schedule submitted by the manufacturers can be found by going to each manufacturer's link shown below.

American Honda (pdf) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-a1-american-honda.pdf>)

Chrysler Corp (pdf) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 2017 Model Year... Chrysler.pdf>)

Ford Motor Company (pdf) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/2017 Ford Cut Off Dates.pdf>)

Nissan Build-Out Schedule (pdf) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-a1-nissan-buildout-schedule.pdf>)

GM Cutoff /Buildout Date (pdf) (<http://www.txsmartbuy.com/ShopFlow/Documents/Contract%20Attachments/071-072-A1 MY 2016 GM government order cutoff 5-11-2016.pdf>)

STATE AGENCY EMISSIONS REQUIREMENTS: Effective September 1, 2007, Texas Govt. Code 2158.009 requires that state agencies shall purchase a certain percentage of low-emissions passenger vehicles based on its total vehicle purchases during any state fiscal biennium.

Govt Code 2158.009, LOW-EMISSIONS VEHICLES PURCHASING REQUIREMENT

(a) Repealed by Acts 2009, 81st Leg., R.S., Ch. 900, Sec. 7, eff. September 1, 2009.

(b) A state agency authorized to purchase passenger vehicles or other ground transportation vehicles for general use shall ensure that not less than 25 percent of the vehicles the agency purchases during any state fiscal biennium, other than vehicles the purchase of which is exempted from this subsection by Subsection (c) or (d), are vehicles that meet or exceed the emissions standards necessary to be rated by the United States Environmental Protection Agency as a Tier II, Bin 3, emissions standard vehicle that has a greenhouse gas score of eight under regulations of that agency as they existed September 1, 2007.

(c) A state agency is exempt from Subsection (b) to the extent that a vehicle described by that subsection that meets the agency's operational needs is not commercially available.

(d) Subsection (b) does not apply to a state agency's purchase of a vehicle to be used by a peace officer, as defined by Article 2.12, Code of Criminal Procedure, whose duties include the apprehension of persons for violation of a criminal law of this state.

STATE AGENCY DOCUMENTATION: Texas Fleet Management program requires that the State Agency's procurement file must be documented with one of the following clauses:

- This agency operates 15 or less motor vehicles, excluding law enforcement or emergency vehicles, and is not subject to alternative fuel requirements.
- This agency operates more than 15 vehicles, excluding law enforcement or emergency vehicles. This purchase is for an alternative fuel vehicle.
- This agency operates more than 15 vehicles, excluding law enforcement or emergency vehicles. This purchase is for a vehicle that will be converted to alternative fuel prior to being placed in service.
- This agency operates more than 15 vehicles, excluding law enforcement or emergency vehicles. This purchase is for a law enforcement or emergency vehicle.
- A valid, current waiver number is on file with the Comptroller of Public Accounts (CPA) for this vehicle.
- This agency is exempt from Texas Government Code, Chapter 2158, and Section 2158.009, Subsection (b) to the extent that a vehicle described by that subsection is either not commercially available or the primary vendor does not meet the agency's operating requirements. A detailed written justification must be included in the procurement file which is subject to audit.

DELIVERY: The delivery schedule shown below is based upon the type of the vehicle being ordered and can be referenced in Texas Fleet Specification, Section A.5

CALENDAR DAYS DELIVERY AFTER RECEIPT OF ORDER:

120 days

- General Purpose Automobiles
- Carryalls, Utility Vehicles , Cargo Vans
- Passenger Vans, Lightduty
- Light Duty and Crew Cab Trucks
- Light and Medium Duty Chassis with No Bodies

150 days

- Special Purpose Automobiles (LE)
- OEM Alternative Fuel Vehicles

180 days

- Light and Medium Duty Chassis with Optional Bodies

All shipping shall be F.O.B. destination freight prepaid and allowed. Normal delivery time for most customers is Monday through Friday, 8:00 a.m. through 4:00 p.m. (CT) except for State and/or Federal Holidays. Delivery destinations will be indicated on each purchase order.

PRE-DELIVERY SERVICE (Reference Specification 071-072-AT-2013/2014):

- All fluid levels checked and maintained with the proper grade and type of fluids
- Pre-delivery inspection and service on chassis
- The interior and exterior shall be cleaned and freshly washed at time of delivery. A minimum of ¼ tank must show on the fuel gauge when delivered.

VEHICLE INSPECTION (Reference Specification 071-072-AT-2015): The contractor shall have each vehicle (except cab and chassis units delivered without bodies) properly inspected in compliance with Texas motor vehicle laws. Texas Inspection Sticker shall be attached prior to delivery to the receiving entity (2 year Inspection Sticker for vehicles through ¾ ton pickups and 1 year Inspection Sticker for 1 ton trucks and up, excluding cab and chassis units delivered without bodies).

Warranty Details	Unless the Customer has purchased an extended warranty, the warranty shall be in accordance with the Texas Fleet Specification, Section A.12.
Adding New Products to the Contract	Following the contract award, additional products or services of the same general category that could have been encompassed in the award of this contract, and that are not already on the contract, may be added. SPD customers are encouraged to request additional items by contacting the SPD Contract Management Office.
Delivery Delays by Contractor	<p>Default in promised Delivery Days After Receipt of Order (ARO) without accepted reasons or failure to meet specifications authorizes the Customer to purchase goods and services of this contract elsewhere and charge any increased costs for the goods and services, including the cost of re-soliciting, to the Contractor.</p> <p>LATE DELIVERY FEE: The ordering entity will have the option to charge the vendor a fee of \$50 per vehicle per day for late delivery. Late fee applies ONLY when vendor has not requested and received PRIOR WRITTEN approval from the ordering entity, to make delivery after the number of days established by the contract or the purchase.</p> <p>Providing vehicle(s) which do not meet all specification requirements does not constitute delivery, and the late fee will continue to accrue until the vendor delivers vehicles in full compliance with the specifications to the ordering entity's FOB point. The ordering entity will have the option to deduct any accumulated late delivery fees prior to payment of the invoice. All late deliveries shall be recorded in Vendor Performance Tracking System (VPTS) by the Customer and the Contractor shall be required to submit a corrective action plan to CPA.</p>
Compliant Products by Contractor	Failure to pay a damage assessment is cause for contract cancellation and/or debarment or removal of the contractor, as applicable, from the State Centralized Master Bidders List (CMBL Compliant Products by Contractor Delivery does not occur until the Contractor delivers products, materials or services in full compliance with the specifications to Customer F.O.B. destination, unless delivery is specifically accepted, in whole or in part, by the Customer. Providing products, materials or services which do not meet all specification requirements does not constitute delivery.
Purchase Order Cancellation	The Customer may request that a Contractor cancel a specific line item or an entire purchase order. There shall be no fees charged for cancellation of an item and/or order prior to shipment by the Contractor. The cancellation must be processed through the TxSmartBuy system.
Restocking Fee for Returned Products	The Customer may request that a Contractor accept return of products already delivered. If the return is required through no fault of the Contractor, the Contractor may request a reasonable restocking charge. The Customer may pay a restocking charge if the CPA or Customer determines that the charge is justifiable. As a guideline, such charges shall not exceed 10%.
Substitutions	During the Contract term, the Contractor shall not substitute a product or brand unless the Contractor has obtained prior written approval from the TCMO in coordination with the Customer. The Contractor must have written confirmation from the TCMO of the substitution before making delivery.
Contractor Performance	<p>Statewide Procurement Division (SPD), administers a vendor performance program for use by all customers per Texas Government Code (TGC), §2262.055, and 34 Texas Administrative Code (TAC), §20.108. The Vendor Performance relies on the customer's participation in gathering information on vendor performance. State agency customers shall report vendor performance on purchases of \$25,000 or more from contracts administered by CPA, or any other purchase of \$25,000 or more made through delegated authority granted by CPA (TAC 20.108), or purchases exempt from CPA procurement rules and procedures. State agencies are additionally encouraged to report vendor performance on purchases under \$25,000.</p> <p>Vendor Performance shall be reported through the CPA VENDOR PERFORMANCE TRACKING SYSTEM. (http://www.window.state.tx.us/procurement/prog/vendor_performance/)</p> <p>The purpose of the Vendor Performance Tracking System is to:</p> <ul style="list-style-type: none"> • Identify vendors that have exceptional performance • Aid purchasers in making a best value determination based on vendor past performance • Protect the state from vendors with unethical business practices • Provide performance scores in four measurable categories for the CMBL vendors • Track vendor performance for delegated and exempt purchases

Contractors Information

VID: 11418568728

Contractor: Caldwell Country Chevrolet

Contact Name: Averyt Knapp

Email: Aknapp@Caldwellcountry.com

Phone: (979) 567-6117

Address: Caldwell Country Chevrolet P.O.Box 28 P. O Box 27 Caldwell TX 77836

VID: 12730378564

Contractor: Caldwell Country Ford

Contact Name: Adrienne Gattis

Email: agattis@caldwellcountry.com

Phone: (979) 567-6116

Address: Caldwell Country Ford P.O.Box 27 Caldwell TX 77836

VID: 1450545265

Contractor: Cowboy Motor Company, LLC

Contact Name: Jarrod Runnels

Email: fleetsales@outlook.com

Phone: (409) 895-3858

Address: Cowboy Motor Company, LLC PO Box 1025 Silsbee TX 77656

VID: 13303887072

Contractor: Creative Bus Sales Inc.

Contact Name: Ryan Frost

Email: ryanf@creativebussales.com

Phone: 800/326-2877

Address: Creative Bus Sales 13501 Benson Ave. Chino CA 91710-5232

VID: 16116747201

Contractor: Five Star Chevrolet

Contact Name: Alan Rosner

Email: alanr@spford.com

Address: Five Star Chevrolet PO Box 111846 Carrollton TX 78711

VID: 17415863202

Contractor: Gunn Chevrolet

Contact Name: Danny Mireles

Email: Dmireles@Gunnauto.Com

Phone: (210) 599-5000

Address: Gunn Chevrolet 12602 Ih 35 North San Antonio TX 78233

VID: 15623413448

Contractor: Johnson-Grayson Automotive, Inc. dba Holiday Chevrolet

Contact Name: Rusty Adams

Email: Rusty@Holidayfleet.Com

Phone: (903) 564-1500

Address: 1009 W Hwy 82 West Whitesboro TX 76273

VID: 17529355327

Contractor: McKinney Dodge

Contact Name: Jeff Yarbrough

Email: Yarbroughjeff@Hotmail.Com

Phone: (972) 569-9650

Address: McKinney Dodge 700 S. Central Expy. P O Box 2590 Mckinney TX 75070

VID: 17415920168

Contractor: Morris Moore Chev-Buick Inc

Contact Name: Rick Brown

Email: rbrown.silsbeefleet@gmail.com

Phone: (409) 895-3860

VID: 17510073228

Contractor: Sam Pack's Five Star Ford

Contact Name: Alan Rosner

Email: Bidtx@Spford.Com

Phone: (888) 835-3389

Address: Sam Pack's Five Star Ford 1635 Ih 35 E Carrollton TX 75006

VID: 17605331440

Contractor: Silsbee Ford

Contact Name: Jarrod Runnels

Email: fleetsales@outlook.com

Phone: (409) 895-3800

Address: Silsbee Ford Po Box 815 Silsbee TX 77656

VID: 12034629241

Contractor: Silsbee Toyota

Contact Name: Jarrod Runnels

Email: Robbie@Gitcha1.Com

Phone: (409) 895-3700

Address: Silsbee Toyota Po Box 815 Silsbee TX 77656



Texas Comptroller of Public Accounts
Glenn Hegar

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POLICIES

- Privacy and Security Policy (<http://comptroller.texas.gov/privacy.html>)
- Accessibility Policy (<http://comptroller.texas.gov/accessibility.html>)
- Link Policy (<http://comptroller.texas.gov/linkpolicy.html>)
- Public Information Act (<http://comptroller.texas.gov/pia.html>)
- Compact with Texans (<http://comptroller.texas.gov/comptrol/compact/>)
- Commonly Used Web Browsers

OTHER STATE SITES

- texas.gov (<https://www.texas.gov/>)
- Texas Records and Information Locator (TRAIL) (<http://www.tsl.state.tx.us/trail/>)
- State Link Policy (<http://publishingext.dir.texas.gov/portal/internal/resou20Website%20Linking%20and%20Privacy%20Policy.pdf>)
- Texas Veterans Portal (<http://veterans.portal.texas.gov>)