



# Lumpkin County, Georgia

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## Lumpkin County Transit

**Agenda Item:** APPLICATION SUBMISSION – GDOT SFY2017  
**December 1, 2015**

**Item Description:** APPLICATION SUBMISSION - SFY2017 (July 1, 2016 – June 30, 2017) Lumpkin County Board of Commissioners is required to submit an application each year to the Georgia Department of Transportation (GDOT) for continuation of funding for the 5311 Rural Transportation program. The deadline for the application submission is December 30, 2015.

**Exhibit:** Application

### Funding Request Summary:

	<b>Total</b>	<b>Federal</b>	<b>State</b>	<b>Local Match</b>
<b>Operating Budget Total</b>	\$139,989	\$69,994	0	\$69,995

**Facts & Historical** Lumpkin County's Transit Program was created over twenty (20) years ago. For SFY2015, Transit provided more than 5,200 passenger rides to the citizens of Lumpkin County. Transportation was provided for medical appointments, shopping, personal errands, employment, and school.

**Potential Courses of Action:**

- A. Submit a signed application.
- B. Do not submit an application.

**Comparison:** If Course A is chosen the funding will be secured to continue to operate the transportation for the period July 1, 2016 through June 30, 2017.

If Course B is chosen, the funding will not be secured and the operation of the transportation program will be suspended at the end of the current funding cycle (June 30, 2016).

**Recommendation:** It is recommended that the application be submitted. The transportation program is valuable to many citizens of Lumpkin County who otherwise would have no viable means of affordable transportation.

**Budget Impact:** There will be no adverse impact to the 2016 budget as revenue and expenses related to this funding source are included and approved in the budget. Sufficient funds will need to be allocated in the FY 2017 budget to meet the match requirement.

# Georgia Department of Transportation

## 5311 Program Application SFY 2017

For Period July 1, 2016 – June 30, 2017

County: Lumpkin

GDOT District: District 1

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

Reviewed by Public Transportation Coordinator:

\_\_\_\_\_

\_\_\_\_\_

TABLE OF CONTENTS

Application Cover	Page 1
Table of Contents	Page 2
List of Exhibits with instructions	Page 3-4
Part One – Introduction	Page 5
Exhibit 1 – Grant application cover sheet & checklist	Page 6
Exhibit 2 – Executive Summary	Page 7-8
Exhibit 3 – Budget Request	Page 9-10
Exhibit 3B – System Narratives	Page 11-16
Exhibit 4 – Purchase of Service Computation Worksheet	Page 17
Exhibit 4A – Third Party Operator Agreement (insert if applicable)	Page 18
Exhibit 4B – Purchase of Service Rate Information	Page 19
Part Two – Introduction	Page 20
Exhibit 5 – FFY2015 Federal Transit Administration Certifications & Assurances	Page 21-22
Exhibit 6 – Authorizing Resolution	Page 23-24
Exhibit 7A – Private Enterprise Coordination Certification	Page 25
Exhibit 7B – Private Enterprise Coordination	Page 26
Exhibit 8 – Certification of No Intent to Charter Service	Page 27
Exhibit 9 – Section 5333(b) Warranty	Page 28-32
Exhibit 10 – Title VI Reporting	Page 33-35
Exhibit 11 – Anti-Drug Program Certification	Page 36-38
Exhibit 12 – Certification of Equal Access for Persons With Disabilities	Page 39-41
Exhibit 12B – Accessible Vehicle out of service worksheet	Page 42
Exhibit 13 – FTA Civil Rights Assurance	Page 43-45
Exhibit 14 – Suspension and Debarment	Page 46
Exhibit 15 – DBE Semi-annual reporting	Page 47-48
Exhibit 16 – E-Verify	Page 49
Exhibit 17 – Decennial Census Changes	Page 50
Exhibit 18 – Meals on Wheels delivery	Page 51

### LIST OF EXHIBITS

**PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY TO COMPLETE THE EXHIBITS:**

1. **EXHIBIT 1 - *Exhibit cover sheet*** - Please complete all exhibits, as applicable. Only check those that apply, **if not applicable, indicate as such with N/A**
  2. **EXHIBIT 2 – *Executive Summary*** – Provide narrative of transit system and total Budget request.
  3. **EXHIBIT 3 – *Budget request*** - Please insert copy of system budget request for application period, copy of September (current fiscal year) reimbursement, copy of final prior year (2015) reimbursement, and FY16 purchase of service agreement(s) or contract, if applicable.
  4. **EXHIBIT 3B - *System Narratives*** – Complete all sections under **Organization, Market, Operations, Marketing, Vehicle Inventory, Operating Data, Financial Data, Vehicle Inventory, Operating Performance (2015 full year), Operating Performance (2015 July 2015-Dec. 2015), Financial Data**
  5. **EXHIBIT – 4 - *Purchase of Service Computation Worksheet (Fully allocated cost (FAC)); 4B; Purchase of Service (POS) trip rates***
  6. **EXHIBIT 4A - *Insert Third Party Operator Agreement (if applicable)***
  7. **EXHIBIT 4B – *Purchase of Service Rate (POS) Information (if applicable)***
  8. **EXHIBIT 5 - *FY2015 FTA Certifications and Assurances*** Have the County Commissioner Chairman or Mayor and County Attorney's to sign this document and include original with application packet due to the Department by November 30, 2015.
  9. **EXHIBIT 6 - (*AUTHORIZING RESOLUTION*)** Provide the authorizing resolution from the most recent Commissioner's Meeting. Make sure resolution is properly witnessed and notarized including the date the commission expires; it should also be stamped with the notary seal as well as the County Seal; and complete certificate of attesting officer. The original should be returned to the Department no later than November 30, 2015. A copy should be included in application packet.
- Georgia Department of Transportation – Division of Intermodal  
600 West Peachtree Street, 2<sup>nd</sup> Floor  
Atlanta Georgia 30308
10. **EXHIBIT 7A – *Private Enterprise Coordination*** - Have the County Commissioner or Mayor to sign and date this form. This exhibit, original legal ad and notarized publisher's affidavit from the newspaper should be returned to the Department by November 30, 2015.
  11. **EXHIBIT 7B – *Copy of Tear Sheet*** Publish this notice one time in the local government's legal newspaper. The original legal ad and notarized publisher's affidavit from the newspaper should be returned to the Department by November 30, 2015.

12. **EXHIBIT 8 – *No Intent to Charter*** - Certification of no intent of charter is done when a County does not intend to charter. This exhibit must be placed on County/City letterhead and signed by County Commissioner or Mayor and returned to the Department by November 30, 2015. (GDOT does not allow charter service)
13. **EXHIBIT 9 – *5333(b) Warranty*** - Have the County Commissioner or Mayor sign and return to DOT by November 30, 2015.
14. **EXHIBIT 10 - *FTA Title VI & National Transit Database Data Collection and Reporting*** - This form needs to be completed for a typical month in the fiscal year 2015; this data can be obtained from the vehicle monthly reporting forms that are turned into the Department each month. This form needs to be sent in along with other information by November 30, 2015.
15. **EXHIBIT 11 – *Substance Abuse Certification*** - This form needs to be put on County letterhead and signed by the County Commissioner or Mayor and returned to the Department by November 30, 2015.
16. **EXHIBIT 12 – *Certification of Equal Access*** – Only applicable if purchasing vehicles without ADA access). This form to be completed and signed by the County Commissioner or Mayor and returned to the Department by November 30, 2015.
17. **EXHIBIT 12B – (required by all systems) Accessible Vehicle Out of Service/Returned to Service Documentation Worksheet** – Per guidelines of the 5311 program, when a lift equipped vehicle is removed from service due to repairs, either to lift or otherwise, the vehicle should remain out of service for no more than 5 business/service days.
18. **EXHIBIT 13 - *Nondiscrimination Assurance*** – Complete Part 1 (record of accessible vehicles out of service dates) and Part 2 Non-discrimination Assurance.
19. **EXHIBIT 14 – *Suspension and Debarment*** – Terms apply to sub recipient and third-party contractors.
20. **EXHIBIT 15 – *DBE Semi Annual Reporting*** - This will be required semi-annually by any sub-recipients with Federal grant awards of more than \$ 250K annually.
21. **EXHIBIT 16 – *E-Verify*** Federal statute requires E-Verify conditions are met for all employees.
22. **EXHIBIT 17 – *Decennial Census status*** complete if you county population is now urban, or has some urban tracts (population over 50,000)
23. **EXHIBIT 18 – *Meals on Wheels*** – Complete this exhibit if your agency is planning to use the Section 5311 service to deliver meals on wheels.
24. **EXHIBIT 19 - *Procurement Certification*** – Certify on page one of Exhibit 19 regarding sole-source, single bid and brand-name procurements. Also complete page two of Exhibit 19 for all contracting opportunities.
25. **APPENDIX A – *FTA Certification and Assurances for FFY2015 (includes MAP-21)***



# PART I - INTRODUCTION

## 5311 RURAL PUBLIC TRANSPORTATION APPLICATION

The Rural Public Transportation Application is made up of two parts:

### PART I - PROJECT DESCRIPTION

### PART II - COMPLIANCE REQUIREMENTS

The Project Description outlines what the public transportation program will accomplish and how it will approach management of resources and operations. The Compliance Requirements are necessary to receive Federal funds.

The Project Description should outline the public transportation program operations and finances clearly and its relationship to Local and State public transportation system goals. The Project Description serves as the basis for the application as well as an annual operations program for the transit service. Exhibit 1 lists the necessary components for the Project Description portion (Part 1) of the grant application and should be used to insure that all required paperwork has been included.

For new applicants and renewals, all elements of Part I need to be included in the Application along with the Executive Summary.

The dollar amounts listed in the Executive Summary should match those listed in the financial portion of the Project Description including the proposed budget.

Please contact your District Transportation Coordinator if you need technical assistance or have any questions regarding any portion of the application.

EXHIBIT 1

**SECTION 5311 GRANT APPLICATION  
COVER SHEET & CHECKLIST**

(For the Application Period July 1, 2016 through June 30, 2017)

Application Preparer: Linda Kirkpatrick Phone No. 706-864-2358

Public Transit Coordinator: Jemal Sheppard

District/County or system name: Lumpkin County

	<u>Exhibit Number</u>
<b>PART I:</b>	
Executive Summary	<input checked="" type="checkbox"/> Exhibit 2
The Organization	<input checked="" type="checkbox"/>
The Market	<input checked="" type="checkbox"/>
The Operations	<input checked="" type="checkbox"/>
The Marketing Program	<input checked="" type="checkbox"/>
Financial Data	<input checked="" type="checkbox"/>
Insert FY17 Budget Request (Printed from RMIS)	<input checked="" type="checkbox"/> Exhibit 3
Insert Copy of June 2015 Final Reimbursement	<input checked="" type="checkbox"/>
Insert Purchase of Service Agreement (If Applicable)	<input checked="" type="checkbox"/>
Narratives - & Operating Data	<input checked="" type="checkbox"/> Exhibit 3B
Fully Allocated Cost Computation(s)	<input checked="" type="checkbox"/> Exhibit 4
Third Party Operator Agreement (Insert if Applicable)	<input checked="" type="checkbox"/> Exhibit 4A
Purchase of Service rate/contract information	<input checked="" type="checkbox"/> Exhibit 4B
<b>PART II:</b>	
1. Annual Listing of FFY15 Certification and Assurances	<input checked="" type="checkbox"/> Exhibit 5
2. Authorizing Resolution	<input checked="" type="checkbox"/> Exhibit 6
3. Private Enterprise Coordination	
a. Submit Exhibits 7A & 7B	<input checked="" type="checkbox"/> Exhibits 7A/7B
4. Charter Service:	
Certification of No Intent to Charter	<input checked="" type="checkbox"/> Exhibit 8
5. Section 5333(b) Labor Warranty	<input checked="" type="checkbox"/> Exhibit 9
6. FTA Title VI Data Collection and Recording:	
Part I. General Reporting Requirements	<input checked="" type="checkbox"/> Exhibit 10
Part II. Grantees Monitoring Procedures	<input checked="" type="checkbox"/> Exhibit 10
7. Substance Abuse Certification	<input checked="" type="checkbox"/> Exhibit 11
8. Certification of Equal Access	<input checked="" type="checkbox"/> Exhibit 12
Accessible Vehicle out of service (required)	<input checked="" type="checkbox"/> Exhibit 12B
9. Nondiscrimination Assurance	<input checked="" type="checkbox"/> Exhibit 13
Accessible Vehicle Out of Service	<input checked="" type="checkbox"/> Exhibit 13B
10. Suspension & Debarment	<input checked="" type="checkbox"/> Exhibit 14
11. DBE Semi-Annual Reporting	<input checked="" type="checkbox"/> Exhibit 15
12. E-VERIFY	<input checked="" type="checkbox"/> Exhibit 16
13. Decennial Census Status	<input checked="" type="checkbox"/> Exhibit 17
14. Meals on Wheels Exhibit	<input checked="" type="checkbox"/> Exhibit 18
15. Procurement Certification	<input checked="" type="checkbox"/> Exhibit 19
14. Appendix A- FTA FY15 Certs and Assurances	<input checked="" type="checkbox"/> Appendix A

**\*Indicate by N/A any items that are not applicable.**

Reviewed by:

\_\_\_\_\_

Public Transportation Coordinator

\_\_\_\_\_

Date

\_\_\_\_\_

Program Manager's Review

\_\_\_\_\_

Date

*New  
New*

PART ONE

Exhibit 2

EXECUTIVE SUMMARY

1. APPLICANT: Lumpkin County Board of Commissioners
2. CONTRACT CONTACT PERSON: Linda Kirkpatrick, Transit Director
3. Third-Party Operator(s) N/A  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number/Email: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number/Email: \_\_\_\_\_
4. DUNS #: 010102408  
ADDRESS & PHONE for contract mailing:  
266 Mechanicsville Rd.  
Dahlonega, GA 30533  
Email: linda.kirkpatrick@lumpkincounty.gov
5. NUMBER OF YEARS PROGRAM HAS BEEN OPERATING:  
22
6. PROGRAM OBJECTIVES STATEMENT: To provide transportation services to all citizens of Lumpkin County
7. MARKETS SERVED STATEMENT ( including Purchase of Service):
8. Lumpkin County will offer general public transportation to all citizens of Lumpkin County for any worthwhile purpose but not limited to shopping, medical treatment, social services, employment and other purposes.
9. COMMUNITY BENEFITS STATEMENT:
10. The Lumpkin County community will benefit economically and socially by offering accessible and affordable transportation to all citizens and particularly to those citizens who are transportation dependent.
11. NUMBER OF 5311 VEHICLES IN PROGRAM: 2
12. NUMBER OF VEHICLES THAT ARE ADA LIFT EQUIPPED:  
2
13. NUMBER OF TWO-WAY MOBILE RADIOS? \_\_\_\_\_
14. OTHER COMMUNICATION EQUIPMENT \_\_\_\_\_
  - a. Computer:
  - b. Software Licenses:
  - c. Bus Surveillance
  - d. Bus Tablets

- c. Bus Surveillance
- d. Bus Tablets
- e. Bus Branding
- f. Communication/2 way radios

**Procurement Note: Subrecipients must seek GDOT approval prior to capital purchases or contracting opportunities. GDOT must be provided a copy of solicitation, bidder's response and final contract.**

**Micro-purchases (under \$5,000) Price must be fair & reasonable.**

**Small purchases – (\$5,000 to \$ 24,999) provide written specification for item(s) being procured and obtain three (3) quotes for the product or service**

**Large purchases (\$ 24,999 and above – clear written specifications publicly advertised and award to lowest responsive and responsible bidder whose bid conforms to all material terms and conditions of the Request for Quote.**

15. DESCRIPTION OF CAPITAL ITEMS BEING REQUESTED (please note, any leased items with monthly charge must be place under Operations budget, not capital). **(NOTE: For the FY17 cycle, vehicle pricing has not been finalized but will be released by the Department once known. Capital budgets will be adjusted prior to Capital contracts being issued)**

NONE

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16. DESCRIPTION OF PROPOSED MARKETING EFFORTS:

Brochures will be placed in public areas such as library, medical facilities, educational facilities, health department, businesses, etc. Transportation services will be advertised in the 2015 edition of the Dahlonega-Lumpkin County Chamber & Visitors guide. Services are advertised on the Lumpkin County website. Additionally, the Transit system's name and telephone number are highly visible on the sides of the vans advertising the service.

**Exhibit 3 – Budget Request**

**TOTAL BUDGET REQUESTED**

- 1. Operating: Federal: \$ 69,994 Local: \$ 69,995
- 2. Capital: Federal: \$ 0 State: \$ \_\_\_\_\_ Local: \$ \_\_\_\_\_
- 3. **Grand Total :Federal: \$ 69,994 State: \$ 0 Local: \$ 69,995**

4. Source(s) of Local Match (name all):  
Local county source and Purchase of Service

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5. Revenue Target from Purchase of Service, i.e. DHS and/or Medicaid, etc. (anticipated):

**\$34,500**

Farebox Revenue (anticipated) :

**\$ 15,554**

Exhibit 3 (continued)

- 1.) Please insert copy of your budget request for application period FY17 and copy of June 2015 final reimbursement
- 2.) And FY16 purchase of service contract/agreement, i.e., DHS, Medicaid and/or any other revenue producing contractual or agency pay contract for which revenues will be received

Exhibit #3

RTIP Ledger Report

Operator: LUMPKIN  
 Budget Year: 2017  
 Period: From 07/01/16 To 06/30/17

Administrative Budget		Operating Budget		Capital Budget		Qty	Cost
	Cost		Cost		Cost		
1. Director Salary	20,101	16. Driver Salary	47,689	33. Standard Van	0	0	0
2. Supervisor Salary	0	17. Dispatcher Salary	24,745	34. Modified Van	0	0	0
3. Bookkeeper Salary	0	18. Mechanic Salary	0	35. Conversion Van	0	0	0
4. Secretary Salary	0	19. Fuel Expenses	13,000	36. Conversion Van / Lift	0	0	0
5. Training Expenses	1,000	20. Oil Expenses	0	37. Shuttle Van	0	0	0
6. Marketing Expenses	1,365	21. Tire Expenses	0	38. Shuttle Van / Lift	0	0	0
7. Telephone Expenses	400	22. Part Expenses	0	39. Shuttle Bus	0	0	0
8. Office Supplies	500	23. Maintenance & Repair	8,000	40. Shuttle Bus / Lift	0	0	0
9. Rental Expenses	0	24. Insurance Expenses	600	41. Mobile Radio	0	0	0
10. Standard Overhead	0	25. Drug/Alcohol Testing	600	42. Base Radio	0	0	0
11. Computer Software	2,420	26. Fringe Benefits	33,123	43. Computer Hardware	0	0	0
		27. License Expenses	0				
12. None	700	28. Uniform Expenses	700				
13. None	0	29. None	600	44. Other	0	0	0
14. None	0	30. None	0	45. Other	0	0	0
15. Other	0	31. None	0	46. Other	0	0	0
		32. Other	0	47. None	0	0	0
Total	26,486	Total	129,057	Total			0

Net Operating Summary	
Administrative Total / Ratio	26,486 17.03%
Operating Total / Ratio	129,057 82.97%
Total Operating Budget	155,543
48. LESS: Purchase of Service (POS) Revenue	0
49. LESS: Non-5311 Expenses	0
Public Transportation Budget	155,543
50. LESS: % Fare Revenue	15,554 10.00%
Net Operating Total	139,989

Budget Summary	Totals	Federal	State	Local
Operating Budget Total	139,989	69,994		69,995
Purchase of Service (POS) Local Funds	0			
Less: Excess POS Local Funds	0			
Capital Budget Total	0		0	0
<b>Budget Grand Total</b>	<b>139,989</b>	<b>69,994</b>	<b>0</b>	<b>69,995</b>

## Exhibit #3B Narratives

### **THE ORGANIZATION (narrative)**

The Lumpkin County Board of Commissioners comprises the local government responsible for setting objectives for the rural public transportation system. The local government's near-term objectives for the Section 5311 program is to improve the mobility of and quality of life for all county residents, and to best utilize the Section 5311 program by increasing utilization, maximizing revenues, and controlling costs.

The rural public transportation management team consists of Linda Kirkpatrick, Director, and Rhonda Bailey, Dispatcher/Supervisor. Transit operations are located at the Lumpkin County Senior Center of which Ms. Kirkpatrick is also the director. The Transit Director has a direct link with the County Commission. Information is readily available to Commission members.

The public transportation management team developed the near term objectives for FY 2017. The objectives of the transit system set by the Section 5311 management team are to provide reasonable and efficient transportation to all citizens of Lumpkin County regardless if they are transit dependent.

The rural public transportation service is a part of the county government, and therefore is regarded and treated as other county departments. Being a county function, the relationship and flow of information to the County Commission is direct. The county does not have a third party operator.

### **THE MARKET (narrative)**

All Lumpkin County residents have the opportunity to use the public transportation system regardless of their location in the county, financial background, age, race, etc. The market for the transit system is not geographically concentrated, but rather evenly distributed throughout the county. The target market for persons needing to use public transportation are similar in Lumpkin County as to that of other counties, and are identified as being persons who are in need of transportation due to financial and health constraints. Lumpkin County will serve target markets such as groups needing transportation including but not limited to church groups, civic clubs, recreation department participants, senior citizens, and students.

**OPERATIONS (narrative)**

The 5311 program will utilize   2   vans equipped with wheelchair lifts as listed below.

DOT Vehicle #	Description	Mileage	Condition
*3162	2010 SV/L	103,835 (9/30/15)	Good
3518	2014 SV/L	10,666 (9/30/15)	Excellent

***\*Please note that Lumpkin County is in the process of procuring a replacement SV/L for vehicle #3162 – 2010 SV/L (this vehicle was approved for SFY 2015 Capital Budget).***

The vehicles are stationed and dispatched from the Lumpkin County Senior Center, 266 Mechanicsville Rd. Dahlonega, GA 30533. Trips will be scheduled on a first come first served basis with equivalent service being available to the elderly and disabled. Charter service will not be available. Lumpkin County does not have any Purchase of Service agreements at this time; however a POS is pending with AVITA Community Partners. The POS should be finalized to run concurrent with the State fiscal year.

The vehicle operators will handle minor complaints and/or will refer complainants to the Transit management team. The Transit management team will handle major complaints.

The operating and financial data are captured through daily reports from the operators and the monthly utilization report. The Transit director and the County Finance department monitor the budget. Lumpkin County maintains a fare box revenue account.

**OPERATING PERFORMANCE FOR FY 2015 (full year statistics by vehicle)**

DOT Vehicle #	OWPT/Month	Hours/Month	Miles/Month	Miles/PT
*2934	119	73	782	.15
3162	245	118	1647	.15
**3518	76	42	471	.16

**OPERATING PERFORMANCE FOR FY 2015 (first three months)**

DOT Vehicle #	OWPT/Month	Hours/Month	Miles/Month	Miles/PT
2934	193	101	1000	.16
3162	308	130	1596	.17

**\*Surplused 3/2015    \*\*New Vehicle – placed in service 3/2015**

## **MARKETING (narrative)**

It is important that Lumpkin County program market their program. The County will identify several market areas. Groups and organizations as well as individuals needing transportation for any reason will continue to be sought out. The County may utilize word of mouth advertising, flyers, press release, websites, Public Service radio announcements, etc. The program name and telephone number will be on the sides of the vans advertising the service. Marketing efforts are expected to cost approximately \$900.00.

The stimulation of new ridership and increased revenues are the intended accomplishments of the marketing campaign. The monthly reporting/service data will reflect the effectiveness of such efforts.

Please add the county marketing efforts below:

Brochures will be placed in public areas such as library, medical facilities, educational facilities, health department, businesses, etc. Transportation services will be advertised in the Dahlonega-Lumpkin County Newcomers guide. Services are advertised on the Lumpkin County website and Facebook page. Additionally, the Transit system's name and telephone number are highly visible on the sides of the vans advertising the service.

**The link and information below is provided through the National RTAP program and is a tool for building a county website.**

<http://webbuilder.nationalrtap.org/WebAppsIntheCloud/WebsiteBuilder.aspx>

### Website Builder – Considerations

#### Planning your website

All good websites come from a good plan. Sounds redundant, but it's true. If you want to create a good website, you need a solid plan.

#### Assignment #1 - Goal Statement

Come up with a purpose for your site, or better yet, call it your Goal Statement.

Answer the following questions

1. What am I going to do with the website?
2. Who is going to access the website?
3. What kinds of information will be posted on the website?
4. How often am I going to be posting and adding information to the website?

#### Assignment #2 - Content Strategy

What kind of content will you be displaying on your website? Content is the information you display to your visitors. It can include, but is not limited to the following:

- Blog posts
- Documents (downloadable schedules, forms etc.).
- Video
- Pictures (such as in a gallery)
- Slideshows
- Embedded social media feeds (such as your Twitter stream or Facebook page updates)

Your content strategy is the way that you plan to present your content over time. For instance, you may want to publish two blog posts a month, and put out a free quarterly report for your subscribers to download four times a year. Since content is such a vital aspect of a website, ask other agency staff for help if you need it.

#### Assignment #3 – Website Structure

Decide what pages you'll be using and what features will be on each one. Most websites have an About and Contact page, but the pages you use should meet your needs. Here are some suggestions, again removing the ones that you want and add ones that I have missed:

- Home
- About Us
- Routes and Schedules
- Dial-A-Ride and ADA
- Fares and Passes
- Riding with Us
- News and Service Alerts
- Calendar
- Contact Us



**OPERATING PERFORMANCE FOR FY 2015 (full year statistics by vehicle, averages)  
July 1, 2014 through June 30, 2015**

DOT Vehicle #	OWPT/Month avg.	Hours/Month avg.	Miles/Month avg.	Miles/per passenger trip avg.
*2934	119	73	782	.15
3162	245	118	1647	.15
**3518	76	42	471	.16
<b>*2934 surplused 3/2015    **3518 New vehicle – placed in service 3/2015</b>				

**OPERATING PERFORMANCE FOR FY 2016 (first three, averages)  
July 1, 2015-September 30, 2015**

DOT Vehicle #	OWPT/Month	Hours/Month	Miles/Month	Miles/per passenger trip
3162	215	142	2091	.10
3518	260	145	1400	.19

**FINANCIAL DATA:**

**Narrative:**

Last FY 2015 (actual)		Current FY 2016 (budgeted)		Proposed FY 2017	
Fares	\$19,985	Fares	\$15,762	Fares	\$16,038
Federal	\$61,458	Federal	\$70,928	Federal	\$72,170
Local	\$61,458	Local	\$70,928	Local	\$72,170
POS	\$	POS	\$32,250	POS	\$39,000
POS	\$0	POS	\$0	POS	\$0
<b>Total</b>	<b>\$</b>	<b>Total</b>	<b>\$</b>	<b>Total</b>	<b>\$</b>

The budget for the upcoming FY 2017 application period is shown above and on the attached page labeled Budget Report, Exhibit 3. The program requests a total of \$72,170 (50%) in Federal Operating Assistance. The Local government will provide a total of \$72,170 (50%) Local match for Operating Assistance. Operations expenses are increased in FY 2017 due to adjustments of \$2,760 (total) to the following line item(s). Show as increase or (decrease):

- Line Item: Director Salary (increase)
- Line Item: Dispatcher Salary (increase)
- Line Item: Insurance (decrease)
- Line Item: Other (Communications) (decrease)
- Line Item: Fringe Benefits (increase)
- Line Item: Driver Salary (increase)
- Line Item: Telephone (decrease)
- Line Item: Uniforms (increase)

The program (if applicable) also requests a total of \$0.00 (80%) in Federal Capital Assistance, and a total of \$0.00 (10%) in State Capital Assistance. The local government will provide a total of \$0.00 (10%) local match for Capital Assistance.

**\* Please note, all budget requests are subject to review and final approval. If Federal dollars are constrained, budget may be limited to prior fiscal year request, or as determined by Department.**

The program does (\*\*see below) or does not \_\_\_ have any purchase of service contracts. County budgets a farebox revenue target based on 10% of the total administrative and operating costs. (mandatory)

**\*\* Lumpkin County does not have any Purchase of Service agreements at this time; however a POS agreement is pending with AVITA Community Partners. The POS should be finalized to run concurrent with the State fiscal year.**

EXHIBIT 4 (complete if applicable)  
 GEORGIA DEPARTMENT OF TRANSPORTATION  
 SECTION 5311  
 PURCHASE OF SERVICE (POS) COMPUTATION WORKSHEET

**Formula for computing Fully Allocated Operation Cost per One-Way Passenger Trip (OWPT)**

**Formula:**

Expense Total / Estimated System Total OWPTs for Application Period = Average Cost per OWPT

Operating Expense Total (from Administrative & Operating Budget of Exh) \$160,378

Estimated System Total OWPTs for the Application Period: 7,000

Fully Allocated Operating Cost per OWPT: \$23

**Fully Allocated Operating Cost (FAOC) Information**

**Proposed POS Contracts for the Application Period:**

Name of Agency	Estimated OWPT's	Projected Revenue	Average Cost Per Trip
1. AVITA	1,500	\$34,500	\$23
2.			#DIV/0!
3.			#DIV/0!
4.			#DIV/0!
5.			#DIV/0!
<b>Total</b>	<b>1,500</b>	<b>\$34,500</b>	<b>\$23</b>

POS Revenue Should Meet the Average FAOC: Meets

**Exhibit 4A**

**Third Party Operator Agreement**

**Please insert copy of Third Party Operator Agreement (if applicable) or indicate N/A**

**N/A**

**Exhibit 4B**

**Purchase of Service Rate Information**

**Definition:** On a per trip basis, in which the total operating budget of the sub recipient is divided by the total projected ridership, including both general public (fare-paying) riders and agency clients riding under purchase of service agreements. This average system cost is then compared to the average revenue per trip anticipated from POS agreements – if the POS revenue per trip, on average, is greater than the system average cost, then the requirement is met.

The fully allocated cost for the previous fiscal year was: \_\_\_\_\_

The fully allocated cost for the current year to date is: \$22.52

The projected fully allocated cost for the next year application is: \$23.00

If a purchase of service contract exists, what is the rate of reimbursement? Please list all types of trips and rates contracted for. Please list by category.

\*\* Lumpkin County does not have any Purchase of Service agreements at this time; however a POS agreement is pending with AVITA Community Partners. The POS should be finalized to run concurrent with the State fiscal year.

(example: Ambulatory, wheelchairs, group trips, wait times, etc.)

Ambulatory One-way rate: N/A

Wheelchair One-way rate: N/A

Group Trip rate (if applicable): N/A

Wait Time (if applicable): N/A

Attendant rate (if applicable): N/A

Please provide a copy of the Purchase of Service agreements, if existing, between Georgia Department of Human Services for human service transportation contracts and/or Medicaid subcontracts (Logisticare or Southeast Trans)

DHS Anticipated annual revenue: \$ N/A

DHS Anticipated annual OWPT trips: N/A

Medicaid anticipated annual revenue: \$ N/A

Medicaid Anticipate annual OWPT trips: N/A

## **PART II - COMPLIANCE REQUIREMENTS**

All applicants must include the FTA FFY17 certification and assurances in order to receive Federal funds for the purpose of providing rural public transportation. Also, additional regulatory requirements must be reported in order to participate in the program.

Please complete all Exhibits (Ex. 5-Ex. 17), as applicable and refer back to the List of Exhibits for additional guidance.

You may also contact your District Public Coordinator for further technical assistance.

## EXHIBIT 5

### FEDERAL FISCAL YEAR 2015 CERTS AND ASSURANCES FOR FTA ASSISTANCE PROGRAMS

Name of Applicant: Lumpkin County Board of Commissioners

The Applicant agrees to comply with applicable provisions of Groups 01 – 24.     X    

OR

The Applicant agrees to comply with applicable provisions of the Groups it has selected: Group	Description	
01. (same as FY16)	Required Certifications and Assurances for Each Applicant.	_____
02. (same as FY16)	Lobbying.	_____
03. (#4 in FY16)	Procurement and Procurement Systems.	_____
04. (#3 in FY16)	Private Sector Protections.	_____
05. (same as in FY16)	Rolling Stock Reviews and Bus Testing.	_____
06. (same as in FY16)	Demand Responsive Service.	_____
07. (same as in FY16)	Intelligent Transportation Systems.	_____
08. (new for SFY16)	Interest and Financing Costs and Acquisition of Capital Assets by Lease.	_____
09. (#8 in FY16)	Transit Asset Management Plan and Public Transportation Agency Safety Plan.	_____
10. (#9 in FY16)	Alcohol and Controlled Substances Testing.	_____
11. (#10 in FY16)	Fixed Guideway Capital Investment Grants Program (New Starts, Small Starts, and Core Capacity) and Capital Investment Program in Effect before MAP-21 Became Effective.	_____
12. (#11 in FY16)	State of Good Repair Program.	_____
13. (#10 in FY16)	Fixed Guideway Modernization Grant Program.	_____
14. (#13 in FY16)	Bus and Bus Facilities Formula Grants Program and Bus and Bus-Related Equipment and Facilities Grant Program (Discretionary).	_____
15. (new for SFY16)	Urbanized Area Formula Grants Programs/ Passenger Ferry Grants Program/Job Access and Reverse Commute (JARC) Formula Grant Program.	_____
16. (new for SFY16)	Seniors/Elderly/Individuals with Disabilities Programs/New Freedom Program.	_____
17. (#14 for FY16)	Rural/Other Than Urbanized Areas/Appalachian Development/Over-the-Road Bus Accessibility Programs.	_____
18. (#15 for FY16)	Tribal Transit Programs (Public Transportation on Indian Reservations Programs).	_____
19. (new for SFY16)	Low or No Emission/Clean Fuels Grant Programs.	_____
20. (new for SFY16)	Paul S. Sarbanes Transit in Parks Program.	_____
21. (#20 for FY16)	State Safety Oversight Grant Program.	_____
22. (#21 for FY16)	Public Transportation Emergency Relief Program.	_____

23. (New for FY16)

Expedited Project Delivery Pilot  
Program.

\_\_\_\_\_

24. (#23 for FY16)

Infrastructure Finance Programs.

\_\_\_\_\_

EXHIBIT 5 (Page Two)

FTA FISCAL YEAR 2017 CERTIFICATIONS AND ASSURANCES

**FEDERAL FISCAL YEAR 2017 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE**  
(Required of all Applicants for FTA funding and all FTA Grantees with an active Capital or Formula Project)

AFFIRMATION OF APPLICANT

Name of Applicant: **Lumpkin County Board of Commissioners**

**Chris Dockery, Chairman, Lumpkin County Board of Commissioners**

\_\_\_\_\_  
Name and Relationship of Authorized Representative:

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these Certifications and Assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all Federal statutes and regulations, and follow applicable Federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its authorized representative makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2016, irrespective of whether the individual that acted on its Applicant's behalf continues to represent the Applicant.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply, as provided, to each Project for which the Applicant seeks now, or may later seek FTA funding during Federal Fiscal Year 2016.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 et seq., and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute.

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

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

Name **Chris Dockery, Chairman, Lumpkin County Board of Commissioners**  
Authorized Representative of Applicant

## EXHIBIT 6

(Page 1 of 2)

### AUTHORIZING RESOLUTION

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION AND THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR A GRANT FOR PUBLIC TRANSPORTATION ASSISTANCE UNDER SECTION 5311 OF THE FEDERAL TRANSIT LAWS UNDER CHAPTER 53 OF TITLE 49 OF THE UNITED STATES CODE.**

**WHEREAS**, the Federal Transit Administration and the Georgia Department of Transportation are authorized to make grant to non-urbanized areas for mass transportation projects; and

**WHEREAS**, the contract for financial assistance will impose certain obligations upon applicant, including the provision by it of the local share of project costs; and

**WHEREAS**, it is required by the United States Department of Transportation and the Georgia Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Federal Transit Act, the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and under the United States Department of Transportation requirements thereunder; and

**NOW THEREFORE, BE IT RESOLVED BY Lumpkin County Board of Commissioners, hereinafter referred to as the "APPLICANT",**

1. That the Chairman hereinafter referred to as the "Official is authorized to execute and file an application on the behalf of the Applicant, a City/County government, with the Georgia Department of Transportation to aid in the financing of public transportation assistance pursuant to Section 5311 of the Federal Transit Act."
2. That the Official is authorized to execute and file such application and assurances or any other document required by the U.S. Department of Transportation and the Georgia Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.
3. That the Official is authorized to execute and file all other standard assurances or any other document required by the Georgia Department of Transportation or the U.S. Department of Transportation in connection with the application for public transportation assistance.
4. That the Official is authorized to furnish such additional information as the U.S. Department of Transportation or the Georgia Department of Transportation may require in connection with the application of the project.
5. That the Official is authorized to execute grant contract agreements on behalf of the Applicant with the Georgia Department of Transportation in connection with the application for public transportation assistance.
6. That the applicant while making application to or receiving grants from the Federal Transit Administration will comply with FTA Circular 9040.1G, FTA Certifications and Assurances for Federal Assistance 2015 as listed in Appendix A of this application and General Operating Guidelines as illustrated in Georgia State Management Plan and Administrative Guide for Rural Public Transportation Programs.
7. That the Applicant has or will have available in the General Fund the required non-federal funds to meet local share requirements.

APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Authorized Official

Chris Dockery, Chairman, Lumpkin County Board of Commissioners

Signed, sealed and delivered this \_\_\_\_\_ day of \_\_\_\_\_, 2015 in the presence of

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Notary Public/Notary Seal

**CERTIFICATE**

The undersigned duly qualified and acting County Clerk of Lumpkin County  
(Title of Certifying/Attesting Official)(Applicant's Legal Name) certifies that the  
foregoing is a true and correct copy of a resolution adopted at a legally convened meeting held on

\_\_\_\_\_, 2015.

Kathleen Walker

Name of Certifying/Attesting Officer

County Seal

County Clerk

Title of Certifying/Attesting Officer

**EXHIBIT 7A**

**PRIVATE ENTERPRISE COORDINATION CERTIFICATION**

**List of private providers operating in the service area:**

Paddy's Taxi and Courier Service, Inc.

Crown Mountain Limo & Group Transportation

Mama's Taxi Service

**Date Notified:** October 7, 2015

**Attach Notice and Affidavit from newspaper or letter sent to private providers. (Non-Display, Public Notice, or Legal Ad in county legal organ)**

**Last Day to Respond:** October 22, 2015

**Lumpkin County** will annually review existing service and any proposed service changes to determine the feasibility of private providers providing the public service. An annual review will be scheduled and a review format will be developed to carry out this task. Private providers will be notified and their interest in the service provision will be assessed. Private providers will be invited to attend and be a part of the annual review process.

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

\_\_\_\_\_  
**Signature of Authorized Officer**

**Chris Dockery, Chairman, Lumpkin County Board of Commissioners**  
**Name and Title of Authorized Officer**

Affidavit of Publication

To be inserted

before application submission

Exhibit 7B

EXHIBIT 7B

NOTICE OF OPPORTUNITY FOR A PUBLIC HEARING  
PRIVATE ENTERPRISE COORDINATION  
RURAL PUBLIC TRANSPORTATION PROGRAM

Lumpkin County is applying for funding assistance under Title 49 U.S.C. Section 5311 of the Federal Transit Act pertaining to rural and small urban areas.

The Lumpkin County will offer general public transportation to all citizens of Lumpkin County for any worthwhile purpose, including but not limited to shopping, medical treatment, social services and other purposes.

The Lumpkin County solicits private sector input and participation to assure that private for-profit transportation operators have a fair and timely opportunity to participate in the development of this program.

The Lumpkin County also solicits comments and concerns from the general population on local rural public transportation services.

The Lumpkin County also solicits comments and concerns from the disabled population and their representatives to assure that issues relating to the disabled are addressed in the service design proposed during the planning process.

Interested persons are invited to request that a public hearing be held to discuss the services being offered or development of the application.

Written comments, requests for a public hearing and/or written notice of intent by private for-profit transportation operators to provide or participate in any and all of the above services should be submitted no later than fifteen (15) days from the date of this publication to:

Chris Dockery, Chairman BOC  
99 Courthouse Hill, Suite H  
Dahlonega, Georgia 30533  
706-864-3742

If no response is received within the fifteen (15) days, the Department of Transportation will proceed with the application.

**EXHIBIT 8**

**CERTIFICATION OF NO INTENT TO CHARTER SERVICE**

**Lumpkin County Board of Commissioners** certifies that it does not intend to and will not provide charter service with FTA funded equipment and facilities or provide any exclusive service during the operating period of this application. Should the Applicant decide to provide charter service under the only exception allowed by Georgia Department of Transportation (conveyance of government officials), the Applicant **MUST** notify Georgia Department of Transportation and Federal Transit Administration in writing of such services.

The applicant also certifies that conveyance of government officials shall not exceed **80 hours in a given year** and such services must also be reported using Federal Transit Administration's TEAM module.

DATE: \_\_\_\_\_

**Chris Dockery, Chairman, Lumpkin County Board of Commissioners**  
Signature of Authorized Officer

\_\_\_\_\_  
Name and Title of Authorized Officer

**SPECIAL SECTION 5333(b) WARRANTY FOR**  
**APPLICATION TO THE SMALL URBAN AND RURAL PROGRAM**

The following language shall be made part of the contract of assistance with the State or other public body charged with allocation and administration of funds provided under Title 49 U.S.C. Section 5311:

**A. General application**

The Public Body Georgia DOT agrees that, in the absence of waiver by the Department of Labor, the terms and conditions of this warranty, as set forth below, shall apply for the protection of the transportation related employees of any employer providing transportation services assisted by the Project LUMPKIN COUNTY TRANSIT and the transportation related employees of any other surface public transportation providers in the transportation service area of the Project.

The Public Body shall provide to the Department of Labor and maintain at all times during the Project an accurate, up-to-date listing of all existing transportation providers which are eligible Recipients of transportation assistance funded by the Project, in the transportation service area of the Project, and any labor organizations representing the employees of such providers.

Certification by the Public Body to the Department of Labor that the designated Recipients have indicated in writing acceptance of the terms and conditions of the warranty arrangement will be sufficient to permit the flow of Section 5311 funding in the absence of a finding of non-compliance by the Department of Labor.

**B. Standard Terms and Conditions**

(1) The Project shall be carried out in such a manner and upon such terms and conditions as will not adversely affect employees of the Recipient and of any other surface public transportation provider in the transportation service area of the Project. It shall be an obligation of the recipient and any other legally responsible party designated by the Public body to assure that any and all transportation services assisted by the Project are contracted for and operated in such a manner that they do not impair the rights and interests of affected employees. The term "Project," as used herein, shall not be limited to the particular facility, service or operation assisted by Federal funds, but shall include any changes, whether organizational, or otherwise, which are a result of the assistance provided. The phrase "as a result of the Project," shall when used in this arrangement, include events related to the Project occurring in anticipation of, during, and subsequent to the Project and any program of efficiencies or economies related thereto; provided, however, that volume rises and falls of business, or changes in volume and character of employment brought about by causes other than the Project (including any economies or efficiencies unrelated to the Project) are not within the purview of this arrangement.

An employee covered by this arrangement, who is not dismissed, displaced or otherwise worsened in his position with regard to his employment as a result of the Project, but who

## EXHIBIT 9 (continued)

(Page 2 of 6)

is dismissed, displaced or otherwise worsened solely because of the total or partial termination of the Project, discontinuance of Project services, or exhaustion of Project funding shall not be deemed eligible for a dismissal or displacement allowance within the meaning of paragraphs (6) and (9) of the Model agreement or applicable provisions of substitute comparable arrangements.

(2)(a) Where employees of a Recipient are represented for collective bargaining purposes, all Project services provided by that Recipient shall be provided under and in accordance with any collective bargaining agreement applicable to such employees which is then in effect.

(2)(b) The Recipient or legally responsible party shall provide to all affected employees sixty (60) days' notice of intended actions which may result in displacements or dismissals or rearrangements of the working forces. In the case of employees represented by a union, such notice shall be provided by certified mail through their representatives. The notice shall contain a full and adequate statement of the proposed changes, and an estimate of the number of employees affected by the intended changes, and the number and classifications of any jobs in the Recipient's employment available to be filled by such affected employees.

(2)(c) The procedures of this subparagraph shall apply to cases where notices involve employees represented by a union for collective bargaining purposes. At the request of either the Recipient or the representatives of such employees negotiations for the purposes of reaching agreement with respect to the applications of the terms and conditions of this arrangement shall commence immediately. If no agreement is reached within twenty (20) days from the commencement of negotiations, any party to the dispute may submit the matter to dispute settlement procedures in accordance with paragraph (4) of this warranty. The foregoing procedures shall be complied with and carried out prior to the institution of the intended action.

(3) For the purpose of providing the statutory required protections including those specifically mandated by 49 U.S.C. Section 5333(b)<sup>1</sup>, the public body will assure as a condition of the release of funds that the Recipient agrees to be bound by the terms and conditions of the National (Model) Section 5333(b) Agreement executed July 23, 1975, identified below<sup>2</sup>, provided that other comparable arrangements may be substituted therefore, if approved by the Secretary of Labor and certified for inclusion in these conditions.

<sup>1</sup>Such protective arrangements shall include, without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective bargaining agreements or otherwise; (2) the continuation of collective bargaining rights; (3) the protection of individual employees against a worsening of their positions with respect to their employment; (4) assurances of employment to employees of acquired mass transportation systems and priority of reemployment of employees terminated or laid off; and (5) paid training and retraining programs. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employment which shall in no event provide benefits less than those established pursuant to 49 U.S.C. Section 11347 [the codified citation of Section 5(2)(f) of the Act of February 4, 1987 (24 Stat. 379), as amended]. <sup>2</sup>For purposes of this warranty agreement, paragraphs (1);(2);(5);(15);(22);(23);(24);(26)(27);(28); and (29) of the Model Section 5333(b) Agreement, executed July 23, 1975 are to be omitted.

## EXHIBIT 9 (continued)

(Page 3 of 6)

(4) Any dispute or controversy arising regarding the application, interpretation, or enforcement of any of the provisions of this arrangement which cannot be settled by and between the parties at interest within thirty (30) days after the dispute or controversy first arises, may be referred by any such party to any final and binding disputes settlement procedure acceptable to the parties, or in the event they cannot agree upon such procedure, to the Department of Labor or an impartial third party designated by the Department of Labor for final and binding determination. The compensation and expenses of the impartial third party, and any other jointly incurred expenses, shall be borne equally by the parties to the proceeding and all other expenses shall be paid by the party incurring them.

In the event of any dispute as to whether or not a particular employee was affected by the Project, it shall be his obligation to identify the Project and specify the pertinent facts of the Project relied upon. It shall then be the burden of either the Recipient or other party legally responsible for the application of these conditions to prove that factors other than the Project affected the employees. The claiming employee shall prevail if it is established that the Project had an effect upon the employee even if other factors may also have affected the employee.

(5) The Recipient or other legally responsible party designated by the Public Body will be financially responsible for the application of these conditions and will make the necessary arrangements so that any employee covered by these arrangements, or the union representative of such employee, may file claim of violation of these arrangements with the Recipient within sixty (60) days of the date he is terminated or laid off as a result of the Project, or within eighteen (18) months of the date his position with respect to his employment is otherwise worsened as a result of the Project. In the latter case, if the events giving rise to the claim have occurred over an extended period, the 18-month limitation shall be measured from the last such event. No benefits shall be payable for any period prior to six (6) months from the date of the filing of any claim.

(6) Nothing in this arrangement shall be construed as depriving any employee of any rights or benefits which such employee may have under existing employment or collective bargaining agreements, nor shall this arrangement be deemed a waiver of any rights or any union or of any represented employee derived from any other agreement or provision of federal, state or local law.

(5) In the event any employee covered by these arrangements is terminated or laid off as a result of the Project, he shall be granted priority of employment or reemployment to fill any vacant position within the control of the Recipient for which he is, or by training or retraining within a reasonable period, can become qualified. In the event training or retraining is required by such employment or reemployment, the Recipient or other legally responsible party designated by the Public Body shall provide or provide for such training or retraining at no cost to the employee. The Recipient will post, in a prominent and accessible place, a notice stating that the Recipient has received federal assistance under 49 U.S.C. Chapter 53 and has agreed to comply with the provisions of 49 U.S.C. Section 5333(b). This notice shall also specify the terms and conditions set forth herein for the protection of employees.

- (6) Recipient shall maintain and keep on file all relevant books and records in sufficient detail as to provide the basic information necessary to the proper application, administration, and enforcement of these arrangements and to the proper determination of any claims arising thereunder.
- (7) Any labor organization which is the collective bargaining representative of employees covered by these arrangements may become a party to these arrangements by serving written notice of its desire to do so upon the recipient and the Department of Labor. In the event of any disagreement that such labor organization represents covered employees, or is otherwise eligible to become a party to these arrangements, as applied to the Project, the dispute as to whether such organization shall participate shall be determined by the Secretary of Labor.
- (8) In the event the Project is approved for assistance under 49 U.S.C. Chapter 53, the foregoing terms and conditions shall be made part of the contract of assistance between the federal government and the Public Body or Recipient of federal funds, provided, however, that this arrangement shall not merge into the contract of assistance, but shall be independently binding and enforceable by and upon the parties thereto, and by any covered employee or his representative, in accordance with its terms, nor shall any other employee protective agreement merge into this arrangement, but each shall be independently binding and enforceable by and upon the parties thereto, in accordance with its terms.

**C. Waiver**

As part of the grant approval process, either the Recipient or other legally responsible party designated by the Public Body may in writing seek from the Secretary of Labor a waiver of the statutory required protections. The Secretary will waive these protections in cases, where at the time of the requested waiver, the Secretary determines that there are no employees of the Recipient or of any other surface public transportation providers in the transportation service area who could be potentially affected by the Project. A 30-day notice of proposed waiver will be given by the Department of Labor and in the absence of timely objection; the waiver will become final at the end of the 30-day notice period. In the event of timely objection, the Department of Labor will review the matter and determine whether a waiver shall be granted. In the absence of waiver, these protections shall apply to the Project.

**D. Acceptance**

The Lumpkin County Board of Commissioners does hereby adopt and accept all terms and conditions of this Special Section 5333(b) Warranty. Furthermore, the Lumpkin County Board of Commissioners assures that this agreement will be in force during the contractual period with the Georgia Department of Transportation for assistance under Section 5311 of the Federal Transit Act.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Authorized Officer

Chris Dockery, Chairman, Lumpkin County Board of Commissioners

Title of Authorized Officer

**Listing of Recipients, Project Description, Eligible Surface Public Transportation Providers and Labor Representation**

<b>Project Description</b> (listing of capital equipment, type of service provided)*	<b>Recipients</b> Identify applicant of transportation assistance (legal entity) and the actual provider of the service	<b>Other Surface Public Transportation Providers (include taxis)</b>	<b>Union Representation of Employees, If Any</b>
<b>Demand Response Public Transportation</b>  1 each – 2010 and 2014 Shuttle Van with Lift	<b>Lumpkin County, GA</b>  Service provided by Lumpkin County Transit	None	N/A

Area Served by this project: Lumpkin County, Georgia

EXHIBIT 10

FTA TITLE VI DATA COLLECTION AND REPORTING

LUMPKIN COUNTY SECTION 5311 PROGRAM

PART I - GENERAL REPORTING

- A. No lawsuits or complaints have been filed against the Lumpkin County Section 5311 program.
- B. The Lumpkin County Section 5311 program has not applied for any other Federal Financial Assistance.
- C. No Civil Rights Compliance Review Activity has been conducted in the last three years.

\_\_\_\_\_  
Chris Dockery, Chairman, Lumpkin County Board of Commissioners  
 (Authorized Signature City/County)

**PART II - MONITORING PROCEDURES – GDOT requires the following monthly reporting in order to meet FTA National Transit Database requirements. Accurate completion of the following information is critical to continued 5311 grant eligibility. Sub recipients must provide this data monthly on the established Rural Monthly Reporting Form and send to their District Public Coordinator. Please seek technical assistance from your public transit coordinator, if you have any questions regarding the definitions or completion of this data.**

Level of Service – Overview<sup>1</sup>

Total County Population(s) of last census (if Regional system, include all participating counties:

**Lumpkin County 29,966**

Additional Counties: \_\_\_\_\_, \_\_\_\_\_,  
 \_\_\_\_\_, \_\_\_\_\_,  
 \_\_\_\_\_, \_\_\_\_\_,  
 \_\_\_\_\_, \_\_\_\_\_,  
 \_\_\_\_\_, \_\_\_\_\_,

Minority Percentage: **5%**

Additional Counties:  
 \_\_\_\_\_, \_\_\_\_\_,  
 \_\_\_\_\_, \_\_\_\_\_,  
 \_\_\_\_\_, \_\_\_\_\_,  
 \_\_\_\_\_, \_\_\_\_\_,

<sup>1</sup> Population Data from US Census Data for 2010 Source "<http://venus.census.gov/cdrom/lookup>"



Type of Service: Combination of Demand Response and Fixed Route Operation, if existent.

Days/Hours of Operation:	<u>Monday thru Friday 8:00am – 4:00pm</u>
Number of Vehicles:	2
Wheelchair Equipped:	2
Total Seating Capacity:	20
Service Area:	All areas within Lumpkin County

Performance<sup>2</sup>

Total number of trips for an average month: 440

Total number of trips to minorities: 138

Percentage minority trips to total trips: 2.7%

Based on a review of all State, Federal, Civil Rights and Title VI mandates and requirements **Lumpkin County Transit** has met (or exceeded) expectations. The **Lumpkin County Transit** County Section 5311 Program has met most of the Department’s Service Goals and Standards as well as the County’s Service Goals and Standards. The passenger per mile ratio is high/low/avg. (as outlined below) on some vehicles, but routes and schedules are reviewed regularly to address this operational service goal.

Quality of Service<sup>3</sup>

Total number of trips for month 440

Total number of minorities One-way-passenger trips (OWPT) 138

Trips by trip purpose	
Medical	624
Employment	654
Nutrition	13
Social/Recreational	1
Education	1,172
Shopping/Personal	2,807
Trips (minorities)	
White	5,139
Hispanic	3
American Indian	0
Asian/Pacific Island	100
Other	38

Monthly averages for 2015 fiscal year using the Rural Monthly Reporting Form data

Transit Cost Analysis

**Cost per hour**

\$3.33

(formula: Using FY14 Final reimbursement total expenses/total system hours)

**Cost per OWPT**

\$19.15

(formula: Using FY14 Final reimbursement total expenses/total system trips)

**Cost per mile**

\$3.17

(formula: Using FY14 Final reimbursement total expenses/total system miles)

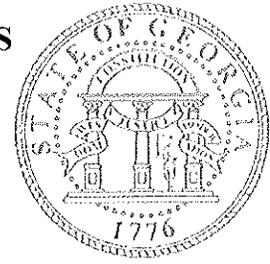


## LUMPKIN COUNTY BOARD OF COMMISSIONERS

Doug Sherrill  
District 1  
  
Steve Shaw  
District 2

Chris Dockery  
Chairman

Rhett Stringer  
District 3  
  
Bob Pullen  
District 4



### EXHIBIT 11

(Part 1)

### Anti-Drug Program Certification

(Alcohol Misuse and Prohibited Drug Use)

**I, Chris Dockery, Chairman, Lumpkin County Board of Commissioners, certify that LUMPKIN COUNTY and its contractors, as required, for the Section 5311 Rural Public Transportation Program, has established and implemented an alcohol misuse prevention program and anti-drug abuse program in accordance with the terms of 49 CFR Part 40 & Part 655.**

I further certify that the employee training conducted under this part meets the requirements of 49 CFR, Part 40 and Part 655.

---

*(Signature of Official)*

---

*(Date)*

**EXHIBIT 11 (Part 2 – Conditions)**  
**DRUG-FREE WORKPLACE ACT CERTIFICATION FOR A**  
**PUBLIC OR PRIVATE ENTITY**

1. The **Lumpkin County Board of Commissioners** certifies that it will provide a drug-free workplace as specified in U.S. Department of Transportation's (DOT) rule, 49 CFR Part 40 and 655, which describes required procedures for conducting workplace drug and alcohol testing for FTA programs.

- A) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- B) Establishing an ongoing drug-free awareness program to inform employees about: The dangers of drug abuse in the workplace;  
The Applicant's policy of maintaining a drug-free workplace;  
Any available drug counseling, rehabilitation, and employee assistance programs; and, the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- C) Making it a requirement that each employee to be engaged in the performance of the grant or cooperative agreement be given a copy of the statement required by paragraph (A);
- D) Notifying the employee in the statement required by paragraph (A) that, as a condition of employment under the grant or cooperative agreement, the employee will:  
  
Abide by the terms of the statement; and  
  
Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- E) Notifying the Federal agency in writing, within ten calendar days after receiving notice under subparagraph (D) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every project officer or other designee on whose project activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification numbers(s) of each affected grant or cooperative agreement;
- F) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (D) (2), with respect to any employee who is so convicted;  
  
Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or  
  
Requiring such employee to participate satisfactorily in a drug abuse assistance or

rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency; and

G) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (A), (B), (C), (D), (E), and (F).

2. The Applicant's headquarters is located at the following address. The addresses of all workplaces maintained by the Applicant are provided on an accompanying list.

Name of Applicant: Lumpkin County Board of Commissioners  
Address: 99 Courthouse Hill  
City: County: State: Dahlonega, Lumpkin, Georgia  
Zip Code: 30533

**Lumpkin County Board of Commissioners**

\_\_\_\_\_  
Signature of Authorized Official  
Chairman, Lumpkin County Board of Commissioners

\_\_\_\_\_  
Name of Applicant

\_\_\_\_\_  
Title of Authorized Official

\_\_\_\_\_  
Date

**EXHIBIT 12 NOT APPLICABLE**

**CERTIFICATION OF EQUAL ACCESS FOR PERSONS WITH DISABILITIES**

**(Required only if requesting capital for purchase of vehicle without access features required in 49 CFR part 38)**

I hereby certify that when viewed in its entirety, the demand-responsive transportation program of \_\_\_\_\_ provides disabled persons with access equal to that afforded to any other persons in terms of the following criteria:

1. Response time,
2. Fares (demand response system cannot charge higher fare for wheelchair boarding),
3. Geographic area of service,
4. Hours and days of service,
5. Restrictions based on trip purpose,
6. Availability of information and reservations capabilities, and
7. Constraints on capacity or service availability.

Certified this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_ .

---

(Signature)

---

(Typed/Printed Name)

---

(Title)

(Helpful link: <http://webbuilder.nationalrtap.org/adatoolkit/ADAToolkit.aspx> )

**EXHIBIT 12 (continued) NOT APPLICABLE**

Please complete the following ADA Equivalency Analysis for Demand-Responsive Public Transportation form and submit it with the application **only if requesting purchase of a vehicle that is not equipped** with the access features required in 49 CFR Part 38, and include as part of the Certification of Equal Access for Persons with Disabilities.

ADA EQUIVALENCY ANALYSIS FOR DEMAND-RESPONSIVE

**PUBLIC TRANSPORTATION**

Under GDOT policy, all grantees must have at least one lift-equipped vehicle (a vehicle that has all the required access features), and must have a sufficient number to offer equivalent service to persons with disabilities (50% of fleet + 1), when the program is viewed in its entirety, based on the criteria shown below. No non-accessible vehicles can be ordered unless the system is providing equivalent service for each of the criteria.

**Vehicle Accessibility Status:**

- 1) Total Current Section 5311 Demand-Responsive Fleet: \_\_\_\_\_ vehicles
- 2) Total Current Section 5311 Demand-Responsive accessible (lift-equipped): \_\_\_\_\_ vehicles
- 3) Total Section 5311 vehicles requested in this grant application:
  - (a) \_\_\_\_\_ Accessible Vehicles
  - (b) \_\_\_\_\_ Non-Accessible Vehicles
- 4) Total Projected Fleet at end of this Application Period:
  - (a) \_\_\_\_\_ Accessible Vehicles
  - (b) \_\_\_\_\_ Non-Accessible Vehicles

If the answer to question 3(b) is greater than zero, the applicant must complete all cells in this matrix:

Criteria	For Persons Without Disabilities	For Persons with Disabilities Requiring an Accessible Vehicle
Response Time (days or hours in advance that a trip must be scheduled):		
Fares: General Public fares		Note: cannot charge higher fare for demand response system; only if running complementary para-transit system for fixed route service
Geographic area of service availability:		

Criteria	For Persons Without Disabilities	For Persons with Disabilities Requiring an Accessible Vehicle
Hours and days of service availability:		
Trip or usage restrictions based on trip purpose:		
Availability of information and reservations capabilities:		
Any constraints on capacity or service availability:		

If there are any differences in the answers between the two answer columns, please explain:

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Are there any requests for service that would require a wheelchair lift that you are presently unable to meet? If yes, please describe in terms of number, frequency, characteristics (trip purpose, location, etc.)

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Do these unmet trip requests differ in type or kind from unmet trip requests by persons who do not need an accessible vehicle?

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If there are any differences in the service characteristics for persons with and without disabilities, or if there are unmet requests for accessible demand-responsive service, the system should request lift-equipped, fully accessible vehicles until fully equivalent service can be provided.



**Exhibit 13**

**FEDERAL TRANSIT ADMINISTRATION CIVIL RIGHTS ASSURANCE  
Non-discrimination Assurance**

The **Lumpkin County Board of Commissioners** HEREBY CERTIFIES THAT, as a condition to receiving Federal financial assistance under the Federal Transit Act it will ensure that:

1. No person on the basis of race, color, or national origin, will be subjected to discrimination in the level and quality of transportation services and transit related benefits.
2. The **Lumpkin County Board of Commissioners** will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1B and in compliance with the Department of Transportation’s Title VI regulation, 49 CFR Part 21.7(a).
3. The **Lumpkin County Board of Commissioners** will make it known to the public that those persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

The person whose signature appears below is authorized to sign this assurance on behalf of the recipient.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Signature of Authorized Officer

Chris Dockery, Chairman, Lumpkin County Board of Commissioners  
\_\_\_\_\_  
Name and Title of Authorized Officer

## Specifics of FTA Civil Rights Assurance (Ex. 13, continued)

### (Non-DISCRIMINATION ASSURANCE)

The Applicant/Recipient assures that it will comply with the following laws and regulations so that no person in the United States will be denied the benefits of, or otherwise be subjected to discrimination in any U.S. DOT or FTA funded program or activity (particularly in the level and quality of transportation services and transportation-related benefits on the basis of race, color, national origin, religion, sex, disability, or age:

- ✓ Federal transit laws, specifically 49 U.S.C. 5332, as amended by MAP-21 (prohibiting discrimination on the basis of race, color, religion, national origin, sex, disability, or age, and in employment or business opportunity),
- ✓ Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d,
- ✓ The Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, *et seq.*,
- ✓ The Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 *et seq.*,
- ✓ U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964," 49 CFR part 21.7(a),
- ✓ U.S. DOT regulations, specifically 49 CFR parts 27, 37, 38, and 39, and
- ✓ Any other applicable Federal statutes that may be signed into law or Federal regulations that may be promulgated,

As required by 49 CFR 21.7:

1. It will comply with Federal guidance implementing Federal nondiscrimination laws and regulations, except to the extent FTA determines otherwise in writing,
2. It will comply with 49 U.S.C. 5332, as amended by MAP-21, 42 U.S.C. 2000d, and 49 CFR Part 21 in the manner it conducts each Project, undertakes property acquisitions, and operates its Project facilities, including: its entire facilities and its facilities operated in connection with its Project. This assurance applies to your Applicant/Recipient's entire Project and to all parts of its facilities, including the facilities it operates to implement its Project,
3. It will promptly take the necessary actions to carry out this assurance, including: notifying the public that discrimination complaints about transportation-related services or benefits may be filed with U.S. DOT or FTA, and submitting information about its compliance with these provisions to U.S. DOT or FTA upon their request,
4. If it transfers FTA funded real property, structures, or improvements to another party, any deeds and instruments recording that transfer will contain a covenant running with the land assuring nondiscrimination: (1) while the property is used for the purpose that the Federal funding is extended, and (2) while the property is used for another purpose involving the provision of similar services or benefits,
5. It will make any changes in its Title VI implementing procedures as U.S. DOT or FTA may request to comply with Title VI of the Civil Rights Act, 42 U.S.C. 2000d, U.S. DOT regulations, 49 CFR part 21, and Federal transit laws, 49 U.S.C. 5332, as amended by MAP-21,
6. It will comply with Federal guidance issued to implement Federal nondiscrimination requirements, except as FTA determines otherwise in writing,
7. It will extend the requirements of 49 U.S.C. 5332, as amended by MAP-21, 42 U.S.C. 2000d, and 49 CFR part 21 to each Third Party Participant, including: (1) Any Subrecipient, (2) Any Transferee, (3) Any Third Party Contractor or Subcontractor at any tier, (4) Any Successor in Interest, (5) Any Lessee, or (6) Any other Third Party Participant in its Project,
8. It will include adequate provisions to extend the requirements of 49 U.S.C. 5332, as amended by MAP-21, 42 U.S.C. 2000d, and 49 CFR part 21 to each third party agreement, including: (1) Each subagreement, (2) Each property transfer agreement, (3) Each third party contract or subcontract at any tier, (4) Each lease, or (5) Each participation agreement, and

As required by U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," 49 CFR part 27, specifically 49 CFR 27.9, and consistent with 49 U.S.C. 5307(c)(1)(D)(iii), as amended by MAP-21, the Applicant/Recipient assures that:

1. It will comply with the following prohibitions against discrimination on the basis of disability, which are a condition of approval or extension of any FTA funding awarded to: (1) Construct any facility, (2) Obtain any rolling stock or other

equipment, (3) Undertake studies, (4) Conduct research, or (5) Participate in or obtain any benefit from any FTA administered program, and

2. In any program or activity receiving or benefiting from Federal funding that U.S. DOT administers, no otherwise qualified people with a disability will, because of their disability, be: (1) Excluded from participation, (2) Denied benefits, or (3) Otherwise subjected to discrimination.

The United States has a right to seek judicial enforcement of any matter arising under Title VI of the Civil Rights Act, 42 U.S.C. 2000d, U.S. DOT regulations, 49 CFR part 21, and this assurance.

The assurances made will remain in effect as long as: (1) Federal funding is extended to your Project, (2) Project property is used for a purpose for which the Federal funding is extended, (3) Project property is used for a purpose involving the provision of similar services or benefits, or (4) Ownership or possession is retained of its Project property.

## EXHIBIT 14

### SUSPENSION AND DEBARMENT

*An Applicant/Recipient that submits, or intends to submit this fiscal year, an application or request for federal funding exceeding \$25,000 must provide the following certification.*

U.S. DOT regulations, "Non-procurement Suspension and Debarment," 2 CFR part 1200, which adopts and supplements the provisions of U.S. Office of Management and Budget (U.S. OMB) "Guidelines to Agencies on Government-wide Debarment and Suspension (Non-procurement)," 2 CFR part 180, permit certifications to assure the Applicant/Recipient acknowledges that:

The Applicant/Recipient certifies to the best of its knowledge and belief that, it, its principals, and first tier sub-recipients:

- a. Are eligible to participate in covered transactions of any Federal department or agency and are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded, or disqualified.
- b. Have not within a three-year period preceding its latest application or proposal been convicted of or had a civil judgment rendered against any of them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction, or contract under a public transaction, violation of any Federal or State antitrust statute, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making any false statement, or receiving stolen property.
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses listed in the preceding Section 'a' of this certification.
- d. Have not had one or more public transactions (Federal, State, or local) terminated for cause or default within a three-year period preceding this certification.
- e. Will promptly provide any information to the FTA if at a later time any information contradicts the statements of subparagraphs above, and
- f. Will treat each lower tier contract or lower tier subcontract under the Project as a covered lower tier contract for purposes of 2 CFR part 1200 and 2 CFR part 180 if it equals or exceeds \$25,000, is for audit services, or requires the consent of a Federal official.
- g. Will require that each covered lower tier contractor and subcontractor comply and facilitate compliance with the Federal requirements of 2 CFR parts 180 1200, and assure that each lower tier participant in the Project is not presently declared by any Federal department or agency to be:
  - ✓ Debarred from participation in the federally funded project,
  - ✓ Suspended from participation in the federally funded project,
  - ✓ Proposed for debarment from participation in the federally funded project,
  - ✓ Declared ineligible to participate in the federally funded project,
  - ✓ Voluntarily excluded from participation in the federally funded project, or
  - ✓ Disqualified from participation in the federally funded Project.

The Applicant/Recipient will promptly provide a written explanation to GDOT if it or any of its principals, including any of its first tier sub-recipients or lower tier participants, is unable to certify to the preceding statements in this certification.

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Signature of Authorized Officer and date

## **Exhibit 15**

### **DBE Semi-annual reporting**

DBE reports may be due twice annually by the Intermodal Division, Transit Department.

**Dates for submission are: May 1<sup>st</sup> & November 1<sup>st</sup>.**

The DOT semi-annual Disadvantage Business Enterprise (DBE) report, referred to as Uniform Report of DBE Commitments/Awards and Payments is a requirement of 49 CFR Part 26. The semi-annual DBE report is a spreadsheet that captures a detailed breakdown of DBE participation in the Georgia Department of Transportation's DBE program.

For a copy of the reporting form (below), please contact [mnystrom@dot.ga.gov](mailto:mnystrom@dot.ga.gov) or [nwade@dot.ga.gov](mailto:nwade@dot.ga.gov)

## Exhibit 15 (continued)

Example of DBE semi-annual reporting form due May 1<sup>st</sup> & Nov 1<sup>st</sup>

UNIFORM REPORT OF DBE AWARDS OR COMMITMENTS AND PAYMENTS									
**Please refer to the Instructions sheet for directions on filling out this form**									
1. Submitted to (check only one):		<input type="checkbox"/> FHWA		<input type="checkbox"/> FAA		<input type="checkbox"/> FTA--Vendor Number			
2. AIP Numbers (FAA Recipients Only)									
3. Federal fiscal year in which reporting period falls: FY _____			4. Date This Report Submitted: _____						
5. Reporting Period		<input type="checkbox"/> Report due June 1 (for period Oct 1-Mar 31)				<input type="checkbox"/> Report due Dec 1 (for period April 1-Sept 30)			
		<input type="checkbox"/> FAA Annual Report							
6. Name of Recipient _____									
7. Annual DBE Goal(s) Race Conscious Goal _____ % Race Neutral Goal _____ % OVERALL Goal _____ %									
8. AWARDS/COMMITMENTS MADE DURING THIS REPORTING PERIOD <small>(total contracts and subcontracts awarded or committed during this reporting period)</small>	A	B	C	D	E	F	G	H	I
	Total Dollars	Total Number	Total to DBEs (dollars)	Total to DBEs (number)	Total to DBEs /Race Conscious (dollars)	Total to DBEs/Race Conscious (number)	Total to DBEs/Race Neutral (dollars)	Total to DBEs/Race Neutral (number)	Percentage of total dollars to DBEs
9. Prime contracts awarded this period									
9. Subcontracts awarded/committed this period									
<b>TOTAL</b>									
9. DBE AWARDS/COMMITMENTS THIS REPORTING PERIOD-BREAKDOWN BY ETHNICITY & GENDER	A	B	C	D	E	F	G	H	I
	Black American	Hispanic American	Native American	Subcont. Asian American	Asian-Pacific American	Non-Minority Women	Other (i.e., not of any other group listed here)	TOTALS (for this reporting period only)	Year-End TOTALS
10. Total Number of Contracts (Prime and Sub)									
11. Total Dollar Value									
12. ACTUAL PAYMENTS ON CONTRACTS COMPLETED THIS REPORTING PERIOD	A	B	C	D	E				
	Number of Prime Contracts Completed	Total Dollar Value of Prime Contracts Completed	DBE Participation Needed to Meet Goal (Dollars)	Total DBE Participation (Dollars)	Percentage of Total DBE Participation				
12. Race Conscious									
13. Race Neutral									
14. Totals									
15. Submitted by (Print Name of Authorized Representative)					16. Signature of Authorized Representative				
17. Phone Number					18. Fax Number				

## Exhibit 16

### E-Verify

U.S. law requires companies to employ only individuals who may legally work in the United States – either U.S. citizens, or foreign citizens who have the necessary authorization. This diverse workforce contributes greatly to the vibrancy and strength of our economy, but that same strength also attracts unauthorized employment.

E-Verify is an Internet-based system that allows businesses to determine the eligibility of their employees to work in the United States. E-Verify is fast, free and easy to use – and it’s the best way employers can ensure a legal workforce.

<http://www.uscis.gov/e-verify>

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**Chris Dockery, Chairman, Lumpkin County Board of Commissioners**

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**Date**

Signature of Authorized Officer and date

EXHIBIT 17 NOT APPLICABLE

Decennial Census changes

Please refer to the following link for information regarding your county population as of the last census conducted (2010). If your county or a service area within your region is now designated as an urban area (population over 50,000 – 199,999 small urban; 200,000+ large urban), please provide the following trip data and other information based on the FY15 year-end trips provided.

[http://www.fta.dot.gov/documents/Census\\_2010\\_and\\_FTA\\_Formula\\_Grants10-25-12.pdf](http://www.fta.dot.gov/documents/Census_2010_and_FTA_Formula_Grants10-25-12.pdf)

Total county population: \_\_\_\_\_

Urban to Urban trips (FY15) \_\_\_\_\_

Urban to Rural trips (FY15) \_\_\_\_\_

Rural to Urban trips (FY15) \_\_\_\_\_

Rural to Rural Trips (FY15) \_\_\_\_\_

Total System Trips (all)

Percentage of low income county population: \_\_\_\_\_

Percentage of elderly county population: \_\_\_\_\_

Include current service area map (showing urban zone areas/tracts, if any)

Include Transportation Development Plan (short-range 5 yrs. and long range 20 yrs.) if available.

NOT APPLICABLE

**EXHIBIT 18  
GEORGIA DEPARTMENT OF TRANSPORTATION  
SECTION 5311  
MEALS ON WHEELS COMPUTATION WORKSHEET**

<b>Formula for computing Fully Allocated Operation Cost per Service Hour:</b>	Example below:	Actual Count figures below:
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**Formula:**

Expense Total/Estimated System Total Service Hours for Application Period = Average Cost per Service Hour

Operating Expense Total (from Administrative & Operating Budget of Exhibit 2): 

\$250,000	
-----------	--

Estimated System Total Service Hours for the Application Period:

Number of Vehicles Providing Service	4	
Hours per Day Providing Service	10	
Numbers of Days Per Year Providing Service	250	
<b>Total Service Hours</b>	<b>10,000</b>	
<b>Fully Allocated Operating Cost (FAOC) per Service Hour</b>	<b>\$25.00</b>	<b>#DIV/0!</b>
<b>FAOC per Service Hour Plus Capital Depreciation Cost*</b>	<b>\$28.76</b>	<b>#DIV/0!</b>

XXXXX County Transit receives an average \$56/day for meals on wheels or \$28/hr (2 hours delivery)  
(35 meals/day @\$1.60 meal = \$56.00/2 hrs/day = \$28/hr)

***Proposed Charter Service and/or Meals on Wheels Service hourly rate must equal or exceed THIS NUMBER.***

This sheet must be attached to your grant application if you intend to provide either charter service and/or meals on wheels service.

\* Hourly Capital Depreciation Cost was determined by depreciating the largest vehicle offered by GDOT (\$47,000) over five years, divided by 250 service days, then divided by 10 hours per day.

**EXHIBIT 19**

**PROCUREMENT CERTIFICATION  
(Page 1 of 2)**

The Federal Transit Administration (FTA) requires full and open competition in procurements for goods and services and encourages grantees to award contracts to the lowest responsive and responsible bidder. However, sole-source, single-bid, and brand-name or equal awards can be used in accordance with all regulations defined in FTA circular 4220.1F. In such situations, the grantee should have appropriate documentation for the award which is described below.

Sole-Source

In the case of a sole-source award, the documentation should be a sole-source justification, which includes an independent cost estimate.

Single-Bid

With a single-bid, the documentation should include a cost analysis, as well as an explanation as to why a single bid was obtained.

Brand-Name

For brand-name or equal awards, the procurement specification should list the product's salient characteristics and allow an equal product to be offered.

I hereby assure that the FTA requirements for single bid, sole source and brand name or equal procurements are understood and will be followed for procurements involving FTA funds.

\_\_\_\_\_  
Signature of Official

\_\_\_\_\_  
Title of Official

\_\_\_\_\_  
Date

**Chris Dockery, Chairman, Lumpkin County Board of Commissioners**

**EXHIBIT 19 NOT APPLICABLE**

**PROCUREMENT CERTIFICATION  
(Page 2 of 2)**

If the agency will be purchasing or procuring any services or products through a bid or RFP process, please provide a description, anticipated date of procurement, and the estimated cost.

If the agency is currently using a Third Party Operator, please provide the cost of this contract and the period that is covered. If unable to provide the exact cost due to having a variable such as a system of pay per runs, please provide the total amounts of what was paid each year to any contracted TPO in the last 2 fiscal years. For this exercise please do not include vehicle purchases.

For example: Will the agency be purchasing uniforms? Is the agency utilizing cleaning, landscaping, or towing services? Will there be a contract for fuel delivery?

For the sake of simplicity and consistency, please organize all information within the following table. Please feel free to add pages as necessary.

Item	Anticipated Date to renew or rebid	Describe the project clearly	Cost
Example: Landscaping contract	Fall 2015	Install flowers, and regular maintenance	\$2000

# Appendix A

## FTA FISCAL YEAR 2015 CERTIFICATIONS AND ASSURANCES

### PREFACE

*Except as the Federal Transit Administration (FTA or We) determines otherwise in writing, before FTA may award Federal transit assistance (funding or funds) in the form of a Federal Grant, Cooperative Agreement, Loan, Line of credit, or Loan Guarantee to support a public transportation Project, an Authorized Representative (You) of the Project Sponsor (Applicant) must select certain Certifications and Assurances required by Federal law or regulation. Among other things, the Authorized Representative must be duly authorized by the Applicant to sign these Certifications and Assurances and bind its compliance. You, as your Applicant's Authorized Representative, must select all Certifications and Assurances that your Applicant must provide to support its application(s) for FTA funding during Federal fiscal year (FY) 2015.*

*We request that you read each Certification and Assurance and select those that will apply to all Projects for which your Applicant might seek FTA funding. As required by Federal law and regulation, only if you select adequate Certifications and Assurances on your Applicant's behalf, may FTA award Federal funding for its Project.*

*We have consolidated our Certifications and Assurances into twenty-four (24) Groups. At a minimum, you must select the Assurances in Group 01 on your Applicant's behalf. If your Applicant requests more than \$100,000 in Federal funding, you must also select the "Lobbying" Certification in Group 02, unless your Applicant is an Indian tribe, Indian organization, or a tribal organization. Depending on the nature of your Applicant and its Project, you may also need to select some Certifications and Assurances in Groups 03 through 24. Instead of selecting individual Groups of Certifications and Assurances, however, you may make a single selection that will encompass all twenty-four (24) Groups of Certifications and Assurances that apply to all our programs.*

*FTA, your Applicant, and you, as your Applicant's Authorized Representative, understand and agree that not every provision of these twenty-four (24) Groups of Certifications and Assurances will apply to every Applicant or every Project FTA funds, even if you make a single selection encompassing all twenty-four (24) Groups. Nor will every provision of all Certifications and Assurances within a single Group apply if that provision does not apply to your Applicant or its Project. The type of Project and Applicant will determine which Certifications and Assurances apply.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and each Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Except as FTA determines otherwise in writing, if your Applicant is a team, consortium, joint venture, or partnership, it understands and agrees that you must identify the activities each member will perform and the extent to which each will be responsible for compliance with the Certifications and Assurances that you select on its behalf, and whether the member will serve as a Recipient, Subrecipient, or Third Party Contractor.*

*It is important that your Applicant and you also understand that these Certifications and Assurances are pre-award requirements, generally imposed by Federal law or regulation, and do not include all Federal requirements that may apply to it or its Project. Our FTA Master Agreement for Federal FY 2015, MAP (21) is available at <http://www.fta.dot.gov>, and contains a list of most of those requirements.*

*We expect you to submit your Applicant's FY 2015 Certifications and Assurances and its applications for funding in TEAM-Web. You must be registered in TEAM-Web to submit the FTA FY 2015 Certifications and Assurances on its behalf. The TEAM-Web "Recipients" option at the "Cert's & Assurances" tab of the "View/Modify Recipients" page contains fields for selecting among the twenty-four (24) Groups of Certifications and Assurances and a designated field for selecting all twenty-four (24) Groups of Certifications and Assurances. If FTA agrees that you cannot submit your Applicant's FY 2015 Certifications and Assurances electronically, you must submit the Signature Pages at the end of this document, as FTA directs, marked to show the Groups of Certifications and Assurances that it is submitting.*

*Be aware that these Certifications and Assurances have been prepared in light of:*

- FTA's latest authorization legislation, Moving Ahead for Progress in the 21st Century Act (MAP-21), Pub. L. 112-141, June 6, 2012,*
- FTA's authorizing legislation in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply,*
- The Highway and Transportation Funding Act of 2014, Pub. L. 113-159, August 8, 2014, and*
- Continuing Appropriations Resolution, 2015, Pub. L. 113-164, September 19, 2014 and other Appropriations Acts or Continuing Resolutions funding the Department of Transportation during Fiscal Year 2015.*

*With certain exceptions, Projects financed in FY 2015 with funds appropriated or made available for FY 2012 or a previous fiscal year must be in compliance with the requirements for that type of Project in effect during the fiscal year for which the funding was derived, except as superseded by MAP-21 cross-cutting requirements that apply.*

#### **GROUP 01. REQUIRED CERTIFICATIONS AND ASSURANCES FOR EACH APPLICANT.**

*Before FTA may provide funding for your Applicant's Project, in addition to any other Certifications and Assurances that you must select on your Applicant's behalf, you must also select the Certifications and Assurances in Group 01, except as FTA determines otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Certifications and Assurances in Group 01 that does not apply will not be enforced.*

#### **01.A. Certification and Assurance of Authority of the Applicant and Its Authorized Representative.**

You certify and affirm that both you, as your Applicant's Authorized Representative, and your Applicant's attorney, who is authorized to represent your Applicant in legal matters, who sign these Certifications, Assurances, and Agreements, may undertake the following activities on its behalf, in compliance with applicable State, local, or Indian tribal laws and regulations, and its by-laws or internal rules:

1. Execute and file its application for Federal funds,
2. Execute and file its Certifications, Assurances, Charter Service Agreement, and School Bus Agreement, as applicable, binding its compliance,
3. Execute the Grant Agreement, Cooperative agreement, Loan, Loan Guarantee, or Line of Credit, for which the Applicant is seeking FTA funding,
4. Comply with applicable Federal laws and regulations, and
5. Follow applicable Federal guidance.

### **01.B. Standard Assurances.**

On behalf of your Applicant, you assure that it understands and agrees to the following:

1. It will comply with all applicable Federal statutes and regulations to carry out any FTA-funded Project,
2. It is under a continuing obligation to comply with the terms and conditions of its Grant Agreement or Cooperative Agreement with FTA for its Project, including the FTA Master Agreement incorporated by reference and made part of the latest amendment to that Grant Agreement or Cooperative Agreement,
3. It recognizes that Federal laws and regulations may be amended from time to time and those amendments may affect Project implementation,
4. It understands that Presidential executive orders and Federal guidance, including Federal policies and program guidance, may be issued concerning matters affecting it or its Project,
5. It agrees that the most recent Federal laws, regulations, and guidance will apply to its Project, except as FTA determines otherwise in writing,
6. Except as FTA determines otherwise in writing, it agrees that requirements for FTA programs may vary depending on the fiscal year for which the funding for those programs was appropriated:
  - a. In some instances, FTA has determined that Federal statutory or regulatory program and eligibility requirements for FY 2012 or a specific previous fiscal year, except as superseded by applicable MAP-21 cross-cutting requirements, apply to:
    - (1) New Grants and Cooperative Agreements, and
    - (2) New Amendments to Grants and Cooperative Agreements that:
      - (a) Have been awarded Federal funds appropriated or made available for FY 2012 or the previous fiscal year, or
      - (b) May be awarded Federal funds appropriated or made available for FY 2012 or the previous fiscal year, but
    - b. In other instances, FTA has determined that MAP-21 requirements will apply to Federal funds appropriated or made available for FY 2012 or a previous fiscal year, and
    - c. For all FTA-funded Projects, the following MAP-21 cross-cutting requirements supersede and apply in lieu of conflicting provisions of previous Federal law and regulations:
      - (1) Metropolitan and Statewide and Nonmetropolitan Transportation Planning,
      - (2) Environmental Review Process,
      - (3) Public Transportation Agency Safety Plans,
      - (4) Transit Asset Management Provisions (and Asset Inventory and Condition Reporting),
      - (5) Costs Incurred by Providers of Public Transportation by Vanpool,
      - (6) Revenue Bonds as Local Match,
      - (7) Debt Service Reserve,
      - (8) Government's Share of Cost of Vehicles, Vehicle-Equipment, and Facilities for ADA and Clean Air Act Compliance,
      - (9) Private Sector Participation,
      - (10) Bus Testing,
      - (11) Buy America,
      - (12) Corridor Preservation,
      - (13) Rail Car Procurements,
      - (14) Veterans Preference/Employment,
      - (15) Alcohol and Controlled Substance Testing, and
      - (16) Other provisions as FTA may determine.<sup>1</sup>

<sup>1</sup> More information about these matters appears in the Federal Transit Administration, "Notice of FTA Transit Program Changes, Authorized Funding Levels and Implementation of the Moving Ahead for Progress in the 21st Century Act (MAP-21) and FTA FY 2013 Apportionments, Allocations, Program Information and Interim Guidance," 77 Fed. Reg. 663670, Oct. 16, 2012.

### **FTA FISCAL YEAR 2015 CERTIFICATIONS AND ASSURANCES (contd.)**

**01.C. Intergovernmental Review Assurance.**

*(This assurance in Group 01.C does not apply to an Indian tribe, an Indian organization or a tribal organization that applies for funding made available for 49 U.S.C. 5311(c)(1), which authorizes FTA's Tribal Transit Programs.)*

As required by U.S. Department of Transportation (U.S. DOT) regulations, "Intergovernmental Review of Department of Transportation Programs and Activities," 49 CFR part 17, on behalf of your Applicant, you assure that it has submitted or will submit each application for Federal funding to the appropriate State and local agencies for intergovernmental review, to facilitate compliance with those regulations.

**01.D. Nondiscrimination Assurance.**

On behalf of your Applicant, you assure that:

1. It will comply with the following laws and regulations so that no person in the United States will be denied the benefits of, or otherwise be subjected to, discrimination in any U.S. DOT or FTA-funded program or activity (particularly in the level and quality of transportation services and transportation-related benefits) on the basis of race, color, national origin, religion, sex, disability, or age:
  - a. Federal transit laws, specifically 49 U.S.C. 5332 (prohibiting discrimination on the basis of race, color, religion, national origin, sex, disability, age, employment, or business opportunity),
  - b. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d,
  - c. The Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, *et seq.*,
  - d. The Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 *et seq.*,
  - e. U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964," 49 CFR part 21,
  - f. U.S. DOT regulations, specifically 49 CFR parts 27, 37, 38, and 39, and
  - g. Any other applicable Federal statutes that may be signed into law or Federal regulations that may be promulgated,
2. It will comply with Federal guidance implementing Federal nondiscrimination laws and regulations, except to the extent FTA determines otherwise in writing,
3. As required by 49 CFR 21.7:
  - a. It will comply with 49 U.S.C. 5332, 42 U.S.C. 2000d, and 49 CFR part 21 in the manner:
    - (1) It conducts each Project,
    - (2) It undertakes property acquisitions, and
    - (3) It operates all parts of its facilities, as well as its facilities operated in connection with its Project,
  - b. This assurance applies to its entire Project and to all parts of its facilities, as well as its facilities operated to implement its Project,
  - c. It will promptly take the necessary actions to carry out this assurance, including the following:
    - (1) Notifying the public that discrimination complaints about transportation-related services or benefits may be filed with U.S. DOT or FTA, and
    - (2) Submitting information about its compliance with these provisions to U.S. DOT or FTA upon their request,
  - d. If it transfers FTA-funded real property, structures, or improvements to another party, any deeds and instruments recording that transfer will contain a covenant running with the land assuring nondiscrimination:
    - (1) While the property is used for the purpose that the Federal funding is extended, or
    - (2) While the property is used for another purpose involving the provision of similar services or benefits,
  - e. The United States has a right to seek judicial enforcement of any matter arising under:
    - (1) Title VI of the Civil Rights Act, 42 U.S.C. 2000d,
    - (2) U.S. DOT regulations, 49 CFR part 21, or
    - (3) This assurance,
  - f. It will make any changes in its Title VI implementing procedures, as U.S. DOT or FTA may request, to comply with:
    - (1) Title VI of the Civil Rights Act, 42 U.S.C. 2000d,

- (2) U.S. DOT regulations, 49 CFR part 21, and
  - (3) Federal transit laws, 49 U.S.C. 5332,
  - g. It will comply with applicable Federal guidance issued to implement Federal nondiscrimination requirements, except as FTA determines otherwise in writing,
  - h. It will extend the requirements of 49 U.S.C. 5332, 42 U.S.C. 2000d, and 49 CFR part 21 to each Third Party Participant, including any:
    - (1) Subrecipient,
    - (2) Transferee,
    - (3) Third Party Contractor or Subcontractor at any tier,
    - (4) Successor in Interest,
    - (5) Lessee, or
    - (6) Other participant in its Project, except FTA and the Applicant (that later becomes the Recipient),
  - i. It will include adequate provisions to extend the requirements of 49 U.S.C. 5332, 42 U.S.C. 2000d, and 49 CFR part 21 to each third party agreement, including each:
    - (1) Sub agreement at any tier,
    - (2) Property transfer agreement,
    - (3) Third party contract or subcontract at any tier,
    - (4) Lease, or
    - (5) Participation agreement, and
  - j. The assurances you have made on its behalf remain in effect as long as FTA determines appropriate, including, for example, as long as:
    - (1) Federal funding is extended to its Project,
    - (2) Its Project property is used for a purpose, for which the Federal funding is extended,
    - (3) Its Project property is used for a purpose involving the provision of similar services or benefits,
    - (4) It retains ownership or possession of its Project property, or
    - (5) FTA may otherwise determine in writing, and
4. As required by U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," 49 CFR part 27, specifically 49 CFR 27.9, and consistent with 49 U.S.C. 5307(c)(1)(D)(ii), you assure that:
- a. It will comply with the following prohibitions against discrimination on the basis of disability listed below in subsection 4.b of this Group 01.D Assurance, of which compliance is a condition of approval or extension of any FTA funding awarded to:
    - (1) Construct any facility,
    - (2) Obtain any rolling stock or other equipment,
    - (3) Undertake studies,
    - (4) Conduct research, or
    - (5) Participate in any benefit or obtain any benefit from any FTA administered program, and
  - b. In any program or activity receiving or benefiting from Federal funding that U.S. DOT administers, no qualified people with a disability will, because of their disability, be:
    - (1) Excluded from participation,
    - (2) Denied benefits, or
    - (3) Otherwise subjected to discrimination.

**01.E. Suspension and Debarment Certification.**

On behalf of your Applicant, you certify that:

- 1. It will comply and facilitate compliance with U.S. DOT regulations, "Nonprocurement Suspension and Debarment," 2 CFR part 1200, which adopts and supplements the U.S. Office of Management and Budget (U.S. OMB) "Guidelines to Agencies on Government wide Debarment and Suspension (Nonprocurement)," 2 CFR part 180,
- 2. To the best of its knowledge and belief, that its Principals and Subrecipients at the first tier:

- a. Are eligible to participate in covered transactions of any Federal department or agency and are not presently:
    - (1) Debarred,
    - (2) Suspended,
    - (3) Proposed for debarment,
    - (4) Declared ineligible,
    - (5) Voluntarily excluded, or
    - (6) Disqualified,
  - b. Its management has not within a three-year period preceding its latest application or proposal been convicted of or had a civil judgment rendered against any of them for:
    - (1) Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction, or contract under a public transaction,
    - (2) Violation of any Federal or State antitrust statute, or
    - (3) Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making any false statement, or receiving stolen property,
  - c. It is not presently indicted for, or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses listed in the preceding subsection 1.E.2.b of this Certification,
  - d. It has not had one or more public transactions (Federal, State, or local) terminated for cause or default within a three-year period preceding this Certification,
  - e. If, at a later time, it receives any information that contradicts the preceding statements of subsections 2.a – 2.d of this Group 01.E Certification, it will promptly provide that information to FTA,
  - f. It will treat each lower tier contract or lower tier subcontract under its Project as a covered lower tier contract for purposes of 2 CFR part 1200 and 2 CFR part 180 if it:
    - (1) Equals or exceeds \$25,000,
    - (2) Is for audit services, or
    - (3) Requires the consent of a Federal official, and
  - g. It will require that each covered lower tier contractor and subcontractor:
    - (1) Comply and facilitate compliance with the Federal requirements of 2 CFR parts 180 and 1200, and
    - (2) Assure that each lower tier participant in its Project is not presently declared by any Federal department or agency to be:
      - (a) Debarred from participation in its federally-funded Project,
      - (b) Suspended from participation in its federally-funded Project,
      - (c) Proposed for debarment from participation in its federally-funded Project,
      - (d) Declared ineligible to participate in its federally-funded Project,
      - (e) Voluntarily excluded from participation in its federally-funded Project, or
      - (f) Disqualified from participation in its federally-funded Project, and
5. It will provide a written explanation as indicated on a page attached in FTA's TEAM-Web or the Signature Page if it or any of its principals, including any of its first tier Subrecipients or its Third Party Participants at a lower tier, is unable to certify compliance with the preceding statements in this Group 01.E Certification.

**01.F. U.S. OMB Assurances in SF-424B and SF-424D.**

*The assurances in Group 01.F are consistent with the U.S. OMB assurances required in the U.S. OMB SF-424B and SF-424D, and updated as necessary to reflect changes in Federal laws and regulations.*

1. *Administrative Activities.* On behalf of your Applicant, you assure that:

- a. For every Project described in any application it submits for Federal funding, it has adequate resources to properly plan, manage, and complete its Project, including the:
  - (1) Legal authority to apply for Federal funding,
  - (2) Institutional capability,
  - (3) Managerial capability, and

(4) Financial capability (including funds sufficient to pay the non-Federal share of Project cost),  
b. As required, it will give access and the right to examine Project-related materials to entities or individuals including, but not limited to the:

(1) FTA,

(2) The Comptroller General of the United States, and

(3) State, through an appropriate authorized representative,

c. It will establish a proper accounting system in accordance with generally accepted accounting standards or FTA guidance, and

d. It will establish safeguards to prohibit employees from using their positions for a purpose that results in:

(1) A personal or organizational conflict of interest, or personal gain, or

(2) The appearance of a personal or organizational conflict of interest or personal gain,

2. *Project Specifics*. On behalf of your Applicant, you assure that:

a. Following receipt of an FTA award, it will begin and complete Project work within the time periods that apply,

b. For FTA-funded construction Projects:

(1) It will comply with FTA provisions concerning the drafting, review, and approval of construction plans and specifications,

(2) It will provide and maintain competent and adequate engineering supervision at the construction site to assure that the completed work conforms with the approved plans and specifications,

(3) It will include a covenant to assure nondiscrimination during the useful life of its Project in its title to federally-funded real property,

(4) To the extent FTA requires, it will record the Federal interest in the title to FTA-funded real property or interests in real property, and

(5) It will not alter the site of the FTA-funded construction Project or facilities without permission or instructions from FTA by:

(a) Disposing of the underlying real property or other interest in the site and facilities,

(b) Modifying the use of the underlying real property or other interest in the site and facilities, or

(c) Changing the terms of the underlying real property title or other interest in the site and facilities, and

c. It will furnish progress reports and other information as FTA or the State may require, and

3. *Statutory and Regulatory requirements*. On behalf of your Applicant, you assure that:

a. It will comply with all Federal statutes relating to nondiscrimination that apply, including, but not limited to:

(1) The prohibitions against discrimination on the basis of race, color, or national origin, as provided in Title VI of the Civil Rights Act, 42 U.S.C. 2000d,

(2) The prohibitions against discrimination on the basis of sex, as provided in:

(a) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 – 1683, and 1685 – 1687, and

(b) U.S. DOT regulations, “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” 49 CFR part 25,

(3) The prohibitions against discrimination on the basis of age in federally-funded programs, as provided in the Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 – 6107,

(4) The prohibitions against discrimination on the basis of disability in federally -funded programs, as provided in section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794,

(5) The prohibitions against discrimination on the basis of disability, as provided in the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 *et seq.*,

(6) The prohibitions against discrimination in the sale, rental, or financing of housing, as provided in Title VIII of the Civil Rights Act, 42 U.S.C. 3601 *et seq.*,

(7) The prohibitions against discrimination on the basis of drug abuse, as provided in the Drug Abuse Office and Treatment Act of 1972, as amended, 21 U.S.C. 1101 *et seq.*,

(8) The prohibitions against discrimination on the basis of alcohol abuse, as provided in the Comprehensive Alcohol Abuse and Alcoholism Prevention Act of 1970, as amended, 42 U.S.C. 4541 *et seq.*,

(9) The confidentiality requirements for records of alcohol and drug abuse patients, as provided in the Public Health Service Act, as amended, 42 U.S.C. 290dd – 290dd-2, and

(10) The nondiscrimination provisions of any other statute(s) that may apply to its Project,

b. As provided by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Relocation Act), 42 U.S.C. 4601 *et seq.*, and 49 U.S.C. 5323(b), regardless of whether Federal funding has been provided for any of the real property acquired for Project purposes:

(1) It will provide for fair and equitable treatment of any displaced persons, or any persons whose property is acquired as a result of federally-funded programs,

(2) It has the necessary legal authority under State and local laws and regulations to comply with:

(a) The Uniform Relocation Act. 42 U.S.C. 4601 *et seq.*, as specified by 42 U.S.C. 4630 and 4655, and

(b) U.S. DOT regulations, “Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs,” 49 CFR part 24, specifically 49 CFR 24.4, and

(3) It has complied with or will comply with the Uniform Relocation Act and implementing U.S. DOT regulations because:

(a) It will adequately inform each affected person of the benefits, policies, and procedures provided for in 49 CFR part 24,

(b) As required by 42 U.S.C. 4622, 4623, and 4624, and 49 CFR part 24, if an FTA-funded Project results in displacement, it will provide fair and reasonable relocation payments and assistance to:

1 Displaced families or individuals, and

2 Displaced corporations, associations, or partnerships,

(c) As provided by 42 U.S.C. 4625 and 49 CFR part 24, it will provide relocation assistance programs offering the services described in the U.S. DOT regulations to such:

1 Displaced families and individuals, and

2 Displaced corporations, associations, or partnerships,

(d) As required by 42 U.S.C. 4625(c) (3), within a reasonable time before displacement, it will make available comparable replacement dwellings to families and individuals,

(e) It will:

1 Carry out the relocation process to provide displaced persons with uniform and consistent services, and

2 Make available replacement housing in the same range of choices with respect to such housing to all displaced persons regardless of race, color, religion, or national origin,

(f) It will be guided by the real property acquisition policies of 42 U.S.C. 4651 and 4652,

(g) It will pay or reimburse property owners for their necessary expenses as specified in 42 U.S.C. 4653 and 4654, understanding that FTA will provide Federal funding for its eligible costs for providing payments for those expenses, as required by 42 U.S.C. 4631,

(h) It will execute the necessary implementing amendments to FTA-funded third party contracts and subagreements,

(i) It will execute, furnish, and be bound by such additional documents as FTA may determine necessary to effectuate or implement these assurances,

(j) It will incorporate these assurances by reference into and make them a part of any third party contract or subagreement, or any amendments thereto, relating to any FTA-funded Project involving relocation or land acquisition, and

(k) It will provide in any affected document that these relocation and land acquisition provisions must supersede any conflicting provisions,

c. It will comply with the Lead-Based Paint Poisoning Prevention Act, specifically 42 U.S.C. 4831(b), which prohibits the use of lead-based paint in the construction or rehabilitation of residence structures,

d. It will, to the extent applicable, comply with the protections for human subjects involved in research, development, and related activities supported by Federal funding of:

- (1) The National Research Act, as amended, 42 U.S.C. 289 *et seq.*, and
  - (2) U.S. DOT regulations, "Protection of Human Subjects," 49 CFR part 11,
- e. It will, to the extent applicable, comply with the labor standards and protections for federally-funded Projects of:
- (1) The Davis-Bacon Act, as amended, 40 U.S.C. 3141 – 3144, 3146, and 3147,
  - (2) Sections 1 and 2 of the Copeland "Anti-Kickback" Act, as amended, 18 U.S.C. 874, and 40 U.S.C. 3145, respectively, and
  - (3) The Contract Work Hours and Safety Standards Act, as amended, 40 U.S.C. 3701 *et seq.*,
- f. It will comply with any applicable environmental standards prescribed to implement Federal laws and executive orders, including, but not limited to:
- (1) Complying with the institution of environmental quality control measures under the National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321 – 4335 and following Executive Order No. 11514, as amended, 42 U.S.C. 4321 note,
  - (2) Following the notification of violating facilities provisions of Executive Order No. 11738, 42 U.S.C. 7606 note,
  - (3) Following the protection of wetlands provisions of Executive Order No. 11990, 42 U.S.C. 4321 note,
  - (4) Following the evaluation of flood hazards in floodplains provisions of Executive Order No. 11988, 42 U.S.C. 4321 note,
  - (5) Complying with the assurance of Project consistency with the approved State management program developed pursuant to the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1451 – 1465,
  - (6) Complying with the Conformity of Federal Actions to State (Clean Air) Implementation Plans requirements under section 176(c) of the Clean Air Act of 1955, as amended, 42 U.S.C. 7401 – 7671q,
  - (7) Complying with the protections for underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, 42 U.S.C. 300f – 300j-6,
  - (8) Complying with the protections for endangered species under the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 – 1544,
  - (9) Complying with the environmental protections for Federal transportation programs, including, but not limited to, protections for parks, recreation areas, or wildlife or waterfowl refuges of national, State, or local significance or any land from a historic site of national, State, or local significance to be used in a transportation Project, as required by 49 U.S.C. 303 (also known as "Section 4f"),
  - (10) Complying with the protections for national wild and scenic rivers systems, as required under the Wild and Scenic Rivers Act of 1968, as amended, 16 U.S.C. 1271 – 1287, and
  - (11) Complying with and facilitating compliance with:
    - (a) Section 106 of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470f,
    - (b) The Archaeological and Historic Preservation Act of 1974, as amended, 16 U.S.C. 469 – 469c, and
    - (c) Executive Order No. 11593 (identification and protection of historic properties), 16 U.S.C. 470 note,
- g. To the extent applicable, it will comply with the following Federal requirements for the care, handling, and treatment of warm-blooded animals held or used for research, teaching, or other activities supported by Federal funding:
- (1) The Animal Welfare Act, as amended, 7 U.S.C. 2131 *et seq.*, and
  - (2) U.S. Department of Agriculture regulations, "Animal Welfare," 9 CFR subchapter A, parts 1, 2, 3, and 4,
- h. To the extent applicable, it will obtain a certificate of compliance with the seismic design and construction requirements of U.S. DOT regulations, "Seismic Safety," 49 CFR part 41, specifically 49 CFR 41.117(d), before accepting delivery of any FTA-funded building,
- i. It will comply with, and assure that its Subrecipients located in special flood hazard areas comply with, section 102(a) of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012a(a), by:
- (1) Participating in the Federal flood insurance program, and
  - (2) Purchasing flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more,

j. It will comply with:

(1) The Hatch Act, 5 U.S.C. 1501 – 1508, 7324 – 7326, which limits the political activities of State and local agencies and their officers and employees whose primary employment activities are financed in whole or part with Federal funds, including a Federal Loan, Grant Agreement, or Cooperative Agreement, and

(2) 49 U.S.C. 5323(1)(2) and 23 U.S.C. 142(g), which provide an exception from Hatch Act restrictions for a nonsupervisory employee of a public transportation system (or of any other agency or entity performing related functions) receiving FTA funding appropriated or made available for 49 U.S.C. chapter 53 and 23 U.S.C. 142(a)(2) to whom the Hatch Act does not otherwise apply,

k. It will perform the financial and compliance audits as required by the:

(1) Single Audit Act Amendments of 1996, 31 U.S.C. 7501 *et seq.*,

(2) U.S. OMB Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations,” Revised, and

(3) Most recent applicable U.S. OMB A-133 Compliance Supplement provisions for the U.S. DOT,

l. It will comply with all other Federal laws or regulations that apply, and

m. It will follow Federal guidance governing it and its Project, except to the extent that FTA has expressly approved otherwise in writing.

## **GROUP 02. LOBBYING.**

*Before FTA may provide funding for a Federal Grant or Cooperative Agreement exceeding \$100,000 or a Federal Loan, Line of Credit, Loan Guarantee, or Loan Insurance exceeding \$150,000, in addition to other Certifications and Assurances you must select on your Applicant’s behalf, you must also select the Lobbying Certifications in Group 02, unless your Applicant is an Indian Tribe exempt from the requirements of 31 U.S.C. 1352 or FTA determines otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Certifications in Group 02 that does not apply will not be enforced.*

On behalf of your Applicant, you certify that:

1. As required by 31 U.S.C. 1352 and U.S. DOT regulations, “New Restrictions on Lobbying,” specifically 49 CFR 20.110:

a. The lobbying restrictions of this Certification apply to its requests:

(1) For \$100,000 or more in Federal funding for a Grant or Cooperative Agreement, and

(2) For \$150,000 or more in Federal funding for a Loan, Line of Credit, Loan Guarantee, or Loan Insurance, and

b. Your Certification on its behalf applies to the lobbying activities of:

(1) It,

(2) Its Principals, and

(3) Its Subrecipients at the first tier,

2. To the best of your knowledge and belief:

a. No Federal appropriated funds have been or will be paid by your Applicant or on its behalf to any person to influence or attempt to influence:

(1) An officer or employee of any Federal agency regarding the award of a:

(a) Federal Grant or Cooperative Agreement, or

(b) Federal Loan, Line of Credit, Loan Guarantee, or Loan Insurance, or

(2) A Member of Congress, an employee of a member of Congress, or an officer or employee of Congress regarding the award of a:

- (a) Federal Grant or Cooperative Agreement, or
- (b) Federal Loan, Line of Credit, Loan Guarantee, or Loan Insurance,
- b. It will submit a complete OMB Standard Form LLL (Rev. 7-97), "Disclosure of Lobbying Activities," consistent with its instructions, if any funds other than Federal appropriated funds have been or will be paid to any person to influence or attempt to influence:
  - (1) An officer or employee of any Federal agency regarding the award of a:
    - (a) Federal Grant or Cooperative Agreement, or
    - (b) Federal Loan, Line of Credit, Loan Guarantee, or Loan Insurance, or
  - (2) A Member of Congress, an employee of a member of Congress, or an officer or employee of Congress regarding the award of a:
    - (a) Federal Grant or Cooperative Agreement, or
    - (b) Federal Loan, Line of Credit, Loan Guarantee, or Loan Insurance, and
- c. It will include the language of this Certification in the award documents for all subawards at all tiers, including, but not limited to:
  - (1) Third party contracts,
  - (2) Subcontracts,
  - (3) Subagreements, and
  - (4) Other third party agreements under a:
    - (a) Federal Grant or Cooperative Agreement, or
    - (b) Federal Loan, Line of Credit, Loan Guarantee, or Loan Insurance,
- 3. It understands that:
  - a. This Certification is a material representation of fact that the Federal Government relies on, and
  - b. It must submit this Certification before the Federal Government may award funding for a transaction covered by 31 U.S.C. 1352, including a:
    - (a) Federal Grant or Cooperative Agreement, or
    - (b) Federal Loan, Line of Credit, Loan Guarantee, or Loan Insurance, and
- 4. It also understands that any person who does not file a required Certification will incur a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**GROUP 03. PROCUREMENT AND PROCUREMENT SYSTEMS.**

*We request that you select the Procurement and Procurement Systems Certification in Group 03 on behalf of your Applicant, especially if your Applicant is a State, local, or Indian tribal government with a certified procurement system, as provided in 49 CFR 18.36(g)(3)(ii). Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Certification in Group 03 that does not apply will not be enforced.*

On behalf of your Applicant, you certify that its procurements and its procurement system will comply with all Federal laws and regulations in accordance with applicable Federal guidance, except to the extent FTA has approved otherwise in writing.

**GROUP 04. PRIVATE SECTOR PROTECTIONS.**

*Before FTA may provide funding for a Project that involves the acquisition of public transportation property or operation of public transportation facilities or equipment, in addition to other Certifications you must select on your Applicant's behalf, you must also select the Private Property Protections Assurances in Group 04.A and enter into the Agreements in Group 04.B and Group 04.C on behalf of your Applicant, except as FTA determines otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Assurances and Agreements in Group 04 that does not apply will not be enforced.*

#### **04. A. Private Property Protections.**

*If your Applicant is a State, local government, or Indian tribal government and seeks FTA funding to acquire the property of a private transit operator or operate public transportation in competition with or in addition to a public transportation operator, the Private Property Protections Assurances in Group 04.A apply to your Applicant, except as FTA determines otherwise in writing.*

To facilitate FTA's ability to make the findings required by 49 U.S.C. 5323(a)(1), on behalf of your Applicant, you assure that:

1. It has or will have:
  - a. Determined that the funding is essential to carrying out a Program of Projects as required by 49 U.S.C. 5303, 5304, and 5306,
  - b. Provided for the participation of private companies engaged in public transportation to the maximum extent feasible, and
  - c. Paid just compensation under State or local laws to the company for any franchise or property acquired, and
2. It has completed the actions described in the preceding section 1 of this Group 04.A Certification before it:
  - a. Acquires the property or an interest in the property of a private provider of public transportation, or
  - b. Operates public transportation equipment or facilities:
    - (1) In competition with transportation service provided by an existing public transportation operator, or
    - (2) In addition to transportation service provided by an existing public transportation operator.

#### **04.B. Charter Service Agreement.**

*If your Applicant seeks FTA funding to acquire or operate transit facilities or equipment, the Charter Service Agreement in Group 04.B applies to your Applicant, except as FTA determines otherwise in writing.*

To comply with 49 U.S.C. 5323(d) and (g) and FTA regulations, "Charter Service," 49 CFR part 604, specifically 49 CFR 604.4, on behalf of your Applicant, you are entering into the following Charter Service Agreement:

1. FTA's "Charter Service" regulations apply as follows:
  - a. FTA's Charter Service regulations restrict transportation by charter service using facilities and equipment acquired by Recipients of FTA funding for transportation Projects with Federal funding derived from:
    - (1) Federal transit laws, 49 U.S.C. chapter 53,
    - (2) 23 U.S.C. 133 or 142, or
    - (3) Any other Act that provides Federal public transportation assistance, unless otherwise excepted,
  - b. FTA's charter service restrictions extend to:
    - (1) Your Applicant, when it becomes a Recipient of Federal funding appropriated or made available for:
      - (a) Federal transit laws, 49 U.S.C. chapter 53,
      - (b) 23 U.S.C. 133 or 142, or
      - (c) Any other Act that provides Federal public transportation assistance, unless otherwise excepted, and
    - (2) Any Third Party Participant that receives Federal funding derived from:
      - (a) Federal transit laws, 49 U.S.C. chapter 53,
      - (b) 23 U.S.C. 133 or 142, or
      - (c) Any other Act that provides Federal public transportation assistance, unless otherwise accepted,

c. A Third Party Participant includes any:

- (1) Subrecipient at any tier,
- (2) Lessee,
- (3) Third Party Contractor or Subcontractor at any Tier, and
- (4) Other Third Party Participant in its Project,

d. You and your Applicant agree that neither it nor any governmental authority or publicly owned operator that receives Federal public transportation assistance appropriated or made available for its Project will engage in charter service operations, except as permitted under:

- (1) Federal transit laws, specifically 49 U.S.C. 5323(d) and (g),
- (2) FTA regulations, "Charter Service," 49 CFR part 604, to the extent consistent with 49 U.S.C. 5323(d) and (g),
- (3) Any other Federal Charter Service regulations, or
- (4) Federal guidance, except as FTA determines otherwise in writing,

e. You and your Applicant agree that the latest Charter Service Agreement it has selected in its latest annual Certifications and Assurances is incorporated by reference in and made part of the underlying Agreement accompanying an award of FTA funding, and

f. You and your Applicant agree that:

(1) FTA may require corrective measures or impose remedies on it or any governmental authority or publicly owned operator that receives FTA funding appropriated or made available for its Project that has engaged in a pattern of violations of FTA's Charter Service regulations by:

- (a) Conducting charter operations prohibited by Federal transit laws and FTA's Charter Service regulations, or
- (b) Otherwise violating its Charter Service Agreement it has elected in its latest annual Certifications and Assurances, and

(2) These corrective measures and remedies may include:

- (a) Barring it or any Third Party Participant operating public transportation under the Project that has provided prohibited charter service from receiving FTA funds,
- (b) Withholding an amount of Federal funds as provided by Appendix D to FTA's Charter Service regulations, or
- (c) Any other appropriate remedy that may apply, and

2. In addition to the exceptions to the restrictions in FTA's Charter Service Regulations, FTA has established the following additional exceptions to those restrictions:

a. FTA's Charter Service restrictions do not apply to your Applicant if it seeks funding appropriated or made available for 49 U.S.C. 5307 and 5311, to be used for Job Access and Reverse Commute (JARC) activities that would have been eligible for assistance under repealed 49 U.S.C. 5316 in effect in FY 2012 or a previous fiscal year, provided that it uses that FTA funding for those program purposes only,

b. FTA's Charter Service restrictions do not apply to your Applicant if it seeks funding appropriated or made available for 49 U.S.C. 5310, to be used for New Freedom activities that would have been eligible for assistance under repealed 49 U.S.C. 5317 in effect in FY 2012 or a previous fiscal year, provided it uses that FTA funding for those program purposes only, and

c. An Applicant for assistance under 49 U.S.C. chapter 53 will not be determined to have violated the FTA Charter Service regulations if that Recipient provides a private intercity or charter transportation operator reasonable access to that Recipient's federally-funded public transportation facilities, including intermodal facilities, park and ride lots, and bus-only highway lanes, as provided in 49 U.S.C. 5323(r).

#### **04.C. School Bus Agreement.**

*If your Applicant seeks FTA funding to acquire or operate transit facilities or equipment, the School Bus Agreement in Group 04.C applies to your Applicant, except as FTA determines otherwise in writing.*

To comply with 49 U.S.C. 5323(f) and (g) and FTA regulations, "School Bus Operations," 49 CFR part 605, to the extent consistent with 49 U.S.C. 5323(f) and (g), on behalf of your Applicant, you are entering into the following School Bus Agreement:

1. FTA's "School Bus Operations" regulations restrict school bus operations using facilities and equipment acquired with Federal funding derived from:
  - a. Federal transit laws, 49 U.S.C. chapter 53,
  - b. 23 U.S.C. 133 or 142, or
  - c. Any other Act that provides Federal public transportation assistance, unless otherwise excepted,
2. FTA's school bus operations restrictions extend to:
  - a. Your Applicant, when it becomes a Recipient of Federal funding appropriated or made available for:
    - (1) Federal transit laws, 49 U.S.C. chapter 53,
    - (2) 23 U.S.C. 133 or 142, or
    - (3) Any other Act that provides Federal public transportation assistance, unless otherwise excepted, and
  - b. Any Third Party Participant that receives Federal funding derived from:
    - (1) Federal transit laws, 49 U.S.C. chapter 53,
    - (2) 23 U.S.C. 133 or 142, or
    - (3) Any other Act that provides Federal public transportation assistance, unless otherwise excepted,
3. A Third Party Participant includes any:
  - a. Subrecipient at any tier,
  - b. Lessee,
  - c. Third Party Contractor or Subcontractor at any tier, and
  - d. Other Third Party Participant in the Project,
4. You and your Applicant agree, and will obtain the agreement of any Third Party Participant involved in your Applicant's Project, that it will not engage in school bus operations in competition with private operators of school buses, except as permitted under:
  - a. Federal transit laws, specifically 49 U.S.C. 5323(f) and (g),
  - b. FTA regulations, "School Bus Operations," 49 CFR part 605, to the extent consistent with 49 U.S.C. 5323(f) and (g),
  - c. Any other Federal School Bus regulations, or
  - d. Federal guidance, except as FTA determines otherwise in writing,
5. You and your Applicant agree that the latest School Bus Agreement you have selected on its behalf in FTA's latest annual Certifications and Assurances is incorporated by reference in and made part of the underlying Agreement accompanying an award of FTA funding, and
6. You and your Applicant agree that after it is a Recipient, if it or any Third Party Participant has violated this School Bus Agreement, FTA may:
  - a. Bar your Applicant or Third Party Participant from receiving further Federal transit funds, or
  - b. Require the Applicant or Third Party Participant to take such remedial measures as FTA considers appropriate.

**GROUP 05. ROLLING STOCK REVIEWS AND BUS TESTING.**

*Before FTA may provide funding for a Project to acquire rolling stock for use in revenue service or to acquire a new bus model, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Rolling Stock Reviews and Bus Testing Certifications in Group 05, except as FTA determines otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Certifications in Group 05 that does not apply will not be enforced.*

**05.A. Rolling Stock Reviews.**

*If your Applicant seeks FTA funding to acquire rolling stock for use in revenue service, the Rolling Stock Reviews Certifications in Group 05.A apply to your Applicant, except as FTA determines otherwise in writing.*

On behalf of your Applicant, you certify that when procuring rolling stock for use in revenue service:

1. It will comply with:

- a. Federal transit laws, specifically 49 U.S.C. 5323(m), and
- b. FTA regulations, "Pre-Award and Post-Delivery Audits of Rolling Stock Purchases," 49 CFR part 663, and

2. As provided in 49 CFR 663.7:

- a. It will conduct or cause to be conducted the required pre-award and post-delivery reviews, and
- b. It will maintain on file the Certifications required by 49 CFR part 663, subparts B, C, and D.

#### **05.B. Bus Testing.**

*If your Applicant seeks FTA funding to acquire a new bus model, the Bus Testing Certifications in Group 05.B apply to your Applicant, except as FTA determines otherwise in writing.*

On behalf of your Applicant, you certify that:

1. Bus Testing requirements apply to all acquisitions of new buses and new bus models that require bus testing as defined in FTA's Bus Testing regulations, and it will comply with:

- a. 49 U.S.C. 5318, and
- b. FTA regulations, "Bus Testing," 49 CFR part 665, to the extent these regulations are consistent with 49 U.S.C. 5318,

2. As required by 49 CFR 665.7, when acquiring the first bus of any new bus model or a bus model with a major change in components or configuration:

a. It will not spend any Federal funds appropriated under 49 U.S.C. chapter 53 to acquire that new bus or new bus model until:

- (1) That new bus or new bus model has been tested at FTA's bus testing facility, and
- (2) It has received a copy of the test report prepared on that new bus or new bus model, and

b. It will not authorize final acceptance of that new bus or new bus model until:

- (1) That new bus or new bus model has been tested at FTA's bus testing facility, and
- (2) It has received a copy of the test report prepared on that new bus or new bus model,

3. It will ensure that the new bus or new bus model that is tested has met the performance standards consistent with those regulations, including:

a. Performance standards for:

- (1) Maintainability,
- (2) Reliability,
- (3) Performance (including braking performance),
- (4) Structural integrity,
- (5) Fuel economy,
- (6) Emissions, and
- (7) Noise, and

b. Minimum safety performance standards established under 49 U.S.C. 5329, and

4. After FTA regulations authorized by 49 U.S.C. 5318(e)(2) are in effect, it will ensure that the new bus or new bus model that is tested has received a passing aggregate test score under the "Pass/Fail" standard established by regulation.

#### **GROUP 06. DEMAND RESPONSIVE SERVICE.**

*If your Applicant is a public entity, operates demand responsive service, and seeks FTA funding to acquire a non-rail vehicle that is not accessible, before FTA may provide funding for that Project, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Demand Responsive Service Certifications in Group 06, except as FTA determines otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Certifications in Group 06 that does not apply will not be enforced.*

As required by U.S. DOT regulations, "Transportation Services for Individuals with Disabilities (ADA)," 49 CFR part 37, specifically 49 CFR 37.77(d), on behalf of your Applicant, you certify that:

1. Your Applicant offers public transportation services equivalent in level and quality of service to:
  - a. Individuals with disabilities, including individuals who use wheelchairs, and
  - b. Individuals without disabilities, and
2. Viewed in its entirety, its service for individuals with disabilities is:
  - a. Provided in the most integrated setting feasible, and
  - b. Equivalent to the service it offers individuals without disabilities with respect to:
    - (1) Response time,
    - (2) Fares,
    - (3) Geographic service area,
    - (4) Hours and days of service,
    - (5) Restrictions on priorities based on trip purpose,
    - (6) Availability of information and reservation capability, and
    - (7) Constraints on capacity or service availability.

#### **GROUP 07. INTELLIGENT TRANSPORTATION SYSTEMS.**

*Before FTA may provide funding for an Intelligent Transportation Systems (ITS) Project or a Project in support of an ITS Project, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Intelligent Transportation Systems Assurances in Group 07, except as FTA determines otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Assurances in Group 07 that does not apply will not be enforced.*

On behalf of your Applicant, you and your Applicant:

1. Understand that, as used in this Assurance, the term Intelligent Transportation Systems (ITS) Project is defined to include any Project that, in whole or in part, finances the acquisition of technologies or systems of technologies that provide or significantly contribute to the provision of one or more ITS user services as defined in the "National ITS Architecture," and
2. Assure that, as provided in 23 U.S.C. 517(d), any ITS Project it undertakes funded with appropriations made available from the Highway Trust Fund, including amounts made available to deploy ITS facilities or equipment, will conform to the appropriate regional ITS architecture, applicable standards, and protocols developed under 23 U.S.C. 517(a) or (c), unless it obtains a waiver as provided in 23 U.S.C. 517(d)(2).

#### **GROUP 08. INTEREST AND FINANCING COSTS AND ACQUISITION OF CAPITAL ASSETS BY LEASE.**

*Before FTA may provide funding appropriated or made available for 49 U.S.C. chapter 53 to support interest, or financing, or leasing costs of any Project financed under the Urbanized Area Formula*

*Grants Program, Fixed Guideway Capital Investment Grants Program, or another program as FTA may specify, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Certifications in Group 08, except as FTA may determine otherwise in writing. Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Certifications and Assurances in Group 08 that does not apply will not be enforced.*

**08.A. Interest and Financing Costs.**

*If your Applicant intends to use FTA funding to support interest or any other financing costs for Projects funded by the Urbanized Area Formula Grants Program, Fixed Guideway Capital Investment Grants Program, or another program as FTA may specify, the Interest and Financing Costs Certifications in Group 08.A apply to your Applicant, except as FTA determines otherwise in writing.*

On behalf of your Applicant, you certify that:

1. It will not seek reimbursement for interest or any other financing costs unless:
  - a. It is eligible to receive Federal funding for those costs, and
  - b. Its records demonstrate that it has shown reasonable diligence in seeking the most favorable financing terms, to the extent FTA may require, and
2. It will comply with the same favorable financing cost provisions for:
  - a. Urbanized Area Formula Grants Projects,
  - b. Projects under Full Funding Grant Agreements,
  - c. Projects with Early Systems Work Agreements,
  - d. Fixed Guideway Capital Investment Projects funded by previous FTA enabling legislation,
  - e. State of Good Repair Projects,
  - f. Bus and Bus Facilities Projects, and
  - g. Low or No Emission Vehicle Development Projects.

**08.B. Acquisition of Capital Assets by Lease.**

*If your Applicant seeks FTA funding to acquire capital assets through a lease, the Acquisition of Capital Assets by Lease Certifications and Assurances in Group 08.B applies to your Applicant, except as FTA determines otherwise in writing.*

On behalf of your Applicant, you certify and assure that, as required by FTA regulations, "Capital Leases," 49 CFR part 639, specifically 49 CFR 639.15(b)(1) and 49 CFR 639.21, if your Applicant acquires any capital asset through a lease financed with Federal funding appropriated or made available for 49 U.S.C. chapter 53:

1. It will not use Federal funding appropriated or made available for public transportation Projects eligible under 49 U.S.C. chapter 53 or any other applicable law to finance the cost of leasing any capital asset until:
  - a. It performs calculations demonstrating that leasing the capital asset would be more cost-effective than purchasing or constructing a similar asset, and
  - b. It completes these calculations before the later of:
    - (1) Entering into the lease, or
    - (2) Receiving a capital grant for the asset, and
2. It will not enter into a capital lease for which FTA can provide only incremental Federal funding unless it has adequate financial resources to meet its future lease obligations if Federal funding is not available.

**GROUP 09. TRANSIT ASSET MANAGEMENT PLAN AND PUBLIC TRANSPORTATION AGENCY SAFETY PLAN.**

*Before FTA may provide funding appropriated or made available for 49 U.S.C. chapter 53 to support your Applicant's Project, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Certifications in Group 09, except as FTA determines otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Certifications in Group 09 that does not apply will not be enforced.*

**09.A. Transit Asset Management Plan.**

*If your Applicant applies for funding appropriated or made available for 49 U.S.C. chapter 53, the Transit Asset Management Certifications in Group 09.A apply to your Applicant, except as FTA determines otherwise in writing.*

On behalf of your Applicant, you certify that it and each Subrecipient will:

1. Follow Federal guidance when issued that implements transit asset management system provisions of 49 U.S.C. 5326, except as FTA determines otherwise in writing, and
2. Comply with the final Federal regulations when issued that implement the transit asset management provisions of 49 U.S.C. 5326.

**09.B. Public Transportation Agency Safety Plan.**

*If your Applicant applies for funding under 49 U.S.C. chapter 53 and it is a State government, local government, or any other operator of a public transportation system, the Public Transportation Safety Plan Certifications in Group 09.B apply to your Applicant, except as FTA determines otherwise in writing.*

On behalf of your Applicant, you certify that it will:

1. Follow the Federal guidance, when issued, that will implement the safety plan provisions of 49 U.S.C. 5329(d), except as FTA determines otherwise in writing, and
2. Comply with the final Federal regulations, when issued, that implement the safety plan requirements of 49 U.S.C. 5329(d).

**GROUP 10. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.**

*If your Applicant must comply with the alcohol and controlled substance testing requirements of 49 U.S.C. 5331 and its implementing regulations, before FTA may provide funding for your Applicant's Project, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Certifications in Group 10, except as FTA may determine otherwise in writing. Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Certifications in Group 10 that does not apply will not be enforced.*

As required by 49 U.S.C. 5331, and FTA regulations, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," 49 CFR part 655, subpart I, specifically 49 CFR 655.83, on behalf of your Applicant, including a State Applicant, and on behalf of its Subrecipients and Third Party Contractors, you certify that:

1. Your Applicant, its Subrecipients, and Third Party Contractors to which these testing requirements apply have established and implemented:
  - a. An alcohol misuse testing program, and

- b. A controlled substance testing program,
- 2. Your Applicant, its Subrecipients, and Third Party Contractors to which these testing requirements apply have complied or will comply with all applicable requirements of 49 CFR part 655 to the extent those regulations are consistent with 49 U.S.C. 5331, and
- 3. Consistent with U.S. DOT Office of Drug and Alcohol Policy and Compliance Notice, issued October 22, 2009, if your Applicant, its Subrecipients, or Third Party Contractors to which these testing requirements apply reside in a State that permits marijuana use for medical or recreational purposes, your Applicant, its Subrecipients, and Third Party Contractors to which these testing requirements apply have complied or will comply with the Federal controlled substance testing requirements of 49 CFR part 655.

**GROUP 11. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS PROGRAM (NEW STARTS, SMALL STARTS, AND CORE CAPACITY), AND CAPITAL INVESTMENT PROGRAM IN EFFECT BEFORE MAP-21 BECAME EFFECTIVE.**

*The Certifications in Group 11 apply to the New Starts, Small Starts, or Core Capacity Programs, 49 U.S.C. 5309.*

*Before FTA may provide funding for your Applicant's New Starts, Small Starts, or Core Capacity Project in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Certifications in Group 11, except as FTA may determine otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Certifications in Group 11 that does not apply will not be enforced.*

Except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:

- 1. It has or will have the following capabilities to carry out its proposed Project(s), including the safety and security aspects of the Project(s):
  - a. Legal capacity,
  - b. Financial capacity, and
  - c. Technical capacity,
- 2. It has or will have satisfactory continuing control over the use of Project equipment and facilities,
- 3. It will maintain its Project equipment and facilities adequately, and
- 4. It will comply with:
  - a. The Metropolitan Transportation Planning requirements of 49 U.S.C. 5303, and
  - b. The Statewide and Nonmetropolitan Transportation Planning requirements of 49 U.S.C. 5304.

**GROUP 12. STATE OF GOOD REPAIR PROGRAM.**

*Certain Certifications and Assurances listed previously are required for the State of Good Repair Program funding under 49 U.S.C. 5337.*

*Before FTA may provide funding for your Applicant's Project under the State of Good Repair Program, 49 U.S.C. 5337, for your Applicant's Project, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Certifications in Group 12, except as FTA determines otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Assurance in Group 12 that does not apply will not be enforced.*

On behalf of your Applicant, you certify that:

1. It has or will have the following to carry out its proposed Project(s), including the safety and security aspects of the Project(s):
  - a. Legal capacity,
  - b. Financial capacity, and
  - c. Technical capacity,
2. It has or will have satisfactory continuing control over the use of Project equipment and facilities,
3. It will maintain its Project equipment and facilities adequately, and
4. It will comply with:
  - a. The Metropolitan Transportation Planning requirements of 49 U.S.C. 5303, and
  - b. The Statewide and Nonmetropolitan Transportation Planning requirements of 49 U.S.C. 5304.

**GROUP 13. FIXED GUIDEWAY MODERNIZATION GRANT PROGRAM.**

*Before FTA may provide funding for your Applicant's Project under the Fixed Guideway Modernization Grant Program, former 49 U.S.C. 5309 in effect in FY 2012 or a previous fiscal year, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Certifications in Group 13, except as FTA determines otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Certification in Group 13 that does not apply will not be enforced.*

Former 49 U.S.C. 5309(b)(2) and former 49 U.S.C. 5307(d)(1) in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply, require the following Certifications for Fixed Guideway Modernization Grant Program funding; therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:

1. It has or will have the following to carry out its proposed Project(s), including the safety and security aspects of the proposed Project(s):
  - a. Legal capacity,
  - b. Financial capacity, and
  - c. Technical capacity,
2. It has or will have satisfactory continuing control over the use of Project equipment and facilities,
3. It will maintain its Project equipment and facilities adequately, and
4. It has complied or will comply with, and will require each Subrecipient to comply with, 49 U.S.C. 5303 and 5304.

**GROUP 14. BUS AND BUS FACILITIES FORMULA GRANTS PROGRAM AND BUS AND BUS-RELATED EQUIPMENT AND FACILITIES GRANT PROGRAM (DISCRETIONARY).**

*The Certifications in Group 14 are required for funding under:*

*14.A. The Bus and Bus Facilities Formula Grants Program, 49 U.S.C. 5339, as amended by MAP-21, and*

*14.B. The Bus and Bus-Related Equipment and Facilities Grant Program (Discretionary), former 49 U.S.C. 5309(b)(3) in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross cutting requirements that apply.*

*Before FTA may provide funding for your Applicant's Project under either Program listed above, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Certifications in Group 14, except as FTA determines otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Certifications in Group 14 that does not apply will not be enforced.*

#### **14.A. Bus and Bus Facilities Formula Grants Program**

*If your Applicant seeks FTA funding for its Project under the Bus and Bus Facilities Formula Grants Program, 49 U.S.C. 5339, the Certifications in Group 14.A below apply to your Applicant, except as FTA determines otherwise in writing.*

The following Certifications for Bus and Bus Facilities Formula Grants Program funding are required by 49 U.S.C. 5339(b), which states that "[t]he requirements of section 5307 apply to recipients of grants made under this section [5339]"; therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:

1. It has or will have the following to carry out its proposed Project(s), including the safety and security aspects of its proposed Project(s):
  - a. Legal capacity,
  - b. Financial capacity, and
  - c. Technical capacity,
2. It has or will have satisfactory continuing control over the use of Project equipment and facilities,
3. It will maintain its Project equipment and facilities adequately,
4. It will ensure that, during non-peak hours for transportation using or involving a facility or equipment financed under 49 U.S.C. 5339, the following individuals will be charged a fare not exceeding fifty (50) percent of the peak hour fare:
  - a. Any senior,
  - b. Any individual who, because of illness, injury, age, congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design,
  - c. Any individual presenting a Medicare card issued to that individual under title II of the Social Security Act (42 U.S.C. 401 *et seq.*), and
  - d. Any individual presenting a Medicare card issued to that individual under title XVIII of the Social Security Act (42 U.S.C. 1395 *et seq.*),
5. When carrying out a procurement under 49 U.S.C. 5339, it will comply with the:
  - a. General Provisions of 49 U.S.C. 5323, and
  - b. Third Party Contract Provisions of 49 U.S.C. 5325,
6. It has complied with or will comply with 49 U.S.C. 5307(b) because it:
  - a. Has made or will make available to the public information on amounts of its funding available to it under 49 U.S.C. 5339,
  - b. Has developed or will develop, in consultation with interested parties, including private transportation providers, a proposed Program of Projects for activities to be funded,

- c. Has published or will publish a Program of Projects in a way that affected individuals, private transportation providers, and local elected officials will have an opportunity to examine and submit comments on the proposed Program of Projects and its performance as an Applicant or Recipient,
  - d. Has provided or will provide an opportunity for a public hearing to obtain the views of individuals on the proposed Program of Projects,
  - e. Has ensured or will ensure that the proposed Program of Projects provide for coordination of transportation services funded by FTA under 49 U.S.C. 5336 with transportation services supported by other Federal Government sources,
  - f. Has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final Program of Projects, and
  - g. Has made or will make the final Program of Projects available to the public,
7. As required by 49 U.S.C. 5307(d), it:
- a. Has or will have the amount of funds required for the local share,
  - b. Will provide the local share funds from sources approved by FTA, and
  - c. Will provide the local share funds when needed,
8. It will comply with:
- a. The Metropolitan Transportation Planning requirements of 49 U.S.C. 5303, and
  - b. The Statewide and Nonmetropolitan Transportation Planning requirements of 49 U.S.C. 5304,
9. It has a locally developed process to solicit and consider public comment before:
- a. Raising a fare, or
  - b. Implementing a major reduction of public transportation, and
10. It will comply with the final Federal regulations, when issued, that implement the safety plan requirements of 49 U.S.C. 5329(d).

**14.B. Bus and Bus-Related Equipment and Facilities Grant Program (Discretionary).**

*If your Applicant seeks FTA funding for its Project under the Bus and Bus-Related Equipment and Facilities Grant Program (Discretionary), former 49 U.S.C. 5309 in effect in FY 2012 or a previous fiscal year, the Certifications in Group 14.B below apply to your Applicant, except as FTA determines otherwise in writing.*

The following Certifications for the Bus and Bus-Related Equipment and Facilities Grant Program (Discretionary) funding are required by former 49 U.S.C. 5309(c)(2), which applies the requirements of former 49 U.S.C. 5307(d)(1)(A), (B), (C), and (H), in effect in FY 2012 or a previous fiscal year to this Program, except as superseded by MAP-21 cross-cutting requirements that apply; therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:

- 1. It has or will have the following to carry out its proposed Project(s), including the safety and security aspects of those Project(s):
  - a. Legal capacity,
  - b. Financial capacity, and
  - c. Technical capacity,
- 2. It has or will have satisfactory continuing control over the use of Project equipment and facilities,
- 3. It will maintain its Project equipment and facilities adequately, and
- 4. It has complied or will comply with, and will require each Subrecipient to comply with, 49 U.S.C. 5303 and 5304.

**GROUP 15. URBANIZED AREA FORMULA GRANTS PROGRAMS, PASSENGER FERRY GRANT PROGRAM, AND JOB ACCESS AND REVERSE COMMUTE (JARC) FORMULA GRANT PROGRAM.**

*The Certifications in Group 15 are required for funding under:*

15.A. The Urbanized Area Formula Grants Program financed with funds appropriated or made available for 49 U.S.C. 5307, as amended by MAP-21, which among other things, authorizes funding for Job Access and Reverse Commute (JARC) Projects and Project Activities,

15.B. The Urbanized Area Formula Grants Program financed with funds appropriated or made available for former 49 U.S.C. 5307 in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply,

15.C. The Passenger Ferry Grant Program financed with funds appropriated or made available for 49 U.S.C. 5307(h), as amended by MAP-21, and

15.D. The Job Access and Reverse Commute (JARC) Formula Grant Program financed with funds appropriated or made available for former 49 U.S.C. 5316 in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply.

Before FTA may provide funding for your Applicant's Project under any of the Programs listed above, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Certifications in Group 15, except as FTA determines otherwise in writing.

Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.

Any provision of the Certifications in Group 15 that does not apply will not be enforced.

#### **15.A. Urbanized Area Formula Grants Program under MAP-21.**

If your Applicant seeks FTA funding for its Project under the Urbanized Area Formula Grants Program, 49 U.S.C. 5307, as amended by MAP-21, the Certifications in Group 15.A apply to your Applicant, except as FTA determines otherwise in writing.

The following Certifications for the Urbanized Area Formula Grants Program funding appropriated or made available in FYs 2013, 2014, and 2015 are required by 49 U.S.C. 5307(c)(1); therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:

1. It has or will have the following to carry out its proposed Project(s), including the safety and security aspects of the proposed Project(s):

- a. Legal capacity,
- b. Financial capacity, and
- c. Technical capacity,

2. It has or will have satisfactory continuing control over the use of Project equipment and facilities,

3. It will maintain its Project equipment and facilities adequately,

4. It will ensure that, during non-peak hours for transportation using or involving a facility or equipment financed under 49 U.S.C. 5339, the following individuals will be charged a fare not exceeding fifty (50) percent of the peak hour fare:

- a. Any senior,
- b. Any individual who, because of illness, injury, age, congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design,
- c. Any individual presenting a Medicare card issued to that individual under title II of the Social Security Act (42 U.S.C. 401 *et seq.*), and
- d. Any individual presenting a Medicare card issued to that individual under title XVIII of the Social Security Act (42 U.S.C. 1395 *et seq.*),

5. When carrying out a procurement under 49 U.S.C. 5307, it will comply with the:

- a. General Provisions of 49 U.S.C. 5323, and

- b. Third Party Contract Provisions of 49 U.S.C. 5325,
- 6. It has complied with or will comply with 49 U.S.C. 5307(b) because it:
  - a. Has made or will make available to the public information on amounts of its funding available to it under 49 U.S.C. 5307,
  - b. Has developed or will develop, in consultation with interested parties, including private transportation providers, a proposed Program of Projects for activities to be funded,
  - c. Has published or will publish a Program of Projects in a way that affected individuals, private transportation providers, and local elected officials will have an opportunity to examine and submit comments on the proposed Program of Projects and its performance as an Applicant or Recipient,
  - d. Has provided or will provide an opportunity for a public hearing to obtain the views of individuals on the proposed Program of Projects,
  - e. Has ensured or will ensure that the proposed Program of Projects provide for coordination of transportation services funded by FTA under 49 U.S.C. 5336 with transportation services supported by other Federal Government sources,
  - f. Has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final Program of Projects, and
  - g. Has made or will make the final Program of Projects available to the public,
- 7. As required by 49 U.S.C. 5307(d), it:
  - a. Has or will have the amount of funds required for the local share,
  - b. Will provide the local share funds from sources approved by FTA, and
  - c. Will provide the local share funds when needed,
- 8. As required by 49 U.S.C. 5307(c)(1)(H), it will comply with:
  - a. The Metropolitan Transportation Planning requirements of 49 U.S.C. 5303, and
  - b. The Statewide and Nonmetropolitan Transportation Planning requirements of 49 U.S.C. 5304,
- 9. As required by 49 U.S.C. 5307(c)(1)(I), it has a locally developed process to solicit and consider public comment before:
  - a. Raising a fare, or
  - b. Implementing a major reduction of public transportation,
- 10. Each fiscal year:
  - a. It will assure that at least one (1) percent of the amount of the 49 U.S.C. 5307 funding apportioned to its urbanized area must be expended for public transportation security Projects as described in 49 U.S.C. 5307(c)(1)(J)(i) including:
    - (1) Increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages),
    - (2) Increased camera surveillance of an area in or adjacent to that system,
    - (3) Providing emergency telephone line or lines to contact law enforcement or security personnel in an area in or adjacent to that system, and
    - (4) Any other Project intended to increase the security and safety of an existing or planned public transportation system, or
  - b. The Designated Recipients in its urbanized area certify that such expenditures for transportation security Projects are not necessary (Information about the intentions of your Designated Recipients in your Applicant's urbanized area must be recorded in the "Security" tab page of the TEAM-Web "Project Information" window when it submits its Urbanized Area Formula Grants Program application in TEAM-Web),
- 11. If it serves an urbanized area with a population of at least 200,000 individuals, as determined by the Bureau of the Census:
  - a. Each fiscal year, it will ensure that at least one (1) percent of the amount apportioned to its urbanized area is spent for Associated Transit Improvements, as defined in 49 U.S.C. 5302(1),
  - b. It will include in its quarterly report for the fourth quarter of the preceding Federal fiscal year:

- (1) A list of its Associated Transit Improvement Projects or Project Activities during that Federal fiscal year using those 49 U.S.C. 5307 funds, or
  - (2) Sufficient information to demonstrate that the Designated Recipients in its urbanized area together have spent one (1) percent of the funding apportioned to the area for Associated Transit Improvement Projects or Project Activities, or have included the same information in a separate report attached in TEAM-Web, and
  - c. The report of its Associated Transit Improvement Projects or Project Activities is or will be incorporated by reference and made part of its Certifications and Assurances, and
12. It will comply with the final Federal regulations, when issued, that implement the safety requirements of 49 U.S.C. 5329(d).

**B. Urbanized Area Formula Grants Program before MAP-21 Became Effective.**

*You must select the Certification in Group 15.B if your Applicant seeks funding under the Urbanized Area Formula Grants Program financed with funds appropriated or made available for former 49 U.S.C. 5307 in effect in FY 2012 or a previous fiscal year. In administering this program, MAP-21 cross-cutting requirements supersede inconsistent former requirements.*

The following Certifications for the Urbanized Area Formula Grants Program are required by former 49 U.S.C. 5307(d)(1) in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply instead; therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:

1. It has or will have the following to carry out its proposed Project(s), including the safety and security aspects of Project(s):
  - a. Legal capacity,
  - b. Financial capacity, and
  - c. Technical capacity,
2. It has or will have satisfactory continuing control over the use of Project equipment and facilities,
3. It will maintain its Project equipment and facilities adequately,
4. It will ensure that for transportation using or involving a facility or equipment of a Project financed under former 49 U.S.C. 5307 in effect in FY 2012 or a previous fiscal year, the following individuals will be charged a fare not exceeding fifty (50) percent of the peak hour fare:
  - a. Any elderly individual,
  - b. Any handicapped individual, as described in 49 CFR part 27,
  - c. Any individual presenting a Medicare card issued to that individual under title II of the Social Security Act (42 U.S.C. 401 *et seq.*), and
  - d. Any individual presenting a Medicare card issued to that individual under title XVIII of the Social Security Act (42 U.S.C. 1395 *et seq.*),
5. When carrying out a procurement under former 49 U.S.C. 5307 in effect in FY 2012 or a previous fiscal year, it will comply with the following provisions as amended by MAP-21:
  - a. Competitive procurement (as defined or approved by FTA), as required by 49 U.S.C. 5325(a),
  - b. The prohibition against exclusionary or discriminatory specifications in its procurements under 49 U.S.C. 5323(h),
  - c. "Buy America" under 49 U.S.C. 5323(j),
  - d. Applicable pre-award and post-delivery requirements of 49 U.S.C. 5323(m),
  - e. Applicable railcar option restrictions of 49 U.S.C. 5325(e), and
  - f. "Veterans Preference/Employment" under 49 U.S.C. 5325(k),
6. It will comply with other applicable requirements under 49 U.S.C. 5323 and 5325,
7. It:
  - a. Has or will make available to the public information on amounts available to it under 49 U.S.C. 5307 and the Program of Projects it proposes to undertake,

- b. Will develop or has developed, in consultation with interested parties, including private transportation providers, a proposed Program of Projects for activities to be financed,
  - c. Will publish or has published a proposed Program of Projects in a way that affected citizens, private transportation providers, and local elected officials have the opportunity to examine the proposed program and submit comments on the proposed program and the Applicant or Recipient's performance,
  - d. Will provide or has provided an opportunity for a public hearing in which to obtain the views of citizens on the proposed Program of Projects,
  - e. Will ensure or has ensured that the proposed Program of Projects provides for the coordination of public transportation services assisted under 49 U.S.C. 5336 with transportation services assisted from other Federal Government sources,
  - f. Will consider or has considered comments and views received, especially those of private transportation providers, in preparing the final Program of Projects, and
  - g. Will make or has made the final Program of Projects available to the public,
8. It:
- a. Has or will have the amount of funds required for the local share,
  - b. Will provide the local share funds from sources approved by FTA, and
  - c. Will provide the local share funds when needed,
9. It has complied or will comply with, and will require each Subrecipient to comply with, 49 U.S.C. 5303, and 5304,
10. It has a locally developed process to solicit and consider public comment before:
- a. Raising a fare, or
  - b. Implementing a major reduction of public transportation,
11. Each fiscal year:
- a. It will assure that at least one (1) percent of the 49 U.S.C. 5307 funding apportioned to its urbanized area must be spent for public transportation security projects (limited to capital Projects if it serves an urbanized area with a population of 200,000 or more), including:
    - (1) Increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages),
    - (2) Increased camera surveillance of an area in or adjacent to that system,
    - (3) Emergency telephone line or lines to contact law enforcement or security personnel in an area in or adjacent to that system, and
    - (4) Any other Project intended to increase the security and safety of an existing or planned public transportation, or
  - b. It will certify that such expenditures for transportation security Projects are not necessary (Information about its intentions must be recorded in the "Security" tab page of the TEAM-Web "Project Information" window when it submits its Urbanized Area Formula Grants Program application in TEAM-Web),
12. If it serves an urbanized area with a population of at least 200,000 individuals:
- a. Each fiscal year, it will ensure that at least one (1) percent of the amount apportioned to its urbanized area is spent for Transit Enhancements, as defined in former 49 U.S.C. 5302(a)(15),
  - b. It will include in its quarterly report for the fourth quarter of the preceding Federal fiscal year:
    - (1) A list of its Transit Enhancement Project Activities during that Federal fiscal year using those former 49 U.S.C. 5307 funds, or
    - (2) Sufficient information to demonstrate that the Designated Recipients in its urbanized area together have spent one (1) percent of the amount of funding that must be made available to them for Transit Enhancements or have included the same information in a separate report attached in TEAM-Web, and
  - c. The report of its or the Designated Recipients' Transit Enhancement Projects or Project Activities is or will be incorporated by reference and made part of its Certifications and Assurances, and
13. It will comply with the final Federal regulations, when issued, that implement the safety plan requirements of 49 U.S.C. 5329(d).

**C. Passenger Ferry Grant Program.**

*If your Applicant seeks FTA funding for its Project under the Passenger Ferry Grant Program, 49 U.S.C. 5307(h), the Certifications in Group 15.C apply to your Applicant, except as FTA determines otherwise in writing.*

The following Certifications for the Passenger Ferry Grant Program funding are required by 49 U.S.C. 5307(h) and (c)(1); therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:

1. It has or will have the following to carry out its proposed Project(s), including the safety and security aspects of the proposed Project(s):

- a. Legal capacity,
- b. Financial capacity, and
- c. Technical capacity,

2. It has or will have satisfactory continuing control over the use of Project equipment and facilities,

3. It will maintain its Project equipment and facilities adequately,

4. It will ensure that, during non-peak hours for transportation using or involving a facility or equipment of a Project financed under 49 U.S.C. 5307(h), the following individuals will be charged a fare not exceeding fifty (50) percent of the peak hour fare:

- a. Any senior,
- b. Any individual who, because of illness, injury, age, congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design,
- c. Any individual presenting a Medicare card issued to that individual under title II of the Social Security Act (42 U.S.C. 401 *et seq.*), and
- d. Any individual presenting a Medicare card issued to that individual under title XVIII of the Social Security Act (42 U.S.C. 1395 *et seq.*),

5. When carrying out a procurement under 49 U.S.C. 5307(h), it will comply with the:

- a. General Provisions of 49 U.S.C. 5323, and
- b. Third Party Contract Provisions of 49 U.S.C. 5325,

6. As required by 49 U.S.C. 5307(d), it:

- a. Has or will have the amount of funds required for the local share,
- b. Will provide the local share funds from sources approved by FTA, and
- c. Will provide the local share funds when needed,

7. As required by 49 U.S.C. 5307(c)(1)(H), it will comply with:

- a. The Metropolitan Transportation Planning requirements of 49 U.S.C. 5303, and
- b. The Statewide and Nonmetropolitan Transportation Planning requirements of 49 U.S.C. 5304,

8. As required by 49 U.S.C. 5307(c)(1)(I), it has a locally developed process to solicit and consider public comment before:

- a. Raising a fare, or
- b. Implementing a major reduction of public transportation, and

9. It will comply with the final Federal regulations, when issued, that implement the safety plan requirements of 49 U.S.C. 5329(d).

**D. Job Access and Reverse Commute (JARC) Formula Grant Program.**

*If your Applicant seeks FTA funding for its Project under the Job Access and Reverse Commute (JARC) Formula Grant Program, former 49 U.S.C. 5316 in effect in FY 2012 or a previous fiscal year, the Certifications in Group 15.D apply to your Applicant, except as FTA determines otherwise in writing.*

1. The following Certifications for the Job Access and Reverse Commute (JARC) Formula Grant Program are required by former 49 U.S.C. 5316 in effect in FY 2012 or a previous fiscal year, except as

superseded by MAP-21 cross-cutting requirements that apply; therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:

a. It will make awards of JARC funding on a competitive basis following:

(1) An areawide solicitation in cooperation with the appropriate metropolitan planning organization for applications for funding in compliance with former 49 U.S.C. 5316 if your Applicant receives funding under former 49 U.S.C. 5316(c)(1)(A), and

(2) A statewide solicitation for applications for JARC funding in compliance with former 49 U.S.C. 5316 if your Applicant receives funding under former 49 U.S.C. 5316(c)(1)(B) or (C),

b. Any allocations to Subrecipients of JARC funding authorized by former 49 U.S.C. 5316 will be distributed on a fair and equitable basis,

c. As required by former 49 U.S.C. 5316:

(1) The Projects it has selected or will select for former 49 U.S.C. 5316 funding must be derived from a public transit-human services transportation plan that has been:

(a) Locally developed, and

(b) Coordinated, and

(2) That locally developed and coordinated plan was produced through a process that included:

(a) Representatives of public, private, and nonprofit transportation providers,

(b) Human service providers, and

(c) Participation by the public,

d. Before it transfers funds to a Project funded by former 49 U.S.C. 5336, that Project has been or will have been coordinated with private nonprofit providers of services as required under former 49 U.S.C. 5316(g)(2),

e. Before using funds apportioned for Projects serving an area other than that for which funding was apportioned under former 49 U.S.C. 5316:

(1) The State's chief executive officer, or his or her designee, will have certified that all the JARC program objectives of former 49 U.S.C. 5316 are being met in the area from which the funding would be derived, and

(2) If the State has a statewide program for meeting the JARC program objectives of former 49 U.S.C. 5316, the funds can be used for Projects anywhere in the State, and

f. The requirements of former 49 U.S.C. 5307 will apply to the JARC Program, authorized by former 49 U.S.C. 5316, and

2. The following Certifications for the JARC Program are required by former 49 U.S.C. 5307(d)(1) in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply; therefore, except as FTA determines otherwise in writing, on its behalf, you certify that:

a. It has or will have, and will require each Subrecipient to have, the following to carry out its proposed Project(s), including the safety and security aspects of its proposed Project(s):

(1) The legal capacity,

(2) The financial capacity, and

(3) The technical capacity,

b. It has or will have, and will require each Subrecipient to have satisfactory continuing control over the use of Project equipment and facilities,

c. It will maintain, and will require each Subrecipient to maintain, its Project equipment and facilities adequately,

d. To the extent applicable, it will ensure, and will require each Subrecipient to ensure, that for transportation using or involving a facility or equipment of a Project financed under former 49 U.S.C. 5316 the following individuals will be charged a fare not exceeding fifty (50) percent of the peak hour fare:

(1) Any elderly individual,

(2) Any handicapped individual, as described in 49 CFR part 27,

- (3) Any individual presenting a Medicare card issued to that individual under title II of the Social Security Act (42 U.S.C. 401 *et seq.*), and
- (4) Any individual presenting a Medicare card issued to that individual under title XVIII of the Social Security Act (42 U.S.C. 1395 *et seq.*),
- e. When carrying out a procurement under former 49 U.S.C. 5316, it will comply with the following provisions as amended by MAP-21:
- (1) Competitive procurement (as defined or approved by FTA), as required by 49 U.S.C. 5325(a),
- (2) The prohibition against exclusionary or discriminatory specifications in its procurements, as required by 49 U.S.C. 5323(h),
- (3) "Buy America" under 49 U.S.C. 5323(j),
- (4) Applicable pre-award and post-delivery requirements of 49 U.S.C. 5323(m), and
- (5) "Veterans Preference/Employment" under 49 U.S.C. 5325(k),
- f. It will comply with other applicable requirements under 49 U.S.C. 5323 and 5325,
- g. It:
- (1) Has or will have, and as necessary, will require each Subrecipient to have the amount of funds required for the local share by former 49 U.S.C. 5316,
- (2) Will provide, and as necessary, will require each Subrecipient to provide, the local share funds from sources approved by FTA, and
- (3) Will provide, and as necessary, will require each Subrecipient to provide, the local share funds when needed,
- h. It has complied or will comply with, and will require each Subrecipient to comply with, 49 U.S.C. 5303, and 5304,
- i. It has or will have, and will require each Subrecipient to have, a locally developed process to solicit and consider public comment before:
- (1) Raising a fare, or
- (2) Implementing a major reduction of public transportation, and j. To the extent applicable, it will comply with, and as necessary, will require each Subrecipient to comply with the final Federal regulations, when issued, that implement the safety plan requirements of 49 U.S.C. 5329(d).

**GROUP 16. SENIORS/ELDERLY/INDIVIDUALS WITH DISABILITIES/  
NEW FREEDOM PROGRAMS.**

*The Certifications in Group 16 are required for funding under:*

*16.A. The Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program, financed or to be financed with funds appropriated or made available for 49 U.S.C. 5310, as amended by MAP-21, which among other things authorizes funding for New Freedom Projects and Project Activities,*

*16.B. The Formula Grants for the Special Needs of Elderly Individuals and Individuals with Disabilities Program financed or to be financed with funds appropriated or made available for former 49 U.S.C. 5310 in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply, and*

*16.C. The New Freedom Program financed or to be financed with funds appropriated or made available for former 49 U.S.C. 5317 in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply.*

*Before FTA may provide funding for your Applicant's Project under any of the Programs listed above, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Certifications in Group 16, except as FTA determines otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation*

*from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.  
Any provision of the Certifications in Group 16 that does not apply will not be enforced.*

**16.A. Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program.**

*If your Applicant seeks FTA funding for its Project under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program, 49 U.S.C. 5310, as amended by MAP-21, the Certifications in Group 16.A apply to your Applicant, except as FTA determines otherwise in writing.*

1. The following Certifications for the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program are required by 49 U.S.C. 5310; therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:

a. Each of its Subrecipients is:

(1) A private nonprofit organization, or

(2) A State or local governmental authority that:

(a) Is approved by a State to coordinate services for seniors and individuals with disabilities, or

(b) Certifies that there are no private nonprofit organizations readily available in the area to provide the services authorized for support under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program,

b. It will comply with the following Project selection and planning requirements:

(1) The Projects it has selected or will select for funding appropriated or made available for 49 U.S.C. 5310 are included in a public transit-human services transportation plan that has been:

(a) Locally developed, and

(b) Coordinated,

(2) The public transit-human services transportation plan was developed and approved through a process that included participation by:

(a) Seniors,

(b) Individuals with disabilities,

(c) Representatives of public, private, and nonprofit transportation providers,

(d) Representatives of public, private, and nonprofit human services providers, and

(e) Other members of the public,

(3) The transportation Projects to assist in providing transportation services for seniors and individuals with disabilities are included in a Program of Projects,

(4) A Program of Projects in the preceding subsection 1.b(3) of this Group 16.A Certification is or will be submitted annually to FTA, and

(5) To the maximum extent feasible, the services funded by 49 U.S.C. 5310 will be coordinated with transportation services funded by other Federal departments and agencies, including any transportation activities carried out by a recipient of a grant from the Department of Health and Human Services,

c. As required by 49 U.S.C. 5310(e)(2)(B), it certifies that if it allocates funds received under 49 U.S.C. 5310, to Subrecipients, it will have allocated those funds on a fair and equitable basis,

d. It will transfer a facility or equipment financed with funding appropriated or made available for a grant under 49 U.S.C. 5310, to any other recipient eligible to receive assistance under 49 U.S.C. chapter 53, only if:

(1) The recipient possessing the facility or equipment consents to the transfer, and

(2) The facility or equipment will continue to be used as required under 49 U.S.C. 5310,

e. As required by 49 U.S.C. 5310(b)(2), it will use at least fifty-five (55) percent of the funds on capital Projects to meet the special needs of seniors and disabled, and

f. The requirements of 49 U.S.C. 5307, as determined by FTA, will apply to the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities, authorized by 49 U.S.C. 5310, and

2. FTA has determined certain requirements of 49 U.S.C. 5307, to be appropriate for which some require Certifications; therefore, as specified under 49 U.S.C. 5307(c)(1), it certifies that:

a. It has or will have, and will require each Subrecipient to have, the following to carry out its proposed Project(s), including the safety and security aspects of its proposed Project(s):

- (1) Legal capacity,
- (2) Financial capacity, and
- (3) Technical capacity,

b. It has or will have, and will require each Subrecipient to have, satisfactory continuing control over the use of Project equipment and facilities,

c. It will maintain, and will require each Subrecipient to maintain its Project equipment and facilities adequately,

d. When carrying out a procurement under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program, it will, and will require each Subrecipient to comply with the:

- (1) General Provisions of 49 U.S.C. 5323, and
- (2) Third Party Contract Provisions of 49 U.S.C. 5325,

e. It has complied or will comply with, and will require each Subrecipient to comply with:

- (1) The Metropolitan Transportation Planning requirements of 49 U.S.C. 5303, and
- (2) The Statewide and Nonmetropolitan Transportation Planning requirements of 49 U.S.C. 5304, and

f. To the extent applicable, it will comply with, and require its Subrecipients to comply with the final Federal regulations, when issued, that implement the safety plan requirements of 49 U.S.C. 5329(d).

#### **16.B. Formula Grants for the Special Needs of Elderly Individuals and Individuals with Disabilities Program.**

*If your Applicant seeks FTA funding for its Project under the Formula Grants for the Special Needs of Elderly Individuals and Individuals with Disabilities Program, former 49 U.S.C. 5310 in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply, the Certifications in Group 16.B apply to your Applicant, except as FTA determines otherwise in writing.*

1. The following Certifications for the Formula Grants for the Special Needs of Elderly Individuals and Individuals with Disabilities Program are required by former 49 U.S.C. 5310 in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply; therefore, except as FTA determines otherwise in writing, on behalf of your State Applicant, you certify that:

a. Each of your State Applicant's Subrecipients is:

(1) A private nonprofit organization, if the public transportation service that would undertake public transportation capital Project(s) planned, designed, and carried out to meet the special needs of elderly individuals and individuals with disabilities is:

- (a) Unavailable,
- (b) Insufficient, or
- (c) Inappropriate, or

(2) A State or local governmental authority that:

- (a) Is approved by a State to coordinate services for seniors and individuals with disabilities, or
- (b) Certifies that there are not any nonprofit organizations readily available in the area to provide public transportation capital Projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities,

b. The Projects your State Applicant has selected or will select for funding appropriated or made available for former 49 U.S.C. 5310 are included in a public transit-human services transportation plan that has been:

- (1) Locally developed, and
- (2) Coordinated,

c. That public transit-human services transportation plan was developed and approved through a process that included participation by:

- (1) Elderly individuals,
  - (2) Individuals with disabilities,
  - (3) Representatives of public, private, and nonprofit transportation providers,
  - (4) Representatives of human services providers, and
  - (5) Other members of the public,
- d. If your State Applicant allocates funds received under former 49 U.S.C. 5310 to Subrecipients, your State Applicant will have allocated those funds on a fair and equitable basis,
- e. The Program of Projects your State Applicant has submitted or will submit contains or will contain an assurance that the Program provides for the maximum feasible coordination of transportation services funded by former 49 U.S.C. 5310 with transportation services funded by other Government sources,
- f. If your State Applicant transfers former 49 U.S.C. 5310 funds to another Project funded under 49 U.S.C. 5336 in accordance with former 49 U.S.C. 5310(b)(2), the Project for which the funds are requested has been coordinated with private nonprofit providers of service under former 49 U.S.C. 5310, and
- g. It will comply with the requirements of former 49 U.S.C. 5307 that FTA determined will apply to the former Formula Grants for the Special Needs of Elderly Individuals and Individuals with Disabilities Program,
2. The following Certifications for the Special Needs of Elderly Individuals and Individuals with Disabilities Program are required by former 49 U.S.C. 5307(d)(1); therefore, except as FTA determines otherwise in writing, on behalf of your State Applicant, you certify that:
- a. Your State Applicant and each of its Subrecipients have or will have the following to carry out its proposed Project(s), including the safety and security aspects of the proposed Project(s):
    - (1) Legal capacity,
    - (2) Financial capacity, and
    - (3) Technical capacity,
  - b. Your State Applicant and each Subrecipient has or will have satisfactory continuing control over the use of Project equipment and facilities,
  - c. Your State Applicant and each of its Subrecipients will maintain its Project equipment and facilities adequately,
  - d. When carrying out a procurement under former 49 U.S.C. 5310, it will, and will require each Subrecipient, to comply with the following provisions as amended by MAP-21:
    - (1) Competitive procurement (as defined or approved by FTA), as required by 49 U.S.C. 5325(a),
    - (2) The prohibition against exclusionary or discriminatory specifications in its procurements under 49 U.S.C. 5323(h),
    - (3) "Buy America" under 49 U.S.C. 5323(j),
    - (4) Applicable pre-award and post-delivery requirements of 49 U.S.C. 5323(m),
    - (5) Applicable railcar option restrictions of 49 U.S.C. 5325(e), and
    - (6) "Veterans Preference/Employment" under 49 U.S.C. 5325(k),
  - e. It will comply with other applicable requirements under 49 U.S.C. 5323 and 5325,
  - f. Your State Applicant:
    - (1) Has or will have, and as necessary, will require each Subrecipient to have, the amount of funds required for the local share by former 49 U.S.C. 5310(c)(2),
    - (2) Will provide, and as necessary will require each Subrecipient to provide, the local share funds from sources approved by FTA, and
    - (3) Will provide, and as necessary, will require each Subrecipient to provide, the local share funds when needed,
  - g. It has complied or will comply with, and will require each Subrecipient to comply with, 49 U.S.C. 5303, and 5304, and

h. To the extent applicable, your State Applicant will comply with, and as necessary, will require each Subrecipient to comply with the final Federal regulations, when issued, that implement the safety plan requirements of 49 U.S.C. 5329(d).

#### **16.C. New Freedom Program.**

*If your Applicant seeks FTA funding for its Project under the New Freedom Program, former 49 U.S.C. 5317, in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply, the Certifications in Group 16.C apply to your Applicant, except as FTA determines otherwise in writing.*

1. Former 49 U.S.C. 5317 in effect in FY 2012 or a previous fiscal year requires the following Certification for the New Freedom Program; therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:
  - a. It will make awards of New Freedom funding on a competitive basis after conducting:
    - (1) An areawide solicitation in cooperation with the appropriate metropolitan planning organization for applications for funding in compliance with former 49 U.S.C. 5317(d)(1), or
    - (2) A statewide solicitation for applications for New Freedom funding in compliance with former 49 U.S.C. 5317(d)(2),
  - b. Any allocations to Subrecipients of New Freedom funding authorized by former 49 U.S.C. 5317 will be distributed on a fair and equitable basis,
  - c. It will comply with the following Project selection and planning requirements:
    - (1) The Projects it has selected or will select for funding appropriated or made available for that program were derived from a public transit-human services transportation plan that has been:
      - (a) Locally developed, and
      - (b) Coordinated,
    - (2) That locally developed and coordinated plan was produced through a process that included:
      - (a) Representatives of public, private, and nonprofit transportation providers,
      - (b) Representatives of public, private, and nonprofit human services providers, and
      - (c) Participation by the public,
  - d. Before it transfers funds to a Project funded by former 49 U.S.C. 5311(c), former 49 U.S.C. 5336, or both:
    - (1) The funding to be transferred may be made available only to Projects eligible for funding appropriated or made available for former 49 U.S.C. 5317, and
    - (2) It will have consulted with responsible local officials and publicly owned operators of public transportation in each area for which the amount to be transferred was originally awarded, and
  - e. The requirements of former 49 U.S.C. 5307 and 5310, as determined by FTA, will apply to the New Freedom Program, authorized by former 49 U.S.C. 5317, and
2. The following Certifications for the New Freedom Program are required by former 49 U.S.C. 5307(d)(1) and 5310; therefore, except as FTA determines otherwise in writing, on its behalf, you certify that:
  - a. It has or will have, and will require each Subrecipient to have, the following to carry out its proposed Project(s), including the safety and security aspects of its proposed Project(s):
    - (1) Legal capacity,
    - (2) Financial capacity, and
    - (3) Technical capacity,
  - b. It has or will have, and will require each Subrecipient to have, satisfactory continuing control over the use of Project equipment and facilities,
  - c. It will maintain, and will require each Subrecipient to maintain, its Project equipment and facilities adequately,
  - d. When carrying out a procurement under former 49 U.S.C. 5317, it will, and will require each Subrecipient, to comply with the following provisions as amended by MAP-21:

- (1) Competitive procurement (as defined or approved by FTA), as required by 49 U.S.C. 5325(a),
  - (2) The prohibition against exclusionary or discriminatory specifications in its procurements under 49 U.S.C. 5323(h),
  - (3) "Buy America" under 49 U.S.C. 5323(j),
  - (4) Applicable pre-award and post-delivery requirements of 49 U.S.C. 5323(m),
  - (5) Applicable railcar option restrictions of 49 U.S.C. 5325(e), and
  - (6) "Veterans Preference/Employment" under 49 U.S.C. 5325(k),
- e. It will comply with other applicable requirements under 49 U.S.C. 5323 and 5325,
- f. It:
- (1) Has or will have, and as necessary, will require each Subrecipient to have the amount of funds required for the local share required by former 49 U.S.C. 5317(g),
  - (2) Will provide, and as necessary will require each Subrecipient to provide, the local share funds from sources approved by FTA, and
  - (3) Will provide, and as necessary will require each Subrecipient to provide, the local share funds when needed,
- g. It has complied or will comply with, and will require each Subrecipient to comply with, 49 U.S.C. 5303, and 5304, and
- h. To the extent applicable, it will comply with, and as necessary, will require each Subrecipient to comply with the final Federal regulations, when issued, that implement the safety plan requirements of 49 U.S.C. 5329(d).

**GROUP 17. RURAL/OTHER THAN URBANIZED AREAS/APPALACHIAN DEVELOPMENT/OVER-THE-ROAD BUS ACCESSIBILITY PROGRAMS.**

*The Certifications in Group 17 are required for funding under:*

*17.A. The Formula Grants for Rural Areas Program financed with funding appropriated or made available for 49 U.S.C. 5311(b), as amended by MAP-21, (separate Certifications and Assurances have been established in Group 18 for an Indian tribe that is an Applicant for a Public Transportation on Indian Reservations Project financed with funding made available for 49 U.S.C. 5311(c))(1), as amended by MAP-21),*

*17.B. The Formula Grants for Other Than Urbanized Areas Program financed with funding appropriated or made available for former 49 U.S.C. 5311(b) in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply, (separate Certifications and Assurances have been established in Group 18 for an Indian tribe that is an Applicant for a "Tribal Transit" Project financed with funding made available for former 49 U.S.C. 5311(c)(1) in effect in FY 2012 or a previous fiscal year),*

*17.C. The Appalachian Development Public Transportation Assistance Program financed with funding appropriated or made available for 49 U.S.C. 5311(c)(2), as amended by MAP-21, and*

*17.D. The Over-the-Road Bus Accessibility Program financed with funding appropriated or made available for section 3038 of TEA-21, as amended by section 3039 of SAFETEA-LU, 49 U.S.C. 5310 note, except as superseded by MAP-21 cross-cutting requirements that apply.*

*Before FTA may provide funding for your Applicant's Project under any of the Programs listed above, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Certifications in Group 17, except as FTA determines otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Certifications and Assurances in Group 17 that does not apply will not be enforced.*

**17.A. Formula Grants for Rural Areas Program.**

*If your Applicant seeks FTA funding for its Project under the Formula Grants for Rural Areas Program, 49 U.S.C. 5311, as amended by MAP-21, the Certifications in Group 17.A apply to your Applicant, except as FTA determines otherwise in writing.*

The following Certifications apply to each State or State organization serving as your Applicant for funding appropriated or made available for the Rural Areas Formula Project authorized by 49 U.S.C. 5311(b). On its behalf, you certify and assure that:

1. It has or will have the following to carry out its proposed Project(s), including the safety and security aspects of its Project(s):
  - a. Legal capacity,
  - b. Financial capacity, and
  - c. Technical capacity,
2. It has or will have satisfactory continuing control over the use of Project equipment and facilities,
3. Its Project equipment and facilities will be adequately maintained,
4. Its State program has provided for a fair distribution of Federal funding appropriated or made available for 49 U.S.C. 5311(b) within the State, including Indian reservations,
5. Its program provides or will provide the maximum feasible coordination of public transportation service funded by 49 U.S.C. 5311(b) with transportation service funded by other Federal sources,
6. Its Projects in its Formula Grants for Rural Areas Program are included in:
  - a. The Statewide Transportation Improvement Program, and
  - b. To the extent applicable, a Metropolitan Transportation Improvement Program,
7. It:
  - a. Has or will have the amount of funds required for the local share, as required by 49 U.S.C. 5311(g),
  - b. Will provide the local share funds from sources approved by FTA, and
  - c. Will provide the local share funds when needed,
8. It may transfer a facility or equipment acquired using a grant under 49 U.S.C. 5311(b) to any other Recipient eligible to receive assistance under 49 U.S.C. chapter 53, if:
  - a. The Recipient possessing the facility or equipment consents to the transfer, and
  - b. The facility or equipment will continue to be used as required under 49 U.S.C. 5311, and
9. Each fiscal year:
  - a. It will spend at least fifteen (15) percent of its 49 U.S.C. 5311 funding available that fiscal year to develop and support intercity bus transportation within the State, with eligible activities, including:
    - (1) Planning and marketing for intercity bus transportation,
    - (2) Capital grants for intercity bus facilities,
    - (3) Joint-use facilities,
    - (4) Operating grants through purchase-of-service agreements, user-side subsidies, and demonstration Projects, and
    - (5) Coordinating rural connections between small public transportation operations and intercity bus carriers, or
  - b. It will provide to FTA a Certification from the Governor of the State that:
    - (1) It has consulted with the affected intercity bus service providers about the intercity bus needs of the State, and
    - (2) The State's intercity bus service needs are being met adequately.

**17.B. Formula Grants for Other Than Urbanized Areas Program.**

*If your Applicant seeks FTA funding for its Project under the Formula Grants for Other Than Urbanized Areas Program, former 49 U.S.C. 5311 in effect in FY 2012 or a previous fiscal year, the Certifications in Group 17.B apply to your Applicant, except as FTA determines otherwise in writing.*

The following Certifications apply to each State or State organization serving as your Applicant for funding appropriated or made available for the Formula Grants for Other Than Urbanized Areas Project authorized by former 49 U.S.C. 5311(b)(1) in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply. On its behalf, you certify and assure that:

1. It has or will have the following to carry out its proposed Project(s), including the safety and security aspects of its Project(s):
  - a. Legal capacity,
  - b. Financial capacity, and
  - c. Technical capacity,
2. It has or will have satisfactory continuing control over the use of Project equipment and facilities,
3. Its Project equipment and facilities will be adequately maintained,
4. Its State program required under former 49 U.S.C. 5311(b)(2) has provided for a fair distribution of Federal funding appropriated or made available for former 49 U.S.C. 5311(b) within the State, including Indian reservations,
5. Its State program required under former 49 U.S.C. 5311(b)(2) provides or will provide the maximum feasible coordination of public transportation service funded by former 49 U.S.C. 5311(b) with transportation service funded by other Federal sources,
6. Its Projects in its Formula Grants for Other than Urbanized Areas Program are included in:
  - a. The Statewide Transportation Improvement Program, and
  - b. To the extent applicable, a Metropolitan Transportation Improvement Program,
7. It:
  - a. Has or will have the amount of funds required for the local share, as required by former 49 U.S.C. 5311(g),
  - b. Will provide the local share funds sources approved by FTA, and
  - c. Will provide the local share funds when needed,
8. It may transfer a facility or equipment acquired using a grant under former 49 U.S.C. 5311(b) in effect in FY 2012 or a previous fiscal year to any other Recipient eligible to receive assistance under 49 U.S.C. chapter 53, if:
  - a. The Recipient possessing the facility or equipment consents to the transfer, and
  - b. The facility or equipment will continue to be used as required under former 49 U.S.C. 5311, and
9. Each fiscal year:
  - a. It will spend at least fifteen (15) percent of its former 49 U.S.C. 5311 funding available for that fiscal year to develop and support intercity bus transportation within the State with eligible activities, including:
    - (1) Planning and marketing for intercity bus transportation,
    - (2) Capital grants for intercity bus shelters,
    - (3) Joint-use stops and depots,
    - (4) Operating grants through purchase-of-service agreements, user-side subsidies, and demonstration Projects, and
    - (5) Coordinating rural connections between small public transportation operations and intercity bus carriers, or
  - b. It will provide to FTA a Certification from the Chief Executive Officer of the State that:
    - (1) It has consulted with the affected intercity bus service providers about the intercity bus needs of the State, and
    - (2) The State's intercity bus service needs are being met adequately.

**17.C. Appalachian Development Public Transportation Assistance Program.**

*If your Applicant seeks FTA funding for its Project under the Appalachian Development Public Transportation Assistance Program, 49 U.S.C. 5311(c)(2), the Certification in Group 17.C applies to your Applicant, except as FTA determines otherwise in writing.*

On behalf of your Applicant, you certify and assure that, in addition to other Certifications and Assurances it must provide, if it is unable to use its funding made available or appropriated for public transportation operating assistance, in accordance with 49 U.S.C. 5311(c)(2)(D), it may use the funding for a highway Project only after:

1. It provides notice and an opportunity for comment and appeal to affected public transportation providers,
2. It approves for such use in writing, and
3. In approving the use, it determines that local transit needs are being addressed.

**17.D. Over-the-Road Bus Accessibility Program.**

*If your Applicant seeks FTA funding for its Project under the Over-the-Road Bus Accessibility Program, section 3038 of TEA-21, as amended by section 3039 of SAFETEA-LU, 49 U.S.C. 5310 note, the Assurances in Group 17.D apply to your Applicant, except as FTA determines otherwise in writing. Your Applicant assures that it will comply with all applicable Federal statutes and regulations, and follow applicable Federal guidance in carrying out any Over-the-Road Bus Accessibility Project supported by the its Grant Agreement with FTA. It acknowledges that it is under a continuing obligation to comply with the terms and conditions of the Grant Agreement with FTA for its Project. It understands that Federal laws, regulations, policies, and administrative practices might be modified from time to time and affect the implementation of the Project.*

It assures that the Federal requirements for the Over-the-Road Bus Accessibility Program during FY 2012 will apply to the Project, except as FTA determines otherwise in writing. Certifications and Assurances for funding to be awarded under this program in FY 2015 are included in these FTA Certifications and Assurances for FY 2015. Each Applicant must submit Group 01 (“Required Certifications and Assurances for Each Applicant”). Each Applicant seeking more than \$100,000 in Federal funding must provide both Group 01, and Group 02, (“Lobbying”).

**GROUP 18. TRIBAL TRANSIT PROGRAMS  
(PUBLIC TRANSPORTATION ON INDIAN RESERVATIONS PROGRAMS).**

*The Certifications in Group 18 are required for funding under:*

- The Public Transportation on Indian Reservations Formula Program, 49 U.S.C. 5311(c)(1), as amended by MAP-21, and*
- The Public Transportation on Indian Reservations Discretionary Program, 49 U.S.C. 5311(c)(1).*

*Before FTA may provide funding for your Applicant’s Project under either Program listed above, in addition to other Certifications and Assurances you must select on your Applicant’s behalf, you must also select the Certifications in Group 18, except as FTA determines otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Certifications in Group 18 that does not apply will not be enforced.*

FTA has established terms and conditions for Tribal Transit Program grants financed with funding appropriated or made available for 49 U.S.C. 5311(c)(1). On behalf of your Applicant, you certify and assure that:

1. It has or will have the following to carry out its proposed Project(s), including the safety and security aspects of its Project(s):
  - a. Legal capacity,
  - b. Financial capacity, and

- c. Technical capacity,
- 2. It has or will have satisfactory continuing control over the use of Project equipment and facilities,
- 3. Its Project equipment and facilities will be adequately maintained,
- 4. Its Project will achieve maximum feasible coordination with transportation service funded by other Federal sources,
- 5. It will:
  - a. Have a procurement system that complies with U.S. DOT regulations, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments," 49 CFR part 18, specifically 49 CFR 18.36, or
  - b. Inform FTA promptly that its procurement system does not comply with those U.S. DOT regulations,
- 6. It will comply with Buy America under 49 U.S.C. 5323(j), and
- 7. It will comply with the Certifications, Assurances, and Agreements in:
  - a. Group 03.B and 03.C (Charter Service Agreement and School Bus Agreement),
  - b. Group 05.B (Bus Testing),
  - c. Group 06 (Demand Responsive Service),
  - d. Group 07 (Intelligent Transportation Systems), and
  - e. Group 10 (Alcohol and Controlled Substances Testing).

**GROUP 19. LOW OR NO EMISSION/CLEAN FUELS GRANT PROGRAMS**

*The Certifications in Group 19 are required for funding under:*

*19.A. The Low or No Emission Vehicle Deployment Program, 49 U.S.C. 5312(d)(5), as amended by MAP-21, and*

*19.B. The Clean Fuels Grant Program, former 49 U.S.C. 5308, in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply.*

*Before FTA may provide funding for your Applicant's Project under either Program listed above, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Certifications in Group 19, except as FTA determines otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Certifications in Group 19 that does not apply will not be enforced.*

**19.A. Low or No Emission Vehicle Deployment.**

*If your Applicant seeks FTA funding for its Project under the Low or No Emission Vehicle Development Program, 49 U.S.C. 5312(d)(5), as amended by MAP-21, the Certifications and Assurances in Group 19.A apply to your Applicant, except as FTA determines otherwise in writing.*

Section 5312(d)(5)(C)(i) of title 49, United States Code requires the following Certifications for Low or No Emission Vehicle Deployment Program funding appropriated or made available for MAP-21; therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify and assure that:

- 1. It has or will have the following to carry out its proposed Project(s), including the safety and security aspects of its proposed Project(s):
  - a. Legal capacity,
  - b. Financial capacity, and
  - c. Technical capacity,
- 2. It has or will have satisfactory continuing control over the use of Project equipment and facilities,
- 3. It will maintain its Project equipment and facilities adequately,

4. It will ensure that, during non-peak hours, for transportation using or involving a facility or equipment funded for its Project, the following individuals will be charged a fare not exceeding fifty (50) percent of the peak hour fare:

- a. Any senior,
- b. Any individual who, because of illness, injury, age, a congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or who has semi-ambulatory capability) and cannot use a public transportation service or a public transportation facility effectively without special facilities, special planning, or special design,
- c. Any individual presenting a Medicare card issued to that individual under title II of the Social Security Act (42 U.S.C. 401 *et seq.*), and
- d. Any individual presenting a Medicare card issued to that individual under title XVIII of the Social Security Act (42 U.S.C. 1395 *et seq.*),

5. When carrying out a procurement under this Program, it will comply with the:

- a. General Provisions of 49 U.S.C. 5323, and
- b. Third Party Contract Provisions of 49 U.S.C. 5325,

6. It has:

- a. Informed or will inform the public of the amounts of its funding available under this Program,
- b. Developed or will develop, in consultation with interested parties, including private transportation providers, a proposed Program of Projects for activities to be funded,
- c. Published or will publish a Program of Projects in a way that affected individuals, private transportation providers, and local elected officials will have an opportunity to examine and submit comments on the proposed Projects and its performance as an Applicant,
- d. Provided or will provide an opportunity for a public hearing to obtain the views of individuals on the proposed Program of Projects,
- e. Assured or will assure that the proposed Program of Projects provides for coordination of public transportation services assisted under 49 U.S.C. 5336 with federally-funded transportation services supported by other Federal Government sources,
- f. Considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final list of Projects, and
- g. Made or will make the final list of Projects available to the public,

7. It:

- a. Has or will have the amount of funds required for the local share,
- b. Will provide the local share funds from sources approved by FTA, and
- c. Will provide the local share funds when needed,

8. It will comply with:

- a. The Metropolitan Transportation Planning requirements of 49 U.S.C. 5303, and
- b. The Statewide and Nonmetropolitan Planning requirements of 49 U.S.C. 5304,

9. It has a locally developed process to solicit and consider public comment before:

- a. Raising a fare, or
- b. Implementing a major reduction of public transportation, and

10. It will comply with the final Federal regulations, when issued, that implement the safety plan requirements of 49 U.S.C. 5329(d).

#### **19.B. Clean Fuels Grant Program.**

*If your Applicant seeks FTA funding for its Project under the Clean Fuels Grant Program, former 49 U.S.C. 5308, in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 crosscutting requirements that apply, the Certifications and Assurances in Group 19.B apply to your Applicant, except as FTA determines otherwise in writing.*

Former 49 U.S.C. 5307(d)(1), except as superseded by MAP-21 cross-cutting requirements that apply, requires the following Certifications for Clean Fuels Grant Program funding appropriated or made

available for former 49 U.S.C. 5308 in effect in FY 2012 or a previous fiscal year; therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify and assure that:

1. It has or will have the following to carry out its proposed Project(s), including the safety and security aspects of its Project(s):
  - a. Legal capacity,
  - b. Financial capacity, and
  - c. Technical capacity,
2. It has or will have satisfactory continuing control over the use of Project equipment and facilities,
3. It will maintain the Project equipment and facilities adequately,
4. It will ensure that the following individuals will be charged not more than fifty (50) percent of the peak hour fare for transportation during non-peak hours using or involving Project facilities or equipment supported under former 49 U.S.C. 5308:
  - a. Elderly individuals,
  - b. Individuals with disabilities,
  - c. Any individual presenting a Medicare card issued to that individual under title II of the Social Security Act (42 U.S.C. 401 *et seq.*), and
  - d. Any individual presenting a Medicare card issued to that individual under title XVIII of the Social Security Act (42 U.S.C. 1395 *et seq.*),
5. When carrying out a procurement under former 49 U.S.C. 5308, it will, and will require each Subrecipient, to comply with the following provisions as amended by MAP-21:
  - a. Competitive procurement (as defined or approved by FTA), as required by 49 U.S.C. 5325(a),
  - b. The prohibition against exclusionary or discriminatory specifications in its procurements under 49 U.S.C. 5323(h),
  - c. "Buy America" under 49 U.S.C. 5323(j),
  - d. Applicable pre-award and post-delivery requirements of 49 U.S.C. 5323(m),
  - e. Applicable railcar option restrictions of 49 U.S.C. 5325(e), and
  - f. "Veterans Preference/Employment" under 49 U.S.C. 5325(k),
6. It will comply with other applicable requirements under 49 U.S.C. 5323 and 5325,
7. It:
  - a. Has or will have the amount of funds required for the local share,
  - b. Will provide the local share funds from sources approved by FTA, and
  - c. Will provide the local share funds when needed,
8. It has complied or will comply with, and will require each Subrecipient to comply with, 49 U.S.C. 5303 and 5304,
9. It has a locally developed process to solicit and consider public comment before:
  - a. Raising a fare, or
  - b. Implementing a major reduction of public transportation, and
10. It will comply with the final Federal regulations, when issued, that implement the safety plan requirements of 49 U.S.C. 5329(d).

#### **GROUP 20. PAUL S. SARBANES TRANSIT IN PARKS PROGRAM**

*Before FTA may provide funding for your Applicant's Project under the Paul S. Sarbanes Transit in Parks Program, former 49 U.S.C. 5320, in effect in FY 2012 or a previous fiscal year for your Applicant's Project, except as superseded by MAP-21 requirements that apply, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Certifications in Group 20, except as FTA may determine otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation*

*from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.  
Any provision of the Certifications and Assurances in Group 20 that does not apply will not be enforced.*

1. The following Certifications and Assurances for the Paul S. Sarbanes Transit in Parks Program (Parks Program) are required by former 49 U.S.C. 5320 in effect in FY 2012 or a previous fiscal year, except as superseded by MAP-21 cross-cutting requirements that apply; therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:

- a. It will consult with the appropriate Federal land management agency during the planning process, and
- b. The requirements of former 49 U.S.C. 5307, as determined by FTA, will apply to the Parks Program, authorized by former 49 U.S.C. 5320, and

2. FTA has determined certain requirements of former 49 U.S.C. 5307 to be appropriate for the Parks Program, of which some require Certifications; therefore, as specified under former 49 U.S.C.

5307(d)(1), except as superseded by MAP-21 cross-cutting requirements that apply, you certify that:

- a. It has or will have the following to carry out its proposed Project(s), including the safety and security aspects of its Project(s):

- (1) Legal capacity,
- (2) Financial capacity, and
- (3) Technical capacity,

- b. It has or will have satisfactory continuing control over the use of Project equipment and facilities,

- c. It will maintain the Project equipment and facilities adequately,

- d. When carrying out a procurement under former 49 U.S.C. 5320, it will, and will require each Subrecipient, to comply with the following provisions as amended by MAP-21:

- (1) Competitive procurement (as defined or approved by FTA), as required by 49 U.S.C. 5325(a),
- (2) The prohibition against exclusionary or discriminatory specifications in its procurements under 49 U.S.C. 5323(h),

- (3) "Buy America" under 49 U.S.C. 5323(j),

- (4) Applicable pre-award and post-delivery requirements of 49 U.S.C. 5323(m),

- (5) Applicable railcar option restrictions of 49 U.S.C. 5325(e), and

- (6) "Veterans Preference/Employment" under 49 U.S.C. 5325(k),

- e. It will comply with other applicable requirements under 49 U.S.C. 5323 and 5325,

- f. It has complied or will comply with the requirements of former 49 U.S.C. 5307(c), and specifically, it:

- (1) Has made or will make available to the public information on the amounts available for the Parks Program, former 49 U.S.C. 5320, and the Projects it proposes to undertake,

- (2) Has developed or will develop, in consultation with interested parties, including private transportation providers, Projects to be financed,

- (3) Has published or will publish a list of proposed Projects in a way that affected citizens, private transportation providers, and local elected officials have the opportunity to examine the proposed Projects and submit comments on the proposed Projects and its performance,

- (4) Has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed Projects,

- (5) Has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final list of Projects, and

- (6) Has made or will make the final list of Projects available to the public,

- g. It:

- (1) Has or will have the amount of funds required for the local share,

- (2) Will provide the local share funds from sources approved by FTA, and

- (3) Will provide the local share funds when needed,

- h. It has complied or will comply with, and will require each Subrecipient to comply with, 49 U.S.C. 5303 and 5304, and

i. It has a locally developed process to solicit and consider public comment before:

- (1) Raising a fare, or
- (2) Implementing a major reduction of public transportation.

**GROUP 21. STATE SAFETY OVERSIGHT GRANT PROGRAM.**

*Before FTA may provide funding for your Applicant's Project under the State Safety Oversight Grant Program, 49 U.S.C. 5329(e), as amended by MAP-21, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Certifications in Group 21, except as FTA may determine otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Certifications in Group 21 that does not apply will not be enforced.*

On behalf of your Applicant, you certify that:

1. It has or will have the following to carry out its proposed Project(s), including the safety and security aspects of its proposed Project(s):
  - a. Legal capacity,
  - b. Financial capacity, and
  - c. Technical capacity,
2. It has or will have satisfactory continuing control over the use of Project equipment and facilities,
3. It will maintain its Project equipment and facilities adequately,
4. When carrying out a procurement for its Project, it will comply with the:
  - a. Uniform Administrative Requirements for Grants and Cooperative Agreements to States and Local Governments, 49 CFR part 18,
  - b. General Provisions of 49 U.S.C. 5323, and
  - c. Third Party Contract Requirements of 49 U.S.C. 5325,
5. As required by 49 U.S.C. 5329(e)(6)(C), it:
  - a. Has or will have the amount of funds required for the local share,
  - b. Will provide the local share funds only from sources approved by FTA, and will not be met by:
    - (1) Any Federal funds,
    - (2) Any funds received from a public transportation agency, or
    - (3) Any revenues earned by a public transportation agency, and
  - c. Will provide the local share funds when needed,
6. It meets the applicable requirements of 49 CFR part 659, Rail Fixed Guideway Systems: State Safety Oversight, and
7. It has received or will receive an FTA certification upon a determination that its State Safety Oversight Program meets the requirements of 49 U.S.C. 5329(e) and is adequate to promote the purposes of 49 U.S.C. 5329.

**GROUP 22. PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM.**

*Before FTA may provide funding for your Applicant's Project under the Public Transportation Emergency Relief Program, 49 U.S.C. 5324, as amended by MAP-21, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Assurance in Group 22, except as FTA may determine otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation*

*from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Assurance in Group 22 that does not apply will not be enforced.*

As required by 49 U.S.C. 5324(d), on behalf of your Applicant, you assure that it will comply with the requirements of the Certifications and Assurances as FTA determines will apply to an Applicant for funding appropriated or made available for the Public Transportation Emergency Relief Program.

**GROUP 23. EXPEDITED PROJECT DELIVERY PILOT PROGRAM.**

*Before FTA may provide funding for your Applicant's Project under the Expedited Project Delivery Pilot Program, section 20008(b)(5)(D) of MAP-21, in addition to any other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Certification in Group 23, except as FTA may determine otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*To the extent that the Certification in Group 23 does not apply, it will not be enforced.*

On behalf of your Applicant, you certify that its existing public transportation system or the public transportation system that is the subject of the Project is in a state of good repair, as required by section 20008(b)(5)(D) of MAP-21.

**GROUP 24. INFRASTRUCTURE FINANCE PROGRAMS.**

*The Certifications in Group 24 apply to the following programs:*

*24.A. The Transportation Infrastructure Finance and Innovation Act (TIFIA) Program, 23 U.S.C. 601-609, except as superseded by MAP-21 cross-cutting requirements that apply, and*

*24.B. The State Infrastructure Banks (SIB) Program, 23 U.S.C. 610, except as superseded by MAP-21 cross-cutting requirements that apply.*

*Before FTA may provide credit assistance under TIFIA for your Applicant's Project or funding for your Applicant to deposit in a SIB, in addition to other Certifications and Assurances you must select on your Applicant's behalf, you must also select the Certifications in Group 24, except as FTA may determine otherwise in writing.*

*Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected on its behalf that apply to its Project, itself, any Subrecipient, or any other Third Party Participant in its Project, except as FTA determines otherwise in writing. For this reason, we strongly encourage your Applicant to take appropriate measures, including, but not limited to, obtaining sufficient documentation from each Subrecipient and any other Third Party Participant to assure the validity of the applicable Certifications and Assurances selected on behalf of your Applicant.*

*Any provision of the Certifications and Assurances in Group 24 that does not apply will not be enforced.*

**24.A. Transportation Infrastructure Finance and Innovation Act (TIFIA) Program.**

*If your Applicant seeks FTA funding for its Project under the TIFIA Program, the Certifications and Assurances in Group 24.A applies to your Applicant, except as FTA determines otherwise in writing.*

On behalf of your Applicant, you certify and assure, as required by 49 U.S.C. 5323(o), that Federal transit laws, specifically 49 U.S.C. 5307, 49 U.S.C. 5309, and 49 U.S.C. 5337, apply to any Project under 49 U.S.C. chapter 53 that receives TIFIA credit assistance under 23 U.S.C. 601 – 609.

1. To comply with 49 U.S.C. 5307, specifically 49 U.S.C. 5307(d)(1), on its behalf, you certify that:

a. It has or will have the following to carry out its proposed Project(s), including the safety and security aspects of its proposed Project(s):

- (1) Legal capacity,
- (2) Financial capacity, and

(3) Technical capacity,

b. It has or will have satisfactory continuing control over the use of Project equipment and facilities,

c. It will maintain its Project equipment and facilities adequately,

d. It will ensure that when, during non-peak hours for transportation using or involving a facility or equipment of a TIFIA-financed Project, a fare that is not more than fifty (50) percent of the peak hour fare will be charged to the following individuals:

(1) A senior,

(2) An individual who, because of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design,

(3) Any individual presenting a Medicare card issued to that individual under title II of the Social Security Act (42 U.S.C. 401 *et seq.*), and

(4) Any individual presenting a Medicare card issued to that individual under title XVIII of the Social Security Act (42 U.S.C. 1395 *et seq.*),

e. When carrying out a TIFIA-funded procurement, it will comply with:

(1) 49 U.S.C. 5323, and

(2) 49 U.S.C. 5325,

f. It has complied with or will comply with 49 U.S.C. 5307(b) because it:

(1) Has made or will make available to the public information on amounts of its TIFIA funding request(s),

(2) Has developed or will develop, in consultation with interested parties, including private transportation providers, a proposed Program of Projects for activities to be funded,

(3) Has published or will publish a Program of Projects in a way that affected individuals, private transportation providers, and local elected officials will have an opportunity to examine and submit comments on the proposed Program of Projects and its performance as an Applicant or Recipient,

(4) Has provided or will provide an opportunity for a public hearing to obtain the views of individuals on the proposed Program of Projects,

(5) Has ensured or will ensure that the proposed Program of Projects provides for coordination of public transportation services funded by FTA under 49 U.S.C. 5336 and U.S. DOT under TIFIA with federally-funded transportation services supported by other Federal Government sources,

(6) Has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final Program of Projects, and

(7) Has made or will make the final Program of Projects available to the public,

g. It:

(1) Has or will have at least (twenty) 20 percent of the TIFIA net Project costs required for the local share,

(2) Will provide the local share funds from sources approved by FTA, and

(3) Will provide the local share funds when needed,

h. It will comply with:

(1) The Metropolitan Transportation Planning requirements of 49 U.S.C. 5303, and

(2) The Statewide and Nonmetropolitan Planning requirements of 49 U.S.C. 5304,

i. It has a locally developed process to solicit and consider public comment before:

(1) Raising a fare, or

(2) Implementing a major reduction of public transportation, and

j. It will comply with the final Federal regulations, when issued, that implement the safety plan requirements of 49 U.S.C. 5329(d),

2. To comply with the interest and financing costs restrictions of 49 U.S.C. chapter 53, it agrees that it will not seek reimbursement for interest and any other financing costs incurred in connection with its Project that must be in compliance with those requirements unless:

- a. It is eligible to receive Federal funding for those expenses, and
- b. Its records demonstrate that it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, to the extent FTA may require.
3. It will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d *et seq.*),
4. The National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 5321 *et seq.*, and will receive an environmental categorical exclusion, a finding of no significant impact, or a record of decision under NEPA for its Project prior to obligation of funds, and
5. It agrees that it will adopt a transit asset management plan that complies with regulations implementing 49 U.S.C. 5326(d), when required.

**24.B. State Infrastructure Banks (SIB) Program.**

*If your Applicant is a State and seeks FTA funding under the SIB Program to deposit in its SIB, the Certifications and Assurances in Group 24.B applies to your State and its Project, except as FTA determines otherwise in writing.*

On behalf of the State organization serving as your Applicant for funding for its SIB Program, you certify and assure that:

1. It will comply with the following applicable Federal laws establishing the various SIB programs since 1995:
  - a. 23 U.S.C. 610, as amended by MAP-21,
  - b. 23 U.S.C. 610 or its predecessor before MAP-21 was signed into law,
  - c. Section 1511 of TEA-21, 23 U.S.C. 181 note, or
  - d. Section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 181,
2. It will comply with or follow the Cooperative Agreement establishing the State's SIB program between:
  - a. It and FHWA, FRA, and FTA, or
  - b. It and FHWA and FTA,
3. It will comply with or follow the Grant Agreement that provides FTA funding for the SIB and is between it and FTA, including the FTA Master Agreement, which is incorporated by reference into the Grant Agreement, except that any provision of the FTA Master Agreement incorporated by reference into that Grant Agreement will not apply if it conflicts with any provision of:
  - a. 23 U.S.C. 610, as amended by MAP-21,
  - b. 23 U.S.C. 610 or its predecessor before MAP-21 was signed into law,
  - c. Section 1511 of TEA-21, 23 U.S.C. 181 note, or section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 181 note,
  - d. Federal guidance pertaining to the SIB Program,
  - e. The Cooperative Agreement establishing the State's SIB Program, or
  - f. The Grant Agreement with FTA,
4. As required by 49 U.S.C. 5323(o), Federal transit laws, specifically 49 U.S.C. 5307, 49 U.S.C. 5309, and 49 U.S.C. 5337, as amended by MAP-21, apply to any Project under 49 U.S.C. chapter 53 that receives SIB support or financing under 23 U.S.C. 610 (or any support from 23 U.S.C. 601 – 609),
5. As required by 49 U.S.C. 5323(o) and 49 U.S.C. 5307(d)(1):
  - a. It has or will have the following to carry out its proposed Project(s), including the safety and security aspects of those proposed Project(s):
    - (1) Legal capacity,
    - (2) Financial capacity, and
    - (3) Technical capacity,
  - b. It has or will have satisfactory continuing control over the use of Project equipment and facilities,
  - c. It will maintain its Project equipment and facilities adequately,

d. It will ensure that when, during non-peak hours for transportation using or involving a facility or equipment of a SIB-financed Project, a fare that is not more than fifty (50) percent of the peak hour fare will be charged to the following individuals:

- (1) A senior,
- (2) An individual who, because of illness, injury, age, congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design,
- (3) An individual presenting a Medicare card issued to that individual under title II of the Social Security Act (42 U.S.C. 401 *et seq.*), and
- (4) An individual presenting a Medicare card issued to that individual under title XVIII of the Social Security Act (42 U.S.C. 1395 *et seq.*),

e. When carrying out a procurement under a SIB-financed Project, it will comply with the:

- (1) General Provisions of 49 U.S.C. 5323, and
- (2) Third Party Contract Provisions of 49 U.S.C. 5325,

f. It has complied with or will comply with 49 U.S.C. 5307(b) because it:

- (1) Has made or will make available to the public information on amounts of its funding requested under the SIB program,
- (2) Has developed or will develop, in consultation with interested parties, including private transportation providers, a proposed Program of Projects for activities to be funded,
- (3) Has published or will publish a Program of Projects in a way that affected individuals, private transportation providers, and local elected officials will have an opportunity to examine and submit comments on the proposed Program of Projects and its performance as an Applicant or Recipient,
- (4) Has provided or will provide an opportunity for a public hearing to obtain the views of individuals on the proposed Program of Projects,
- (5) Has ensured or will ensure that the proposed Program of Projects provide for coordination of public transportation services funded by FTA under 49 U.S.C. 5336 and the SIB Program with federally-funded transportation services supported by other Federal Government sources,
- (6) Has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final Program of Projects, and
- (7) Has made or will make the final Program of Projects available to the public,

g. It:

- (1) Has or will have the amount of funds required for the local share by the SIB Program, but not less than twenty-five (25) percent of each capitalization grant,
- (2) Will provide the local share funds from sources approved by FTA, and
- (3) Will provide the local share funds when needed,

It will comply with the:

- (1) The Metropolitan Transportation Planning requirements of 49 U.S.C. 5303, and
- (2) The Statewide and Nonmetropolitan Planning requirements of 49 U.S.C. 5304,

i. It has a locally developed process to solicit and consider public comment before:

- (1) Raising a fare, or
- (2) Implementing a major reduction of public transportation, and

j. It will comply with the final Federal regulations, when issued, that implement the safety plan requirements of 49 U.S.C. 5329(d),

2. As required by 49 U.S.C. chapter 53, it certifies that it will not seek reimbursement for interest and any other financing costs incurred in connection with its Project unless:

- a. It is eligible to receive Federal funding for those expenses, and
- b. Its records demonstrate that it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, to the extent FTA may require, and

3. It agrees that it will adopt a transit asset management plan that complies with regulations implementing 49 U.S.C. 5326(d).