

POST-DELIVERY BUY AMERICA AUDIT of BYD Motors, Inc. (BYD) for City of Albuquerque Transit Department (CITY) of Albuquerque, New Mexico

BYD K11 60-foot 5-door BRT Electric Low Floor Buses Quantity: Base (18), Option (2)

> City of Albuquerque, Contract No. 709353 RFP No. P2016000031

> > January 2018

GLOBAL INNOVATIONS, U.S.A.

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POST-DELIVERY BUY AMERICA CERTIFICATIONS - FTA GRANTEE - CITY

Post-Delivery Buy America Certification

As required by Title 49 of CFR, Part 663-Subpart C, The <u>City of Albuquerque Transit</u>

<u>Department (CITY) of Albuquerque, New Mexico</u> certifies that it is satisfied that the rolling stock vehicles received <u>twenty (20), BYD K11 60-foot 5-door BRT Electric Low Floor, Transit</u>

<u>Buses manufactured to the specifications of Contract No. 709353, RFP No. P2016000031, from <u>BYD Motors, Inc. (BYD), meet the requirements of 49 U.S.C. 5323 (j), as amended, 49 U.S.C. 5323(j)(2)(C), and the applicable regulations of 49 C.F.R. § 661.11.</u></u>

The recipient's appointed auditor, **Janette M. Hunter, CFE, CPA**, has reviewed documentation provided by the manufacturer, which lists (1) the actual component and subcomponent parts of the buses identified by the manufacturer, country of origin, and cost; and (2) the actual location of the final assembly point for the rolling stock vehicles, including a description of the activities that took place at the final assembly point and the cost of final assembly.

Post-Delivery Purchaser's Requirements Certification

As required by Title 49 of CFR, Part 663 – Subpart C, The <u>City of Albuquerque Transit</u> <u>Department (CITY) of Albuquerque, New Mexico</u> (the recipient) certifies that a resident inspector, <u>CITY</u> (the resident inspector – not an agent or employee of the manufacturer), was at <u>BYD Motors, Inc.'s (BYD)</u> (the manufacturer), manufacturing site during the period of manufacture of the rolling stock, <u>twenty (20), BYD K11 60-foot 5-door BRT Electric</u> <u>Low Floor, Transit Buses to the specifications of Contract No. 709353, RFP No. P2016000031.</u>

The inspector monitored manufacturing and completed a report on the manufacture of the rolling stock, and provided accurate records of all vehicle construction activities. The report addresses how the construction and operation of the rolling stock fulfill the contract specifications. After reviewing the report, visually inspecting the rolling stock, and performance testing the rolling stock, the recipient certifies that the rolling stock meets the contract specifications.

Date:		
Recipient Authorized Signature: _	 	
Name (Print):	 	
Title:		

Post-Delivery FMVSS Compliance Certification

As required by Title 49 of the CFR, Part 663 – Subpart D, The <u>City of Albuquerque</u> <u>Transit Department (CITY) of Albuquerque, New Mexico</u> certifies that it received, at the post-delivery stage, a copy of <u>BYD Motors, Inc.'s</u> self-certification information stating that the buses, <u>twenty (20), BYD K11 60-foot 5-door BRT Electric Low Floor, Transit Buses</u>, manufactured to the specifications of Contract No. 709353, RFP No. P2016000031, comply with the relevant Federal Motor Vehicle Safety Standards issued by the National Highway Traffic Safety Administration in Title 49 Code of Federal Regulations, Part 571.

Date:	
Recipient Authorized Signature:	
Name (Print):	
Title:	

I. EXECUTIVE SUMMARY

The City of Albuquerque Transit Department ("CITY") of Albuquerque, New Mexico has retained Global Innovations, U.S.A. (GLOBAL) to conduct the Post-Delivery Buy America Audit of BYD Motors, Inc. ("BYD") located in Los Angeles, California. BYD U.S. Holding Co. is the parent company of BYD and the battery system manufacturing company, BYD Energy, LLC. (BYD Energy).

BYD operates an electric vehicle manufacturing facility through BYD Coach and Bus, LLC, a wholly owned subsidiary, located in Lancaster, California. BYD Energy manufactures the Rechargeable Energy Storage System ("RESS") integrated system component for BYD's electric buses and operates a separate manufacturing plant in Lancaster, California.

BYD manufactured a total of eighteen (18) – BYD K11 60-foot 5-door BRT electric low floor buses under the base order and an additional two (2) BYD K11 60-foot 5-door BRT electric low floor buses under the option order specifications of contract number 709353 issued from the CITY RFP No. P2016000031 "Transit 60-Foot 5-Door ART Bus Purchase". The total order of twenty (20) BYD K11 electric low floor buses was purchased to support the Albuquerque Rapid Transit ("ART") Project operated by ABQ Ride.

The post-delivery audit for the twenty (20) BYD K11 60-foot 5-door BRT electric low floor buses was performed by GLOBAL's Buy America Compliance Auditor, Janette M. Hunter CFE, CPA, on-site at BYD's manufacturing facility, BYD Coach and Bus, LLC, located in Lancaster, California during the period, October 25-27, 2017 with subsequent audit documentation submitted through January 5, 2018. BYD representatives included the following:

Mr. Chao Xue	BYD Manager of Contract Administration and Project Management
Ms. Sharon Wu	BYD Project Manager

The post-delivery audit report, as described in 49 CFR 663.33, is required to be completed at post-delivery which is defined under 49 CFR 661.5 (b) to be "the time period in the procurement process from when the rolling stock is delivered to the recipient until title to the rolling stock is transferred to the recipient or the rolling stock is put into revenue service, whichever is first."

As provided by the Federal Transit Administration's Final Rule guidance published in the Federal Register FR Doc. 2016-21007, September 1, 2016, the implementation of the phased increase in domestic content under the Buy America waiver for Rolling Stock authorized by the FAST Act Amendment enacted 12/4/15, is determined by the following: "For rolling stock contracts entered into on or after October 1, 2015, i.e., the effective date of the FAST Act, the applicable domestic content percentage under section 5323(j)(2)(C) will be based on the scheduled delivery date of the first production vehicle (i.e., the first vehicle intended to carry passengers in revenue service), final acceptance notwithstanding."

Ms. Hunter confirmed with CITY's representative that the actual date of delivery for the first production BYD K11 60-foot 5-door BRT electric low floor bus was August 7, 2017 (VIN 38022, Bus No 1701). There were some change orders processed for the production of the second bus delivered on October 30, 2017 (VIN 38003, Bus No. 1702). CITY's representative confirmed that Bus No. 1701 will have the same change order items installed as the remaining buses. The contract regulatory required domestic content percentage applicable to this post-delivery audit is the FY2017 threshold of "greater than 60 percent". CITY elected to also review the domestic content of the delivered buses at the higher FY2018 > 65 percent domestic content level. Therefore, GLOBAL's auditor reviewed the total material cost for both bus configurations and the supporting documentation in compliance with both Buy America regulatory required domestic content levels of >60% for FY2017 and >65% for FY2018.

GLOBAL's auditor, Ms. Hunter, reviewed confidential information provided by the manufacturer, BYD, in order to verify that the CITY vehicles manufactured contain more than the required regulatory domestic component content percentage and identified the actual final assembly location in the United States, activities completed and total cost of final assembly per vehicle. BYD also signed the auditor's Management Representation Letter that attests to the completeness and reasonableness of the information provided during the audit.

As required by 49 U.S.C. 5323(m) and the applicable regulations under Title 49 of the C.F.R., Part 663, Subpart C – Post-Delivery Audits, Ms. Hunter confirmed that the BYD K11 60-foot 5-door BRT electric low floor buses manufactured for the Contract Number 709353, issued from CITY RFP No. P2016000031 meets the requirements of 49 U.S.C. 5323 (j), as amended, 49 U.S.C. 5323(j)(2)(C) and the applicable regulations of 49 C.F.R. § 661.11.

The Post-Delivery Buy America Auditor Certification executed by Ms. Hunter is included in Section VI of this report and certifies that BYD meets the requirements of the Post-Delivery Buy America Certification under 49 CFR 663.35, the Post-Delivery Purchaser's Requirements Certification under 49 CFR 663.37, and the Federal Motor Vehicle Safety Standard (FMVSS) Certification under 49 CFR 663.41. The three (3) required Post-Delivery Buy America certifications, to be signed by a representative of the purchasing agency (Grantee), CITY, are included at the beginning of this audit report.

The following report is separated into five sections: Post-Delivery Audit Procedures, Post-Delivery Buy America Certification, Post-Delivery Purchaser's Requirements Certification, Post-Delivery FMVSS Certification and Global Innovations, U.S.A. Auditor Certification. Four appendices are included that contain supporting documentation for the three regulatory required post-delivery Buy America certifications.

II. Post-Delivery Buy America Audit Procedures

The Post-Delivery Buy America Certification, as described in 49 CFR 663 – Subpart C – 663.35, is provided in the Certifications section at the beginning of this report and is to be executed by a representative of the CITY. The information included in Appendices A - C provides the supporting documentation for the auditor's certification and for the Post-Delivery Buy America Certification.

The audit was performed by CITY's auditor, Global Innovations, U.S.A., on-site at BYD Motors, Inc.'s and BYD Coach and Bus, LLC's electric bus production plant located in Lancaster, California on October 25-27, 2017. An on-site audit was also conducted at the battery system manufacturing company, BYD Energy, LLC. Additional audit information was provided off-site through January 5, 2018.

BYD provided GLOBAL's auditor with a complete bill of materials identifying the total domestic and foreign material content for the manufactured vehicles and a domestic content analysis for the vehicles that included the actual component and subcomponent parts identified by description, supplier part number, BYD part number, country of origin, total cost, and the percent of domestic content. Additional contract, supporting cost schedules and operational information was provided to document compliance to the Buy America requirements.

The Post-Delivery Purchaser's Requirement Certification, as described in 49 CFR 663 – Subpart C – 663.37, is provided in the Certifications section at the beginning of this report and is to be executed by a representative of the CITY. Selected information included in Appendix B as well as the Resident Inspector documentation provides the support for the Post-Delivery Purchaser's Requirement Certification.

CITY provided the resident inspector services at BYD's production facilities located in Lancaster, California. BYD submitted a signed Manufacturer's Purchaser's Requirements Certification confirming that they have provided the required documentation to the resident inspector during the production process and completed the required testing and inspection responsibilities in compliance with the regulations at 49 CFR 663.37. GLOBAL's auditor confirmed that the resident inspector's report is on file at the CITY's purchasing department along with the accompanying manufacturing process documentation as required by the regulations at 49 CFR 663.37(a)(1), (2).

The Post-Delivery FMVSS Compliance Certification, as described in 49 CFR 663 – Subpart D - 663.41, is provided in the Certifications section at the beginning of this report and is to be executed by a representative of the CITY. The information included in Appendix D provides the support for the Post-Delivery FMVSS Compliance Certification.

III. Post-Delivery Buy America Certification

FY2017 and FY2018 Domestic Content Percentage Verifications

BYD provided GLOBAL's auditor with a complete bill of materials identifying the total domestic and foreign material content for the BYD K11 60-foot 5-door BRT electric low floor bus (VIN 38003, Bus No. 1702). A listing of the BYD K11 60-foot 5-door BRT electric low floor bus' domestic components and subcomponents totaling 76.02 percent was provided to document the actual domestic content of the BYD K11 electric bus. The component and subcomponent parts were identified by description, supplier part number, BYD part number, country of origin, total cost, and the percent of domestic content.

BYD provided a change order summary identifying eleven change orders through October 30, 2017. The pricing summary submitted to the CITY, as documented in the pre-award audit, was reduced by material cost reductions associated with the changes orders. BYD confirmed that the pricing for the RESS included in the Best and Final Offer price was based on leasing the removable power source (battery pack). The cost presented for the K11 RESS in the bill of materials was based on a BYD Energy invoice paid by ACH transaction for the K11 integrated system component.

From the listing, GLOBAL's auditor selected domestic components that exceeded 65 percent of the total material cost of the BYD K11 60-foot 5-door BRT electric low floor bus and verified the total cost of components that met the audit selection criteria. The component cost analysis was performed on all of the selected U.S. components and the actual pricing included in the extended U.S. material cost of BYD's Post-Delivery Buy America Domestic Content Schedule. GLOBAL's auditor reviewed the paid invoice documentation for the CITY contract.

The foreign-origin frame for the first bus manufactured for the CITY order required modifications that increased the total material cost of the bus as compared to the cost of the foreign-origin 5-door frame installed onto the remaining buses in the order. GLOBAL's auditor confirmed that the certified domestic components are the same on both of the buses after change orders were processed. The difference in the total material cost of the first bus delivered did result in a slight reduction in the domestic component percentage. The final audited domestic content percentage is most accurately reflected from the audited bill of materials for the second bus delivered (VIN 38003, Bus No. 1702).

GLOBAL's auditor conducted an on-site inspection at BYD Energy located at 43851 Division St., Lancaster, CA to review the production process for BYD Energy RESS integrated system component, as described in the July 27, 2016 BYD's Buy America Compliance Plan, and to review the domestic content calculation supporting the Supplier Buy America Certification provided by BYD Energy documenting their U.S. manufactured component "RESS", as compliant with 49 CFR 661.11(g) with a domestic content of greater than 65 percent. Some of the RESS manufacturing processes were modified slightly based on new equipment incorporated on the production line. BYD is in the process of updating the July 2016 compliance plan.

BYD Energy's General Manager provided GLOBAL's auditor with cost documentation to complete the on-site audit of the RESS domestic content calculation. The verified total domestic content of the RESS, as documented with BYD Energy's Buy America Certification, is noted in BYD Energy's and BYD's January 3, 2018 Management Representation Letters.

GLOBAL's auditor conducted a cost analysis on a sampling of foreign origin components as well as a review of major foreign sourced component invoices paid with March 2017 currency translation rates to USD. BYD completed a foreign freight cost analysis and the freight factor was applied to the foreign-origin components to calculate the foreign component shipping cost included in the total material cost. The foreign shipping expense associated with overseas components and subcomponents were also incorporated into the Cargo Preference Act compliance calculations that are applicable to this contract.

The extended total material cost of the bus represents the basis for the domestic content calculations and includes the major components identified in Appendix B of 49 CFR § 661.11. After completing the cost analysis of the components and the total material cost of the vehicle, supplier Buy America certifications of the selected U.S. domestic components were reviewed for compliance with the regulatory domestic content requirements, current dates and authorization

signatures. The Buy America Compliance certification, 49 C.F.R. § 661.12, that BYD submitted in the RFP response was reviewed and is included in Appendix B.

GLOBAL's auditor obtained BYD's Buy America Post-Delivery Audit Management Representation Letter, which includes the post-delivery domestic content schedule for the manufactured buses and the description and cost of final assembly activities. BYD Energy LLC's Post-Delivery Audit Management Representation Letter includes the BYD Energy LLC RESS Buy America Certification and Supplement and the report: BYD's RESS System's Compliance with Buy America Requirements. The auditor's Certified Domestic Content Schedule and the list of the associated supplier Buy America certifications reviewed are included in Appendix A and are on file at the CITY's purchasing department. Selected BYD Buy America audit documentation is attached in Appendix B and BYD Energy LLC's audit documentation is in Appendix C. The CITY resident inspector verified U.S. component list is on file in the CITY procurement file.

After completing the component and subcomponent cost analyses and supplier certification reviews, GLOBAL's auditor certified the selected U.S. components reviewed at the time of the on-site audit and issued the auditor certification at a **71.17** domestic content percentage of the total material cost of the K11 60-foot 5-door BRT electric low floor bus.

Confirmation: BYD's K11 60-foot 5-door BRT electric low floor bus complies with both the contract required FY2017 greater than 60 percent domestic content and the FY2018 greater than 65 percent domestic content regulatory requirements.

Final Assembly Location, Activities, and Cost

BYD provided Ms. Hunter, BYD Coach and Bus, LLC's current production floor map as of October 26, 2017 and a detailed description of the final assembly and full manufacturing processes occuring at the designated stations. Ms. Hunter conducted a plant tour with BYD representatives and was able to identify the stations where the main components of the bus, as required by Appendix B to 49 CFR 661.11, were being final assembled into the electric bus car body shell on the production line. The FTA required minimum final assembly activities were also identified as being performed at the BYD Coach and Bus LLC manufacturing plant located at 46147 7Th Street West, Lancaster, CA 93534.

BYD's Description and Cost of Final Assembly for BYD Electric Bus disclosure, dated November 14, 2017, confirmed the final assembly location was in the United States for the CITY order and provided the actual average cost of final assembly per electric vehicle at the Lancaster, CA manufacturing plant. The cost calculations supporting the disclosed cost was reviewed. The manufacturer's written confirmation is attached in Appendix B.

GLOBAL's Buy America Compliance Auditor completed a comparative analysis of the final assembly activities listed in the BYD final assembly documentation to the Appendix D to 49 CFR 661.11 – Minimum Requirements for Final Assembly (b) Buses. The activities documented by the comparative analysis schedule is consistent with the manufacturing activities observed to be occurring in the Lancaster maufacturing plant. The auditor's written confirmation is attached in Appendix A.

Confirmation: BYD's final assembly of the BYD K11 60-foot 5-door electric low floor bus was completed in the United States and includes the FTA identified minimum final assembly activities. The manufacturer provided written disclosure of the actual final assembly activities and final assembly cost per K11 60-foot 5-door electric low floor bus.

IV. Post-Delivery Purchaser's Requirements Certification

The Post-delivery purchaser's requirement certification, as described in 49 CFR 663 – Subpart C – 663.37, is provided in the Certifications section at the beginning of this report and is to be executed by a representative of the CITY.

Resident Inspector Requirement 49 C.F.R. § 663.37 (b)

Since CITY's contract exceeds ten (10) vehicles, a resident inspector (other than an agent or employee of the manufacturer) is required to be present at the manufacturing site throughout the manufacturing period of the CITY vehicles. CITY's resident inspectors conducted the inspections during production at the BYD manufacturing plant facility located at 46147 7th Street West, Lancaster, CA 93534, beginning on June 18, 2017 for the first production bus in the order, VIN 38022, which was delivered to CITY on August 7, 2017.

The resident inspectors also monitored and completed the post-delivery report documentation on the manufacture of the rolling stock as required by 49 CFR 663.37 which:

- (a)(1) Provide accurate records of all vehicle construction activities including certifying that the required domestic components identified on the Certified Domestic Content Schedule were installed on the vehicle,
- (a)(2) Address how the construction and operation of the vehicles fulfills the contract specifications and the final assembly cost.

CITY's resident inspector also confirmed that the following documents for each vehicle were provided directly to the CITY.

- Individual Inspection sheets that have visual, road test, functional tests and water tests. All tests are completed at BYD and documented on Bus Acceptance Forms.
- A configuration audit that ensured the bus meets CITY's Technical Summary per RFP
- Daily conference calls and emails with maintenance managers to discuss progress of each bus and any issues regarding the unit location in production, build issues (logs), and current parts shortage summaries, etc.
- Photos of steps throughout the build and photos of any issues.
- Discrepancy list.
- Bus Acceptance Forms for the resident inspector final sign off and release authorization before bus is shipped to Albuquerque.

The resident inspector also complied with 49 CFR 663.37(b) by completing the report required under paragraph (a) above, and visually inspecting and road testing the completed vehicles to attest that the vehicles meet the CITY contract specifications.

GLOBAL's auditor confirmed with the City of Albuquerque Transit Department's grants manager, Ms. Cassandra Gutierrez, that the CITY's resident inspector responsibilities were managed by ABQ Ride's Maintenance Manager who supervised ABQ Ride maintenance department employees conducting the on-site bus line inspections. Ms. Gutierrez also confirmed that ABQ Ride's Maintenance Manager completed the verification process of BYD's technical specifications, as submitted in the RFP, and were found to be in compliance with the CITY's solicitation specifications.

In accordance with FTA project management oversight guidance, CITY's project manager, inspector and auditor, perform the Post-Delivery Domestic Content Monitoring activities on the remaining buses in the order during the actual production phase to assess any impact on the domestic content compliance of any vehicle by the following:

- · Change Orders
- Changes to the Bill of Materials
- Changes to the assembly or manufacturing processes
- Changes to the final assembly location
- Any changes to the cost or origin of any components and subcomponents
- Any change that would affect the domestic content of the vehicle

GLOBAL's auditor obtained the Manufacturer's Purchaser's Requirements Certification which attests that BYD has provided to CITY's representatives and their resident inspectors, complete and accurate records of all vehicle construction activities, adherence to quality control processes, and confirmation that the vehicle has been inspected and road tested before delivery to the recipient. Additionally, BYD also certifies that the buses manufactured for CITY's contract are the same product described in the recipient's solicitation specification. (See Appendix B)

On file at the CITY's procurement department is the CITY's Resident Inspector Report, which identifies the inspection activities performed along with the documentation BYD submitted to CITY throughout the inspection period. These documents supplement the configuration audit, which confirms that the manufacture and operation of the bus fully complies with the technical specifications as amended by CITY.

As stipulated in 49 CFR 663.37, the Post-Delivery Purchaser's Requirements Certification is supported by the presence of CITY's inspector, the resident inspector's report and the verification and results of visual inspections and quality control test sheets. The completed post-delivery purchaser's requirements certification should be filed along with copies of the solicitation specification, approvals of any approved equals, and the manufacturer qualifications.

The CITY should keep the following information in the certification file to support the purchaser's requirements certification review:

- A comparison of solicitation and bid specifications
- An analysis of manufacturing capability
- Copies of the visual inspection sheets
- Copies of the road test sheets
- A copy of the resident inspector's report describing manufacturing activities
- Records of quality control measurements.

V. Post-Delivery FMVSS Compliance Certification

The Post-Delivery FMVSS Compliance Certification, as described in 49 CFR 663 – Subpart D - 663.41, is provided in the Certifications section at the beginning of this report and is to be executed by a representative of the CITY.

BYD's self-certification confirms that the vehicles manufactured for the CITY contract comply with the relevant requirements of the Federal Motor Vehicle Safety Standards issued by the National Highway Traffic Safety Administration in Title 49 of the Code of Federal Regulations, Part 571.

The BYD FMVSS self-certification letter along with a copy of the <u>completed</u> FMVSS plates for the first and second BYD K11 buses delivered to CITY and the complete list of VINs for the twenty (20) buses are included in Appendix D.

VI. POST-DELIVERY BUY AMERICA AUDITOR CERTIFICATION



"Buy America Solutions In Action"

Post-Delivery Buy America Auditor Certification

I certify that I have conducted a Post-Delivery Buy America audit of the documents relating to the manufacture of twenty (20) BYD K11 60-foot 5-door BRT electric low floor transit buses (VINS 38003-38022, Bus Numbers 1701-1720).

BYD Motors, Inc. manufactured these vehicles for the City of Albuquerque Transit Department (CITY) of Albuquerque, New Mexico to the specifications of the Contract Number 709353, dated 1/26/17, issued from CITY RFP No. 2016000031.

This audit was conducted according to the requirements of 49 U.S.C. 5323 (m) and the applicable regulations of 49 CFR 663. The manufacturer has demonstrated that it constructed these vehicles in conformity with the requirements of 49 U.S.C. 5323 (j) as amended, 49 U.S.C. 5323 (j)(2)(C) and the applicable regulations of 49 CFR 661.11.

AUTHORIZED SIGNATURE:

Janette M. Hunter, CFE, CPA

Buy America Compliance Auditor

Global Innovations, U.S.A.

DATE:

APPENDIX A

- Auditor CERTIFIED Post-Delivery Buy America Audit Domestic Content Schedule for the BYD K11 60-foot 5-door BRT electric low floor transit bus
- Auditor Listing of Supplier Buy America certifications (REVIEWED)
- Auditor Appendix D to 49 C.F.R. 661.11 (b) Final Assembly Verification

CERTIFIED DOMESTIC CONTENT SCHEDULE

POST-DELIVERY BUY AMERICA AUDIT BYD MOTORS, INC.

CITY OF ALBUQUERQUE TRANSIT DEPARTMENT ("CITY") ALBUQUERQUE, NEW MEXICO

TWENTY (20) – BYD K11 60-FOOT 5-DOOR BRT ELECTRIC LOW FLOOR BUSES (VINS 38003-38022), (BUS NUMBERS 1701-1720) CONTRACT NUMBER 709353, RFP NO. P2016000031

Total Certified U.S. Components as a % of otal Material Cost COMPONENT GROUP	COMPONENT DESCRIPTION	COMPONENT MANUFACTURER	CERTIFIED COUNTRY OF ORIGIN	BUY AMERICA CERTIFICATION	Auditor Certified U.S Content % of Total Materia Cost
Air Conditioning Evaporator/Condenser and Compressor Assemblies	ACE238DLS 480VAC 850VDC 12K HEAT STACK BYD ARTIC	Sutrak Corporation	US	Yes	4.48%
Air Conditioning Evaporator/Condenser and Com		Satiak corporation	- 03	163	4.48%
Bike Rack Assemblies	Bike Rack Assemblies	Sportworks Northwest, Inc.	US	Yes	0.19%
Bike Rack Assemblies Total	DIRE RUCK PASCINGINGS	Sportworks Northwest, Inc.		163	0.19%
Destination Sign Assemblies	Destination Sign Assemblies - Amber DDxxA	Hanover Displays, Inc.	US	Yes	0.48%
Destination Sign Assemblies Total	Destination sign Assembles - Amber DDAAA	rianover bisplays, inc.	03	163	0.48%
Driver's Seat Assemblies	Driver's Seat MODEL 9110	United States Seating	US	Yes	0.17%
	Driver's Seat MODEL 9110	Officed States Seating	03	163	0.17%
Driver's Seat Assemblies Total	Front Dossonger Door	Vanor Bus International	IIC	Voc	
Entrance And Exit Door Assemblies	Front Passenger Door	Vapor Bus International	US	Yes	0.58%
	Middle Passenger Door	Vapor Bus International	US	Yes	1.02%
	Rear Passenger Door	Vapor Bus International	US	Yes	1.02%
Entrance And Exit Door Assemblies Total					2.63%
Farebox	Farebox - Odyssey	Genfare, a div. of SPX Corp	US	Yes	1.23%
Farebox Total					1.23%
Fire Extinguisher System	Fire Extinguisher System	Amerex Corporation	US	Yes	0.75%
Fire Extinguisher System Total					0.75%
Front And Rear Bumper Assemblies	Front Bumper	Romeo Rim, Inc.	US	Yes	0.15%
	Rear Bumper	Romeo Rim, Inc.	US	Yes	0.08%
Front And Rear Bumper Assemblies Total					0.23%
Generator/Alternator And Electrical Systems	HAMS	I/O Controls Corporation	US	Yes	0.07%
	Vehicle Data Logger Assembly	I/O Controls Corporation	US	Yes	0.20%
	Vehicle Data Logger Cables	I/O Controls Corporation	US	Yes	0.01%
Generator/Alternator And Electrical Systems Tota	al				0.29%
Insulation	Hydrophobic Melamine Foam	Polymer Technologies, Inc.	US	Yes	0.22%
Insulation Total					0.22%
Lighting	High Beam Headlights	I/O Controls Corporation	US	Yes	0.03%
	Low Beam Headlights	I/O Controls Corporation	US	Yes	0.02%
	Interior Lights	I/O Controls Corporation	US	Yes	0.01%
	LED Interior Lighting, Air Duct	I/O Controls Corporation	US	Yes	0.50%
Lighting Total		,			0.57%
Multiplex System	G4 Multiplex System	I/O Controls Corporation	US	Yes	0.29%
	Interior Lighting Control Module	I/O Controls Corporation	US	Yes	0.03%
Multiplex System Total	interior Eighting Control Module	i, o controls corporation		163	0.32%
Passenger Seats	Passenger Seats - Aries	4One LLC (Freedman)	US	Yes	1.81%
rasseligei Seats	· ·	Q'Straint America	US	Yes	0.68%
Danner Casta Tatal	Wheelchair restraint system - Quantum	Q Straint America	US	res	
Passenger Seats Total	Rechargeable Energy Storage System, RESS				2.48%
Power Battery System	270Ah 591kWh	BYD Energy, LLC	US	Yes	53.09%
Power Battery System Total					53.09%
Wheelchair Ramp	Bridge Plate	Ricon Corporation	US	Yes	1.88%
,	Wheelchair Ramp	Ricon Corporation	US	Yes	0.56%
Wheelchair Ramp Total		co.i co. porution		. 03	2.44%
Window Assemblies	Side Passenger Windows	Ricon Corporation	US	Yes	1.51%
THINGW ASSEMBLES	Driver's Window	Ricon Corporation	US	Yes	0.11%
Mindow Assamblias Total	PUACE 2 MILITOR	Micon Corporation	US	162	
Window Assemblies Total					1.61%

SUPPLIER BUY AMERICA CERTIFICATIONS (REVIEWED)

POST-DELIVERY BUY AMERICA AUDIT BYD MOTORS, INC.

CITY OF ALBUQUERQUE TRANSIT DEPARTMENT ("CITY") ALBUQUERQUE, NEW MEXICO

TWENTY (20) – BYD K11 60-FOOT 5-DOOR BRT ELECTRIC LOW FLOOR BUSES (VINS 38003-38022), (BUS NUMBERS 1701-1720)

CONTRACT NUMBER 709353, RFP NO. P2016000031

NO.	SUPPLIER	BUY AMERICA CERTIFICATION
1	4One LLC (Freedman)	Yes
2	Amerex Corporation	Yes
3	BYD Energy, LLC	Yes
4	Genfare, a div. of SPX Corp	Yes
5	Hanover Displays, Inc.	Yes
6	I/O Controls Corporation	Yes
7	Polymer Technologies, Inc.	Yes
8	Q'Straint America	Yes
9	Ricon Corporation	Yes
10	Romeo Rim, Inc.	Yes
11	Sportworks Northwest, Inc.	Yes
12	Sutrak Corporation	Yes
13	United States Seating	Yes
14	Vapor Bus International	Yes

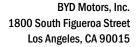
POST-DELIVERY BUY AMERICA AUDIT

GRANTEE: CITY OF ALBUQUERQUE TRANSIT DEPARTMENT (CITY) OF ALBUQUERQUE, NM MANUFACTURER: BYD MOTORS, INC AND BYD COACH AND BUS, LLC PRODUCTION PLAN STATION LOCATION 10/26/17 INSPECTION
MINIMUM FINAL ASSEMBLY ACTIVITIES - LANCASTER FINAL ASSEMBLY PLANT

	MINIMUM REQUIREMENTS FOR FINAL ASSEMBLY	
	Appendix D to 49 C.F.R. 661.11 - (b) BUSES	Inspection Initials
, 1	INSTALLATION AND THE INTERCONNECTION OF:	
	Engine (RESS)	THE
	Transmission (not applicable)	44
	Axles	7/
	Cooling system	JH.
90	Braking system	TH
	Heating system	YH
	Air conditioning compressor assemblies	974
	Air conditioning evaporator/condensor assemblies	SH
2	INSTALLATION OF:	77.
na l	Pneumatic systems	
	Electrical systems (High/Low voltage)	TH
	Door systems	A
	Passenger seats	4/4
	Passenger grab rails (stanchions)	SH
* (a)	Destination signs	TH
	Wheelchair lifts (ramps)	4/4
3	Road testing	7/1/
4	Final inspection	TH
5	Painting	TH
6	Repairs & Preparation of the vehicle for delivery	The
7	Assembly of the chassis	TA.

APPENDIX B

- BYD Motors, Inc. Management Representation Letter, date January 3, 2018.
- BYD's Description and Cost of Final Assembly for BYD Electric Bus K11M, date November 14, 2017.
- BYD Manufacturer's Purchaser's Requirements Certification, date January 5, 2018.
- RFP No. P2016000031, Appendix E, BYD Certificate of Buy America Compliance 49 C.F.R. 661.11 under the regulation 49 C.F.R. 661.12 date March 1, 2016.





Date: January 3, 2018

To: The City of Albuquerque Transit Department ("City")

Ms. Janette M. Hunter, CFE, CPA, Buy America Compliance Auditor

Re: Buy America Post-Delivery Audit of BYD Motors, Inc. (BYD) and BYD Coach and Bus LLC for the manufacture of total of twenty (20) BYD K11 60-foot 5-door BRT electric low floor buses under the specifications of Contract Number 709353, City of Albuquerque RFP P2016000031.

Pursuant to the requirements 49 CFR 663 —Pre-Award and Post-Delivery Audits of Rolling Stock Purchases – Subpart C- Post-Delivery Audits, BYD releases the following information for the Buy America Post-Delivery audit pertaining to the manufacture of twenty (20) BYD K11 60-foot 5-door BRT electric low floor buses.

- (1) Listing of the DOMESTIC content components and subcomponent parts of the BYD K11 60-foot 5-door BRT electric low floor bus identified by the manufacturer of the components and subcomponents, country of origin and costs to certify a FY2017 U.S. domestic content percentage greater than 60%. See BYD U.S. Component Schedule, which documents a domestic content percentage of 76.02%.
- (2) Listing of the DOMESTIC content components and subcomponent parts of the RESS 270Ah 591kWh (RESS), BYD part number K11M-2101002A identified by the manufacturer of the components and subcomponents, country of origin and costs support the Buy America certification of the U.S. domestic content percentage greater than 70%. See BYD Energy LLC Buy America Certification.
- (3) Final assembly location for the manufacture of the BYD K11 60-foot 5-door BRT electric low floor buses was 46147 7th Street West, Lancaster, CA, 93534. A description of the final assembly activities and the actual final assembly cost is disclosed on the attached Description and Cost of Final Assembly.
- (4) BYD Motors, Inc. released the "BYD RESS System Compliance with Buy America Requirements" report confirming FTA approval of the BYD Energy LLC battery manufacturing processes compliance with the FTA Rolling Stock Buy America Requirements 49 CFR 661.3. BYD confirms a revision is in process to reflect upgraded equipment. See attached report.
- (5) 2017 Buy America Supplier Certifications that certify the compliance with FTA Buy America Regulations set forth in 49 C.F.R. § 661.11 were provided for the selected suppliers of the U.S. component content that exceeds 60 percent of the total material cost of the bus.
- (6) A Post-Delivery Manufacturer's Purchaser's Requirements Certification.
- (7) A Federal Motor Vehicle Safety Standards (FMVSS) Certification of Compliance to certify that the buses manufactured meet applicable FMVSS requirements.
- (8) To the best of our knowledge and belief, the confidential and proprietary information provided for the City Post-Delivery Buy America Audit are complete and reasonable representations of BYD Motor, Inc. and complies with the provisions of the Buy America law of 49 U.S.C. 5323(j) as amended, 49 U.S.C. 5323(j)(2)(C) and the applicable regulations contained in 49 CFR 661.11 Rolling Stock Procurements required by the Federal Transit Administration.



BYD Motors, Inc. 1800 South Figueroa Street Los Angeles, CA 90015

0.1	LOS Aligeles, CA 90015
Authorization (Officer) Signature:	
Name: Macy Neshati	
Company and Title: BYD Motors , Inc. and BYD Coach and Bus LLC, Sentence of the se	or VP



BYD Motors Inc. LOS ANGELES, CALIFORNIA

DESCRIPTION AND COST OF FINAL ASSEMBLY FOR BYD ELECTRIC BUS K11M

BYD Motors, Inc. and BYD Coach and Bus, LLC certify that final assembly of its electric buses occurred at its manufacturing plant in Lancaster, California. The final assembly process consists of the installation and interconnection of bus bodies or shells, the RESS (Batteries) and in-wheel motors, axles, chassis, and wheels, the cooling and braking systems, the installation and interconnection of the heating and air conditioning equipment. Further final assembly includes the installation of pneumatic and electrical systems, door system, passenger seating, passenger grab rails, destination signs, wheelchair lifts, road testing, final inspection, repairs and preparation of the vehicles for delivery.

The actual cost of the above mentioned activities for this order has been calculated to be \$123,227.47 per bus.

Date: _	11/14/19	
Authoriz	zed Signature:	
Print Na	ame: Macy Neshati	
Title:	Senior Vice President	



POST-DELIVERY BUY AMERICA MANUFACTURER'S PURCHASER'S REQUIREMENTS CERTIFICATION

Purchaser	City of Albuquerque Transit Department (CITY) of Albuquerque, New Mexico
Number of Buses	Twenty (20)
Description of Buses	BYD K11 60-foot 5-door BRT electric low floor buses, (VINs 38003-38022), (Bus Numbers 1701-1720)
Bid/RFP Contract Number	Contract Number 709353, RFP No. P2016000031

As required by Title 49 of the CFR, Part 663 – Subpart C, BYD Motors, Inc. (BYD) of Lancaster, CA (the manufacturer) certifies that the required vehicle production documentation has been submitted to City of Albuquerque Transit Department (CITY) of Albuquerque, New Mexico (the recipient) or their appointed resident inspector, which provides the manufacturer's complete and accurate records of all vehicle construction activities, adherence to quality control processes, and confirmation that the vehicles have been inspected and road tested before delivery to the recipient.

The manufacturer certifies that the buses manufactured for the recipient are the same product described in the recipient's solicitation specification.

Date:	January 5, 2018
Author	ized Signature:
	ame: Macy Neshati
Title: _	Senior VP

APPENDIX E

Buy America Certification

This form is to be submitted with any Proposal exceeding the small purchase threshold for federal assistance programs, currently set at \$100,000.

Certificate o	of Compliance	
The Offeror hereby certifies that it will com 5323(j)(2)(C), Section 165(b)(3) of the Surfamended, and the regulations of 49 CFR 661.1	ace Transportation Assistance Act of 1982,	on as
Name and title: Macy Neshati, Vice Presiden	nt of Sales	
Company: BYD Motors, Inc.		
DD. 640 00		
Light Water	3/1/2016	
Authorized Signature	Date	
Certificate of N	on-Compliance	
The Offeror hereby certifies that it cannot cor 5323(j)(2)(C) and Section 165(b)(3) of the Sur amended, but may qualify for an exception to th 5323(j)(2)(B) or (j)(2)(D), Sections 165(b)(2) or Act, as amended, and regulations in 49 CFR 66	face Transportation Assistance Act of 1982, are requirements consistent with 49 USC Section (b)(4) of the Surface Transportation Assistance	as ns
Name and title:		
Company:		
Authorized signature	Date	_

APPENDIX C

- BYD Energy LLC. Management Representation Letter, date January 5, 2018.
- BYD Energy LLC Buy America Certification, date January 5, 2018.



Date: January 3, 2018

To: The City of Albuquerque Transit Department ("City")

Ms. Janette M. Hunter, CFE, CPA Buy America Compliance Auditor

CC: BYD Motors, Inc.

Mr. Chao Xue, BYD Manager of Contract Administration and Project Management

Ms. Sharon Wu – BYD Project Manager for City of Albuquerque Contract

Mr. Macy Neshati, Senior Vice President Bus and Coach LLC

Re: BYD Energy LLC – Rechargeable Energy Storage System (RESS) for twenty (20) BYD K11 60-foot 5-door BRT electric low floor buses manufactured under the specifications of Contract Number 709353, City of Albuquerque RFP No. P2016000031.

Pursuant to the requirements 49 CFR 663 —Pre-Award and Post-Delivery Audits of Rolling Stock Purchases – Subpart C- Post-Delivery Audits, BYD Energy LLC confirms the following information

- (1) Buy America Supplier Certification provided to BYD Motors, Inc. certifies our compliance with FTA Buy America Regulations set forth in 49 C.F.R. § 661.11 for BYD Energy part number RESS 270Ah 591kWh (RESS), BYD part number K11M-2101002A. Total U.S. component content is greater than 70%. See attached Buy America Supplier certification and Supplement.
- (2) The manufacturing location of the RESS is 43851 Division St., Lancaster, California 93635. BYD Motors, Inc. authorized the release of the July 27, 2016 RESS report "BYD RESS System Compliance with Buy America Requirements" confirming FTA approval of the BYD Energy LLC battery manufacturing activities as in compliance with the FTA Rolling Stock Buy America Requirements with 49 CFR 661.3, 49 CFR 661.11(e), and 56 FR 926. Revisions are in process to update the document to reflect recent equipment upgrades. See attached report.
- (3) To the best of our knowledge and belief, the Buy America Supplier Certification and all supporting documentation provided to conduct the City Post-Delivery Buy America Audit are complete and reasonable representations of BYD Energy, LLC. and comply with the provisions of the Buy America law of 49 U.S.C. 5323(j) as amended, 49 U.S.C. 5323(j)(2)(C) and the applicable regulations contained in 49 CFR 661.11 Rolling Stock Procurements required by the Federal Transit Administration.

Authorization (Officer) Signature:	1/5/2518
Name: Simin Hu	
Company and Title:BYD Energy LLC, General Manager	



Attachment to Buy America Supplier Certification dated January 3, 2018

BYD Energy manufacturing processes at the Lancaster, California plant incorporate the collection, interconnection, and testing of various electronic elements in the Rechargeable Energy Storage System (RESS) as well as high tech laser welding. Manufacturing processes specifically include static functional component testing, dynamic DCIR and capacity testing, product performance test standards analysis and two stages of subcomponent laser welding. These specific activities are complex and meaningful in relation to the extent of process time required, use of high technology costly equipment, and use of high skilled labor in the areas of software, electrical and high voltage operations, and safety and testing protocols. The RESS battery management system element interconnects all of the system components into an integrated system component whose key function is to act as the energy source for the electrical propulsion system for the bus.

Buy America Regulatory References:

49 CFR 661.3 Definitions from Part 661 - Buy America Requirements

Manufacturing process means the application of processes to alter the form or function of materials or of elements of the product in a manner adding value and transforming those materials or elements so that they represent a new end product functionally different from that which would result from mere assembly of the elements or materials.

49 CFR 661.11 (e) from 49 CFR 661.11 Rolling Stock Procurements

A component is considered to be manufactured if there are sufficient activities taking place to advance the value or improve the condition of the subcomponents of that component; that is, if the subcomponents have been substantially transformed or merged into a new and functionally different article.

56 FR 926 □ January 9, 1991

The key element of this definition is the alteration of subcomponents to form a new product. The processes of alteration may include forming, extruding, material removal, welding, soldering, etching, plating, material deposition, pressing, permanent adhesive joining, shot blasting, brushing, grinding, lapping, finishing, vacuum impregnating, and, in electrical and electronic pneumatic, or mechanical products, the collection, interconnection, and testing of various elements.

Authorization Signature:	1/5/2018
Name:Simin Hu	
Company and Title:_BYD Energy LLC, General Manager	



BYD Motors Inc. /BYD Coach & Bus LLC. Buy America Certification

Certification Year	2017-2018
Supplier Name	BYD Energy LLC
Address	43851 Division St.
City, State, Zip	Lancaster, California 93535
Telephone	(213) 245-6199
E-mail Contact Person	Hu.simin@byd.com

A. For a component to be of domestic origin, more than 65 percent of the subcomponents of that component, by cost, must be of domestic origin, and the manufacture of the component must take place in the United States. If, under the terms of this part, a component is determined to be of domestic origin, its entire cost may be used in calculating the cost of domestic content of an end product. (49 CFR 661.11(g)).

B. If a component is manufactured in the United States, but contains less than 65 percent domestic subcomponents, by cost, the cost of the domestic subcomponents and the cost of manufacturing the component may be included in the calculation of the domestic content of the end product (49 CFR 661.11 (I)).

For each component supplied for the contract, the supplier attests:

Buy America requirements for rolling stock components: (1) The percentage content of domestic (U.S.) origin contained in the cost of a component (i.e. the cost of the U.S. origin subcomponents) charged to the vehicle manufacturer, (2) U.S. Manufacturing location of the supplier's components: City, State, and Country.

Component Model/ Part Number	Component (s) Description	Manufacturer	(1) % of Cost of U.S. Origin Subcomponents i.e., manufactured within U.S.	(2) Manufacturing location of component (s) City, State, Country
BYD K11M- 2101002A	RESS (591 kWh) with 270 Ah battery cell	BYD Energy	> 70%	Lancaster, CA, USA

For components manufactured outside the U.S., die	d U.S. subcomponents include receive tarif
exemptions for importation back into the U.S.	.? (Yes/No) (49 CFR 661.11(i)).
Authorization:	

The authorizing agent for the company acknowledges that this certification is valid for the annual period stated and will be re-issued if any event occurs during the annual period that rescinds the component(s) designation as being of U.S. domestic origin as defined Buy America Provisions under 49 U.S.C. 5323 (j) and the applicable regulations of 49 CFR 661.11 – Rolling Stock Procurements.

Signature: Similary	Date: 1/5/20/8
Name (Printed):	Title:
Simin Hu	General Manager
Prepared by: (Printed)	Telephone:
Simin Hu	(213) 245-6199

The information contained in this document is intended for exclusive use of BYD MOTORS INC. and the addressed vendors in which this document is provided to. All information is provided within this document is confidential. If you are not the intended recipient of this material directly from BYD MOTORS INC., you are hereby notified that any form of communication within this document is prohibited. If you received this document in error, please notify BYD MOTORS INC. immediately.

APPENDIX D

- BYD's Post-Delivery FMVSS Compliance Certification, date January 5, 2018
- BYD FMVSS Vehicle Plates (Actual)
- Vehicle Identification Number (VIN) Listing



POST-DELIVERY BUY AMERICA

FMVSS Compliance Certification

Purchaser	City of Albuquerque Transit Department ("City") of Albuquerque, New Mexico
Number of Buses	Twenty (20)
Description of Buses	BYD K11 60-foot 5-door BRT electric low floor buses, VINS 38003-38022, Bus Number, 1701- 1720
Contract Number	Contract Number 709353, RFP No. P2016000031

As required by Title 49 of the CFR, Part 663 – Subpart D, <u>BYD Motors, Inc.</u> and <u>BYD Coach & Bus, LLC.</u> certifies that the rolling stock vehicles manufactured comply with the relevant Federal Motor Vehicle Safety Standards issued by the National Highway Traffic Safety Administration in Title 49 Code of Federal Regulations, Part 571.

Date:	anuary 5, 2018	
Author	d Signature:	_
Print N	e: Macy Neshati	
Title [.]	Senior Vice President	



1				
DAIE OF MFD	AUG 2017	7 GWWR	67400 (30600)	180
FRONT GAWR	15653 (7100)	O) LB (KG)	305/70 R22.5	TIRE
22.5x8.25	RIMSAT	120 (830)	PSI(KPA) COLD-SINGLE	NGLE
MIDDLE GAWR	25353 (11500)	(KG)	305/70 R22.5	TIRES
22.5x8.25	RIMS AT	120 (830)	PSI(KPA) COLD-DUAL	A.
REAR GAWR	28634 (13000)	(SX) BT ((OC)	305/70 R22.5	TIRES
22.5x8.25	RIMSAT	120 (830)	PSI(KPA) COLD-DUAL	
VIN 4B9KCLA55H2038022	55H2038022	TYPE OF VEHICLE	ELECTRIC BUS	10

THIS VEHICLE CONFORMS TO ALL APPLICABLE FEDERAL MOTOR VEHICLE SAFETY STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE SHOWN ABOVE.



BIVED) MFD BY: BYD COACH & BUS LLC

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AUG 2017

GVWR

67400 (30600)

LB (KG)

22.5x8.25

FRONT GAWR

RIMSAT

120 (830)

LB (KG)

15653 (7100)

305/70 R22.5

TIRES

MIDDLE GAWR

LB (KG)

25353 (11500)

120 (830)

RIMS AT

305/70 R22.5

PSI(KPA) COLD-DUAL

PSI(KPA) COLD-SINGLE

TIRES

22.5x8.25

REAR GAWR

120 (830)

RIMS AT

LB (KG)

28634 (13000)

305/70 R22.5

22 5x8 25

4B9KCLA55H2038022

PSI(KPA) COLD-DUAL

TYPE OF VEHICLE

ELECTRIC BUS

MOTOR VEHICLE SAFETY STANDARDS IN EFFECT ON THE THIS VEHICLE CONFORMS TO ALL APPLICABLE FEDERAL DATE OF MANUFACTI IBE CLOST



K11M-ABQ VIN Number List

Bus Number	Customer Assigned Bus Number	VIN Number	Contract
BUS #1	1701	4B9KCLA59H2038022	Base
BUS #2	1702	4B9KCLA55H2038003	Base
BUS #3	1703	4B9KCLA57H2038004	Base
BUS #4	1704	4B9KCLA50H2038006	Base
BUS #5	1705	4B9KCLA52H2038007	Base
BUS #6	1706	4B9KCLA54H2038008	Base
BUS #7	1707	4B9KCLA59H2038005	Base
BUS #8	1708	4B9KCLA52H2038010	Base
BUS #9	1709	4B9KCLA56H2038012	Base
BUS #10	1710	4B9KCLA58H2038013	Base
BUS #11	1711	4B9KCLA5XH2038014	Base
BUS #12	1712	4B9KCLA55H2038020	Base
BUS #13	1713	4B9KCLA55H2038017	Base
BUS #14	1714	4B9KCLA53H2038016	Base
BUS #15	1715	4B9KCLA59H2038019	Base
BUS #16	1716	4B9KCLA57H2038021	Base
BUS #17	1717	4B9KCLA51H2038015	Base
BUS #18	1718	4B9KCLA57H2038018	Base
BUS #19	1719	4B9KCLA56H2038009	Option
BUS #20	1720	4B9KCLA54H2038011	Option