

<b>BRAND NAME OR EQUAL SPECIFICATIONS</b>	<b>POLICY</b>	
	<b>Document Number:</b>	FRS-PL-014
	<b>Version Number:</b>	01

**1.0 Purpose:**

To establish the policy for the use of Brand Name or Equal Specifications in VTA procurements.

**2.0 Scope:**

This policy applies to all VTA Departments and all vendors participating in the established VTA procurement process.

**3.0 Responsibilities:**

It is the responsibility of the Purchasing and Materials Manager to draft and obtain approval of this Policy and to assure organizational compliance with the Policy.

**4.0 Policy:**

When it is impractical or uneconomical to write a clear and accurate description of the technical requirements of the product or services to be acquired, a "brand name or equal" description may be used to define the performance or other salient characteristics of the property or services sought. The specific features or salient characteristics of the named brand which must be met by offerors of, "an equal" proposal must be clearly stated in the specifications.

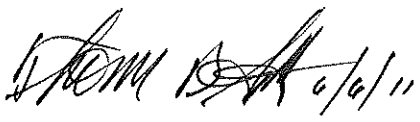

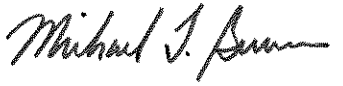
4.1 Buyers and Contract Administrators must work with requestors to define the performance or salient characteristics that will be used in determining if a proposed "equal" product meets VTA's needs and determine what the approval process will be in considering "equals" submitted.

4.2 To be considered for award, offers of "equal" products, including "equal" products of the brand name manufacturer, must:

- Meet the salient physical, functional, or performance characteristic specified in this solicitation;
- Clearly identify the item by:
  - Brand name, if any; and
  - Make or model number;
- Include descriptive literature such as illustrations, drawings, or a clear reference to previously furnished descriptive data or information available to the Buyers and Contract Administrators; and
- Clearly describe any modifications the offeror plans to make in a product to make it conform to the solicitation requirements. Mark any descriptive material to clearly show the modifications.

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- 4.3 The Buyer/Contract Administrator and Requestor will evaluate products submitted approval as "equals" on the basis of the published specification and the information submitted by the offeror to determine if the proposed product meets the salient physical, functional or performance characteristics specified. Unless the offeror clearly indicates in its offer that the product being offered is an "equal", the offered product will not be approved and the offeror shall provide the brand name product referenced in the solicitation.
- 4.4 To avoid potential confusion, if the performance or other characteristics describe the needed product effectively, VTA can consider not using "Brand Name or Approved Equal" wording.
- 4.5 A better way to avoid potential confusion among bidders and to assure that bidders are all bidding on the same product, is to use a Two Step procurement process. The first step would be the approval process and then proceed with bidding. This process allows proposers to be more confident about the product they choose to bid.
- 5.0 Definitions:**  
N/A.
- 6.0 Summary of Changes:**  
New Policy that outlines existing practice as a result of a periodic review of Policies.
- 7.0 Approval Information:**

<i>Prepared by</i>	<i>Reviewed by</i>	<i>Approved by</i>
 Thomas B. Smith Purchasing and Materials Manager	 Joseph T. Smith Chief Financial Officer	 Michael T. Burns General Manager

6/28/2011  
Date Signed