

Ozarks Transportation Organization JARC and New Freedom Funding Handbook

JARC: FY2011

New Freedom: FY2011

26 May 2011



117 Park Central Square, Suite 107

Springfield, Missouri 65806

Phone (417) 836-5545 / Fax (417) 862-6013

www.OzarksTransportation.org

Introduction

In August of 2005, Congress passed the Safe, Accountable, Flexible, Efficient, Transportation, Equity Act: A Legacy for Users (SAFETEA-LU), reauthorizing the surface transportation act. As part of this reauthorization, projects funded by the New Freedom Initiative, Job Access and Reverse Commute (JARC) and Elderly and Disabled Transportation Program (5310) must be part of a “locally developed coordinated public transit-human services transportation plan.” In addition to the Transit Coordination Plan, a competitive application process had to be developed for each of these programs.

In the Ozarks Transportation Organization area, the Elderly and Disabled Transportation Program already utilized a process in place with the Missouri Department of Transportation. The JARC and New Freedom programs are represented by this application handbook.

The Ozarks Transportation Organization (OTO) Metropolitan Planning Organization (MPO) is the federally designated regional transportation planning organization for the Springfield, Missouri Transportation Management Area, though the designated recipient for federal funds is City Utilities of Springfield. The application process contained herein was developed by a subcommittee of the OTO, the Local Coordinating Board for Transit. This group used the Transit Coordination Plan as a basis for the application ranking guidelines.

Projects submitted through this process must be located within the OTO region, which includes portions of Greene and Christian Counties, and seven communities: Battlefield, Nixa, Ozark, Republic, Springfield, Strafford, and Willard. Please refer to the map below for complete OTO service boundaries. For projects outside of the OTO region, please use the Missouri Department of Transportation Statewide Application Process.

This Application Handbook is for use only in the May through July 1, 2011 application period. This application process is on an annual basis.

This Application Handbook includes:

Application Guidelines

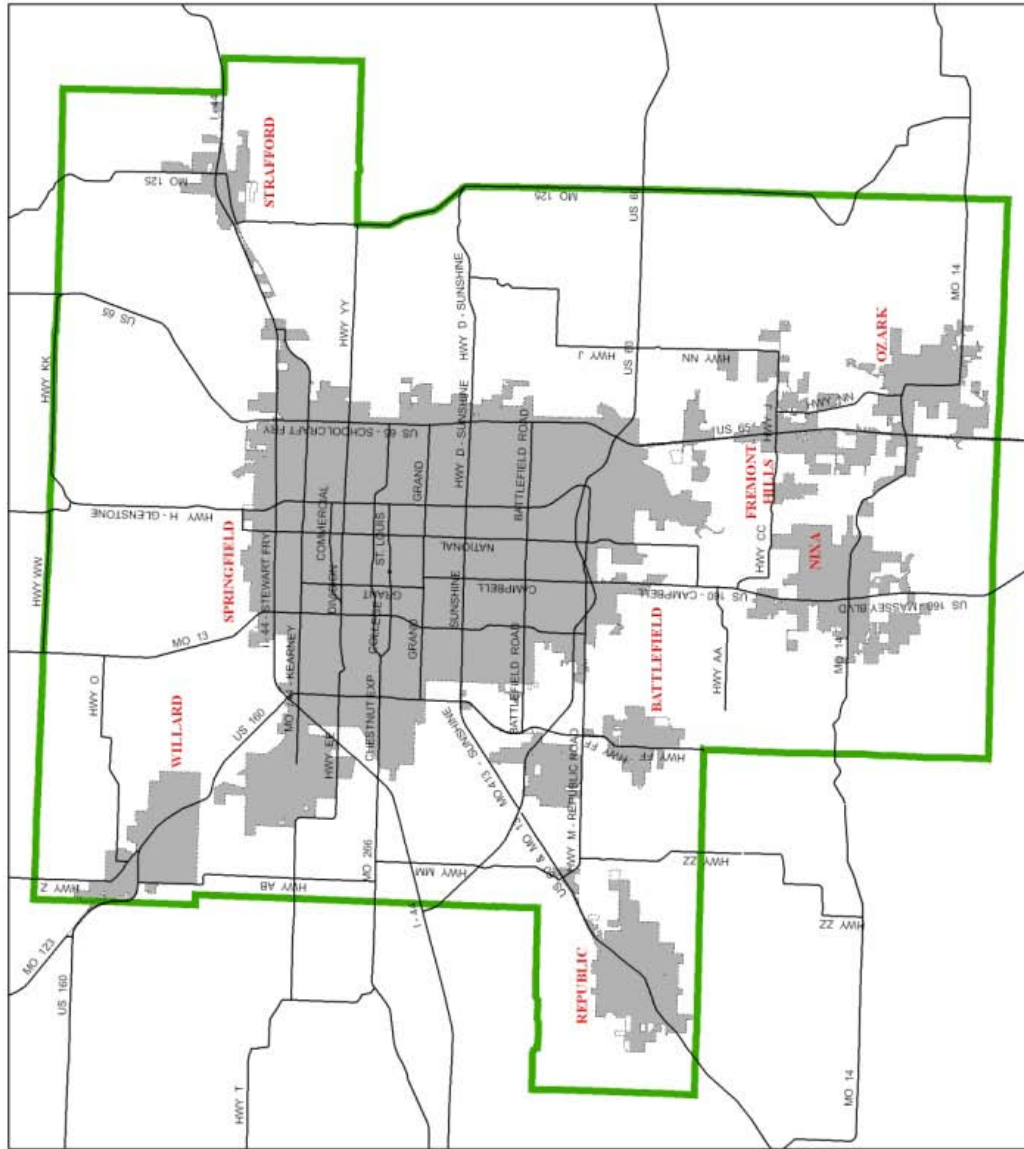
Joint Application for Section 5316 (JARC) and Section 5317 (New Freedom) Funding

Certifications and Signature Worksheet

Ranking Guidelines

All applicants must also verify eligibility to apply for funding. Federal funds carry specific requirements which must be met by each recipient. Please contact Natasha Longpine at (417) 836-5545 or NLongpine@OzarksTransportation.org to learn more about eligibility.

MPO Study Area



Legend

- Major Streets
- OTO Study Area



DISCLAIMER
 The Ozarks Transportation Organization is responsible for the facts and accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the Missouri Department of Transportation (MoDOT), or the Ozarks Transportation Organization. This map does not constitute a standard, specification, or regulation.

Application Guidelines

Section 5316 – JARC

Eligible Applicants:

Private non-profit organizations

State or local government authorities

Operators of public transportation, including private operators or public transportation

Agencies as specified above who meet FTA certification requirements as attached

Eligible Project Activities:

JARC funds will be made available for capital, planning, and operating expenses that support the development and maintenance of transportation services designed to transport low-income individuals to and from jobs and activities related to their employment, and for reverse commute projects.

Section 5317 – New Freedom

Eligible Applicants:

Private non-profit organizations

State or local government authorities

Operators of public transportation, including private operators or public transportation

Agencies as specified above who meet FTA certification requirements as attached

Eligible Project Activities:

New Freedom funds will be made available for capital, planning, and operating expenses that support new public transportation services and new public transportation alternatives beyond those required by the Americans with Disabilities Act (ADA), that assist individuals with disabilities with transportation, including transportation to and from jobs and employment support services. Though this list is illustrative and not exhaustive, two additional eligible projects include Intelligent Transportation Services and the incremental cost of changing the basic mode of service of an ADA paratransit system from curb-to-curb to door-to-door.

“New” service is any service not operational on August 10, 2005 and without a dedicated funding source as evidenced by inclusion in the TIP or STIP at the time considered new.

Eligible projects funded by New Freedom may continue to be eligible for New Freedom funding as long as they remain part of the coordinated plan.

Funding Availability

Section 5316 – JARC

One year of JARC funding is currently available for this application process.

FY2011 funding is \$151,803.

Section 5317 – New Freedom

One year of New Freedom funding is currently available for this application process.

FY2011 funding is \$75,876.

The Local Coordinating Board for Transit reserves the right to allocate fewer dollars than available by program year, as well as fewer dollars than requested within each application. These funding amounts are only estimates and applicants are encouraged to apply for funding needed, with the understanding that the dollar amount awarded may be different.

Note:

- This program reimburses the project sponsor for costs incurred. It does not provide the money up front.
- The funds allocated to a project are fixed. The project sponsor must pay all costs incurred in excess of the funding allocated to the project. Therefore it is important to develop a good estimate for the project application.
- No work may begin on the project until OTO, CU, and FTA approves the project and a notice to proceed is issued to subrecipients by City Utilities.

Match requirements for both 5316 and 5317 funding programs:

A capital project under the JARC and New Freedom programs may not exceed 80 percent of the net costs of the project.

Operating costs may not exceed 50 percent of the net operating costs of the project.

A grant for administrative expenses incurred by these programs (up to 10 percent of the annual apportionment), may be fully funded by FTA. A value of 10 percent should be allocated by each subrecipient as a part of each funding request.

Eligible Local Match		
Source	JARC	New Freedom
Local Cash Match		
State or Local appropriations	✓	✓
Federal non-DOT funds	✓	✓
Dedicated tax revenues	✓	✓
Private donations	✓	✓
Revenue from contracts	✓	✓
Toll revenue credits	✓	✓
Income generated by advertising and concessions	✓	✓
Soft Match/In-kind		
Donations	✓	✓
Volunteer service	✓	✓
In-kind contributions	✓	✓
Non-DOT federal match		
Employment and/or employment training	✓	✓
Training	✓	✓
Aging	✓	✓
Medical	✓	✓
Community services	✓	✓
Rehabilitation services	✓	✓
Vocational rehabilitation services	✓	
Temporary Assistance for Needy Families (TANF)	✓	

Competitive Selection Process and Agency Roles:

OTO Staff Role:

- Publicize the Call for Projects and solicit applications, following the OTO Public Involvement Process
- Provide assistance for applicants during the competitive selection process
- Receive and screen the applications for eligibility and inform the LCB for Transit prior to the peer review process
- Provide support to the LCB for Transit peer review by scheduling meetings and applicant presentations
- Provide support for additional OTO committee review processes
- Amend TIP to reflect the new project funding
- Send Award Letters

LCB for Transit Role:

- Review, prioritize, and make final approval of project applications before forwarding recommendations to the OTO Board of Directors
- Contact approved recipients for acceptance of funding within 45 days of application due date
- Work with City Utilities Transit as designated recipient to monitor productivity and performance
- Request milestone report from subrecipients as well as copies of reports sent to FTA
- Projects are expected to start upon completion of funding agreement with CU Transit, but no later than

timeline as indicated in the application. Project funding for projects that do not meet this expectation will be subject to reprogramming by the LCB for Transit.

CU Transit Role:

Certify to the Federal Transit Administration that a competitive selection process was used to fairly distribute JARC and New Freedom funds

Certify to FTA that each funded project was derived from the area's coordinated plan

Manage grant distribution and oversight for subrecipients receiving funding

Submit reports as required by FTA

Make regular progress reports to the LCB for Transit, including appropriate reports from subrecipients

Subrecipient Responsibilities:

Be available to answer any additional questions related to the application

Maintain timeline as reported in grant application

Submit milestone reports and copies of reports as submitted to FTA to City Utilities

Meet all FTA certification requirements as attached

Coordinate with City Utilities for submittal of any necessary information to FTA

Application Solicitation:

Potential applicants will be notified by letter, web site posting, and press release

Application Process:

Pre-Register for eligibility to apply based upon FTA certification requirements

Submit Application by July 1, 2011

Applications will normally be approved within 45 days from application due date

Applicants given 15 days to accept funding as approved

Funding recommendations sent to OTO Board at next available meeting

City Utilities and subrecipients shall enter into a written agreement which sets forth the subrecipient's responsibilities, and includes appropriate clauses imposing requirements necessary to assure that the subrecipient will not compromise City Utilities' compliance with Federal requirements applicable to the Project and the Grant Agreement through which these funds are distributed.

APPLICATION

OZARKS TRANSPORTATION ORGANIZATION (OTO)

APPLICATION FOR FEDERAL TRANSIT ADMINISTRATION

Section 5316 – Job Access and Reverse Commute (JARC) and Section 5317 – New Freedom

The *Safe, Accountable, Flexible, Efficient Transportation Equity Act – a Legacy for Users (SAFETEA-LU)* with its continuing resolutions, reauthorizes federal surface transportation funding programs through 2011. This application addresses two programs from the legislation: Job Access and Reverse Commute (JARC) and New Freedom. OTO, in conjunction with transit and human service agencies, has created an established competitive process for the selection and funding of JARC and New Freedom projects.

The objective of this process is to select and fund sustainable projects that can be implemented within a reasonable time frame and have a secured local match for the funds requested. If your organization will not operate the proposed service it is recommended that you contact the appropriate agency to coordinate service design issues prior to submitting an application. Projects selected for implementation will meet or exceed goals, concepts and strategies for transit services, as identified in the OTO Transit Coordination Plan.

A completed application must be received by the identified time to receive consideration for funding in the current fiscal year. All questions must be answered to receive consideration.

This application applies to both JARC and New Freedom projects, but must be completed separately for each project that requires funding.

DEADLINES:

Applications due:	July 1, 2011
Applications reviewed:	Within 45 days of July 1, 2011
OTO Board of Director's approval:	Next available Board meeting

SUBMIT APPLICATIONS TO:

Ozarks Transportation Organization
117 Park Central Square
Suite 107
Springfield, Missouri 65806

QUESTIONS:

Natasha L. Longpine
Phone (417) 836-5545
Fax (417) 862-6013
NLongpine@OzarksTransportation.org
www.ozarkstransportation.org

PART I:

APPLICANT INFORMATION

1. ORGANIZATION CONTACT

Organization

Executive Director

Contact Person

2. ADDRESS

Address 1:

Address 2:

City: State: Zip Code:

3. PHONE AND FAX

Phone

Fax

4. E-MAIL

5. WEBSITE

PROJECT DESCRIPTION

6. INDICATE WHICH PROGRAM YOU ARE APPLYING FOR:

JARC or New Freedom

7. PROJECT TITLE

8. PROJECT SPONSOR

9. DESCRIBE THE SERVICE ANTICIPATED FROM THE PROJECT:

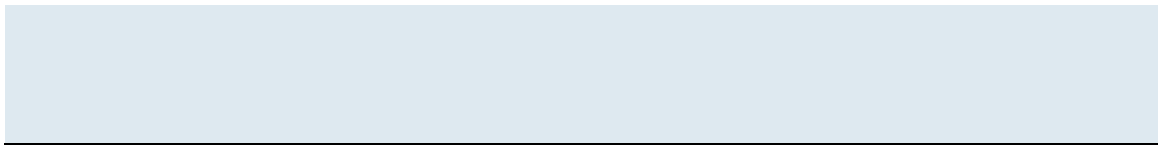
- New Service
- Continuation/expansion of existing service
- Contracted out
- Operated by the applicant or other provider

If contracted out, please provide information on contracting agency:

10A. IF APPLICATION IS FOR NEW FREEDOM, WHAT SERVICE IS PROPOSED BEYOND ADA STANDARDS?

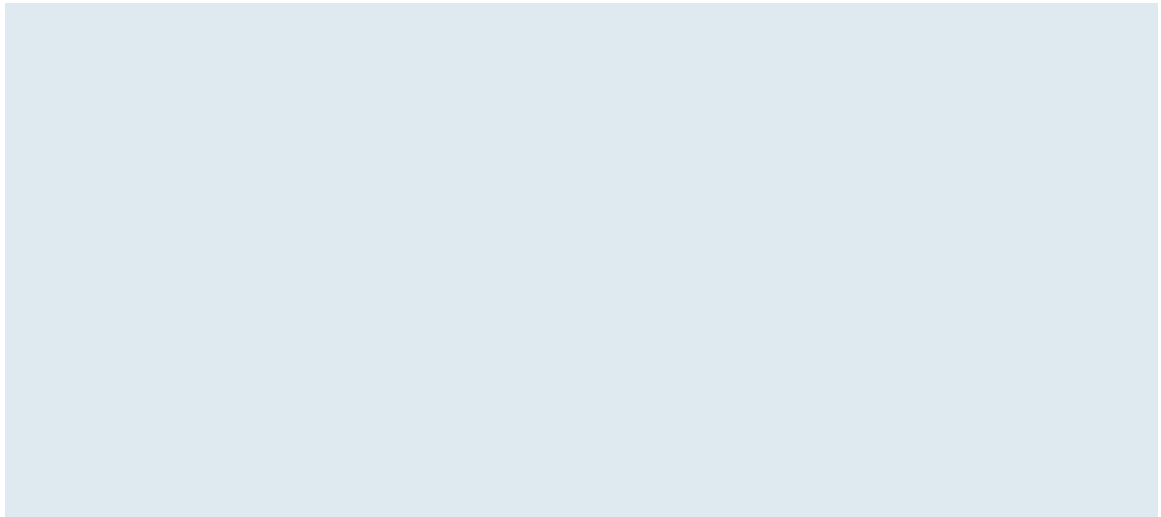


10B. IF APPLICATION IS FOR JARC, WHAT IS THE ESTIMATED NUMBER OF LOW INCOME INDIVIDUALS THE SERVICE WILL TRANSPORT AND WHAT EMPLOYER(S) WILL BE INVOLVED?



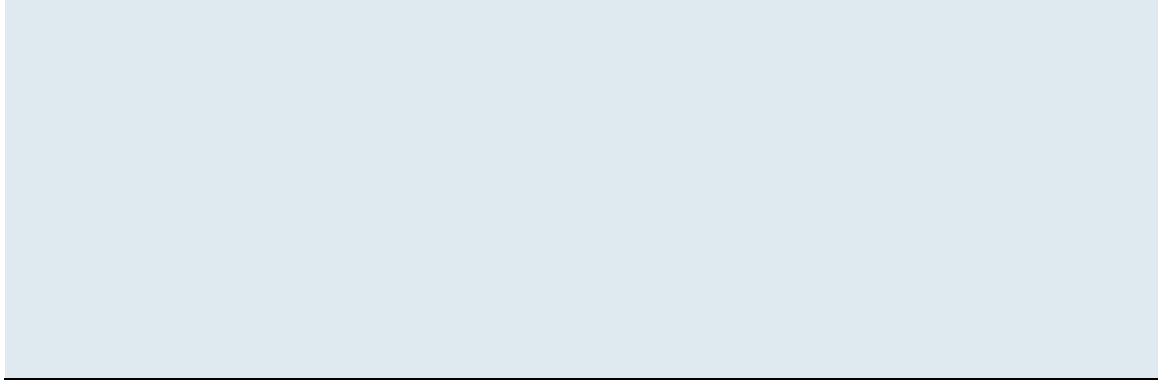
11. PROJECT LOCATION AND LIMITS OF SERVICE AREA

Please describe the geographic location of the project. Also describe the service area your agency serves beyond the scope of this project. Attach any visual materials as may be necessary.

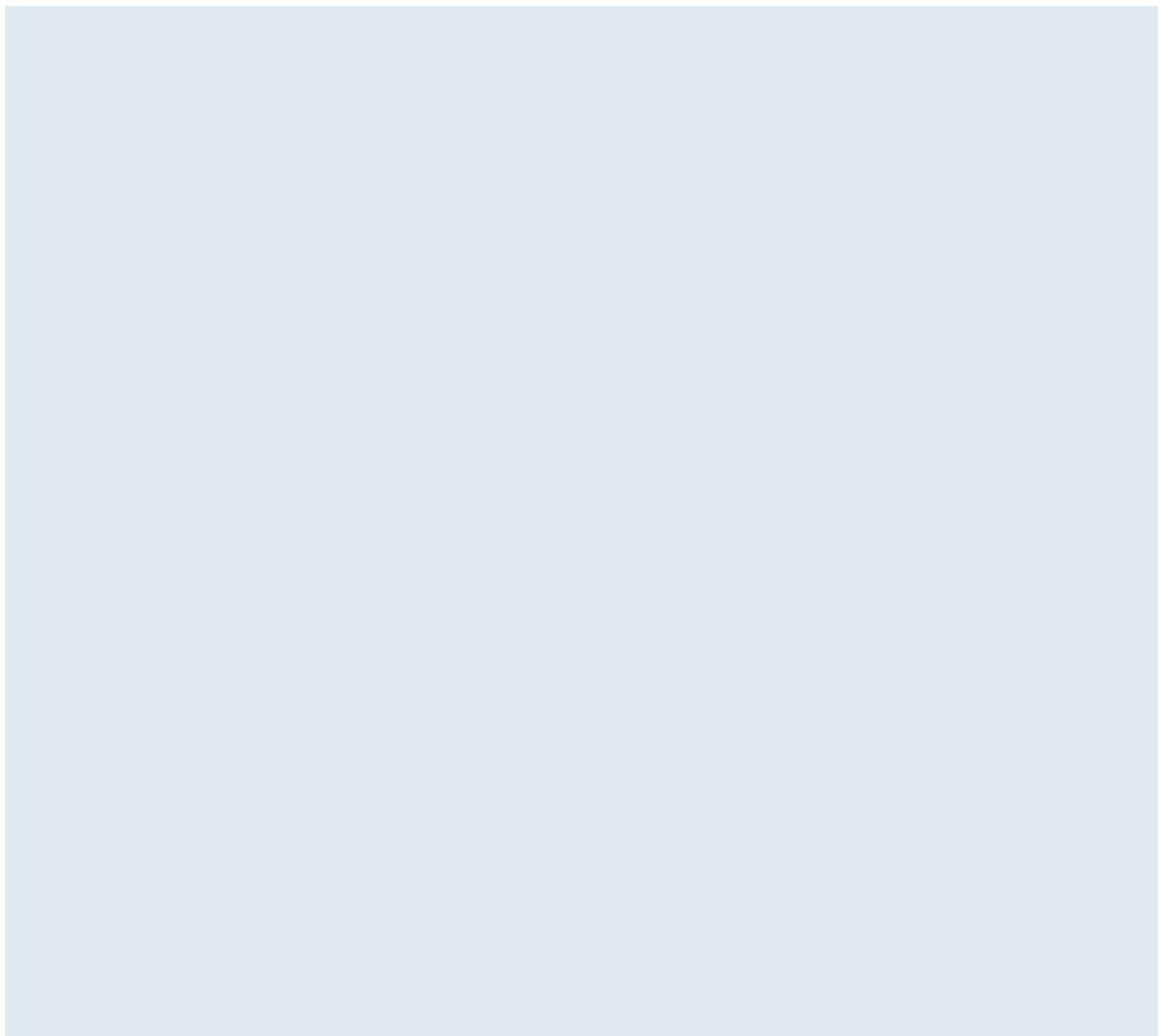


12. PROJECT TIMELINE

Please describe the project timeline, based on months from the date of funding agreement with City Utilities.



13. BRIEF DESCRIPTION



14. SERVICE INFORMATION (AS AVAILABLE OR NECESSARY):

Operational Information	Currently	As Provided by Grant
Anticipated Days/Hours of Service		
Estimated Cost per One-Way Trip		
Estimated Average Daily Riders		
Training Information	Currently	As Provided by Grant
# of People Served		
Capital Funding Info	Currently	As Provided by Grant
# of People Served		

PART II:

PROJECT FUNDING

Any subrecipient needs to include 10 percent administration for City Utilities for suballocation of funds.

15. TOTAL PROJECT EXPENSES AND FUNDING REQUEST

Cost of Total Project (\$)

Amount of Funding Requested (\$)

16. GENERAL COST ESTIMATE

Note: Please attach an additional sheet detailing the costs described below. Describe all local groups/agencies identified to complete work as part of the project plan. Please document all funding sources that will be utilized in the project. Include letters of support and documentation as to all partnerships, in-kind match, and donations.

City Utilities is the designated recipient for all federal transit funds within the OTO area. Any applicant other than City Utilities is considered to be a subrecipient. Subrecipients need to request 10 percent beyond the amount budgeted for the proposed project for administrative expenses to be incurred by City Utilities in the management of subrecipient funds. There is no match requirement for this additional 10 percent, but it does need to be addressed.

List of the cost of the project components in the table provided below.

List of Expenditures	Federal Share Request	Non-Federal Match		Other Funding	Total (Add Each Row)
		Applicant Budget	Donation		
1. Administration (10% required if subrecipient)	\$	\$	\$	\$	\$
2.	\$	\$	\$	\$	\$
3.	\$	\$	\$	\$	\$
4.	\$	\$	\$	\$	\$
5.	\$	\$	\$	\$	\$
6.	\$	\$	\$	\$	\$
7.	\$	\$	\$	\$	\$
8.	\$	\$	\$	\$	\$

17. LOCAL MATCH REQUIREMENT (PERCENT AND \$\$)

Note: as described in the application guidelines

For your specific project, what is the required match amount, in Percent (%)

Local Match Amount in Dollars (\$)

Local Match Amount in Percent (%)

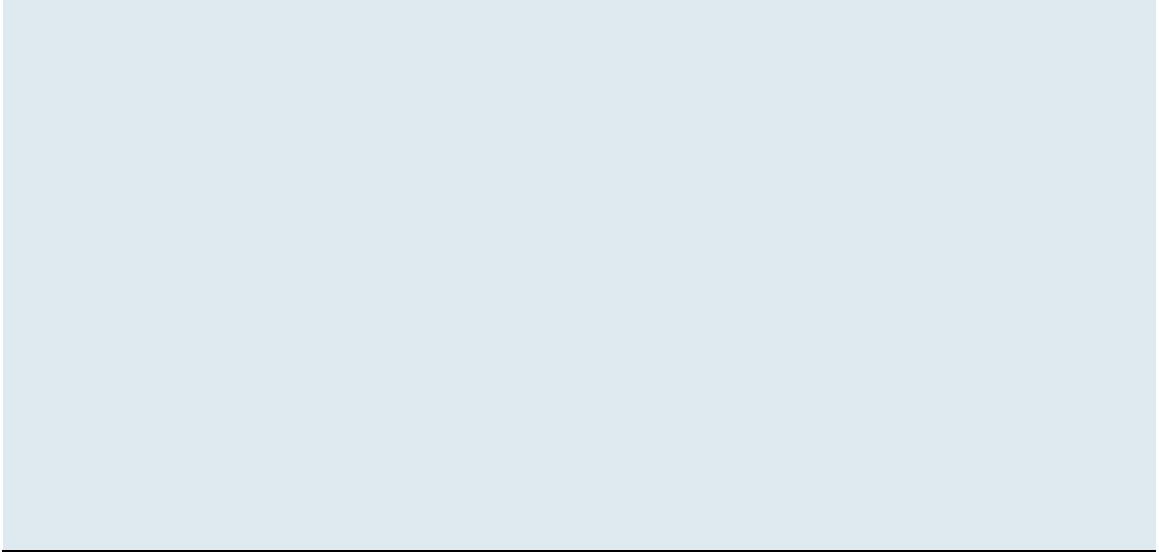
18. IS THERE A COMMITMENT OF FUNDS BEYOND THE REQUESTED GRANT PERIOD?

Please describe any commitment, whether in the form of funds or support, which would contribute to the continuation of this project beyond the grant period. This includes a description of any maintenance plans for acquisitions and capital improvements.

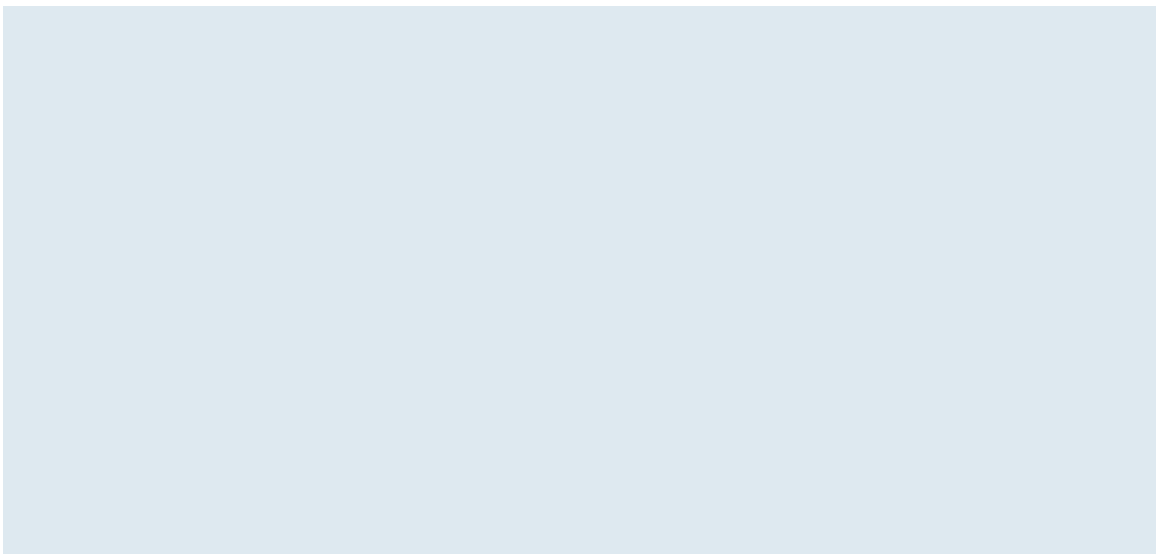
PART III:

CONSISTENCY WITH SELECTION CRITERIA

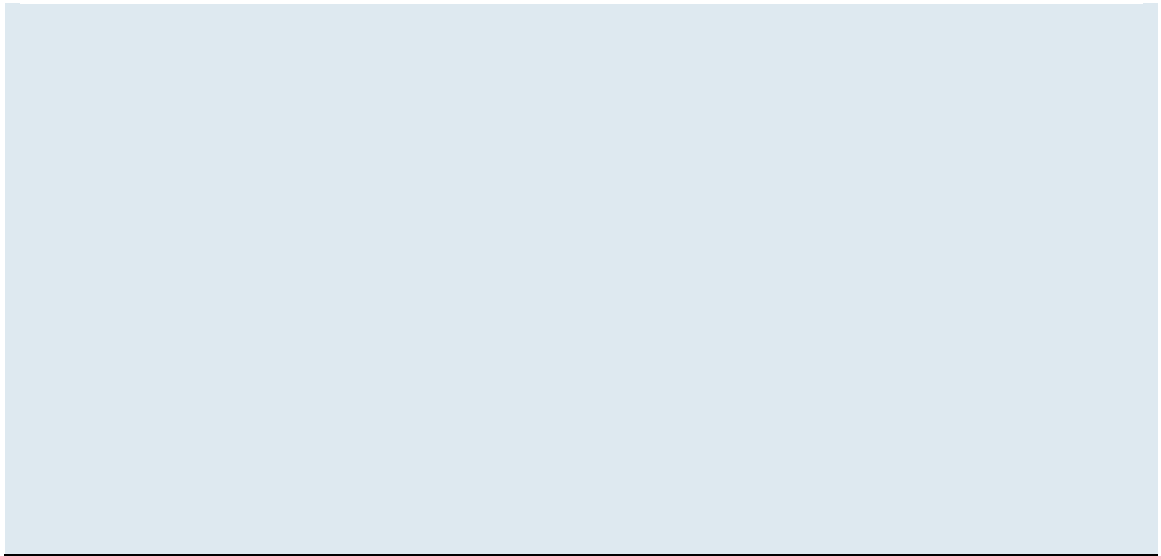
19. DESCRIBE THE COMMUNITY/REGIONAL BENEFITS THE PROJECT PROVIDES



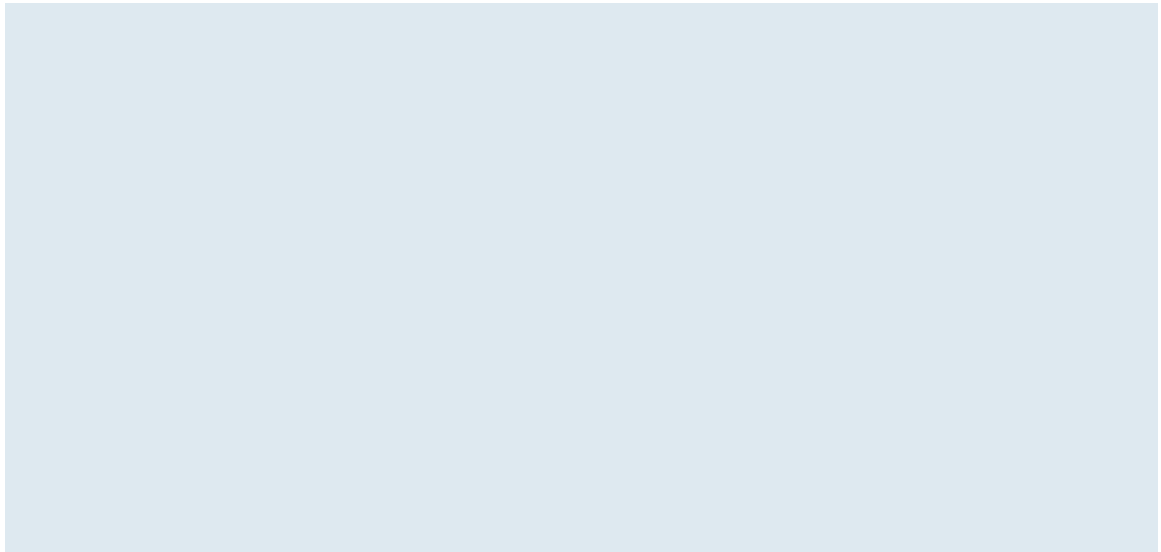
20. EXPLAIN HOW THE PROJECT INCREASES OR UTILIZES EXISTING MOBILITY SERVICES



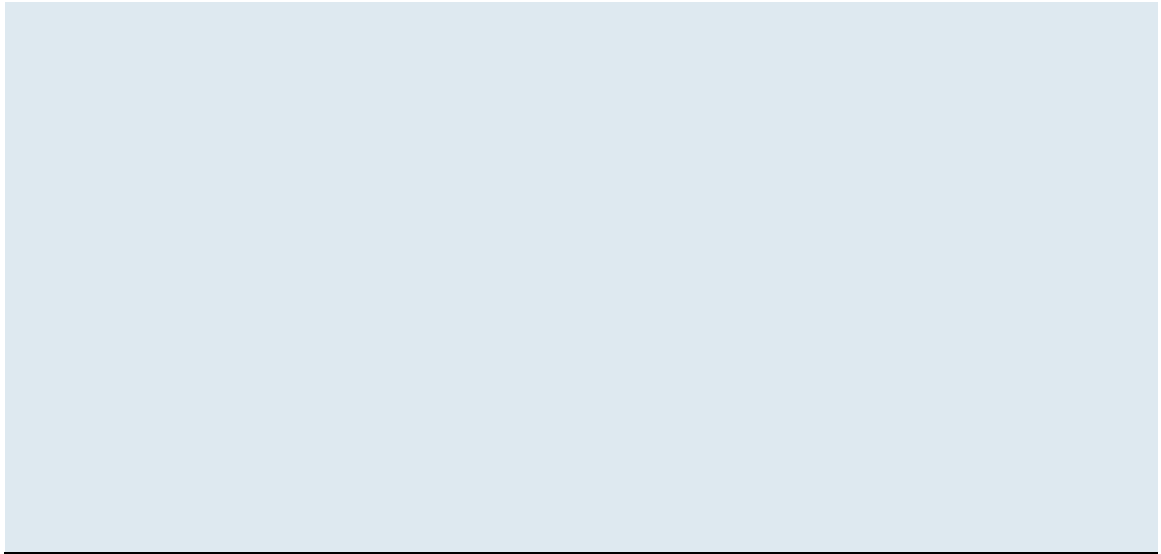
21. EXPLAIN HOW THE DELIVERY OF SERVICE WILL BE COORDINATED WITH EXISTING TRANSPORTATION AND IF OTHER MODES OF TRANSPORTATION WILL BE INVOLVED



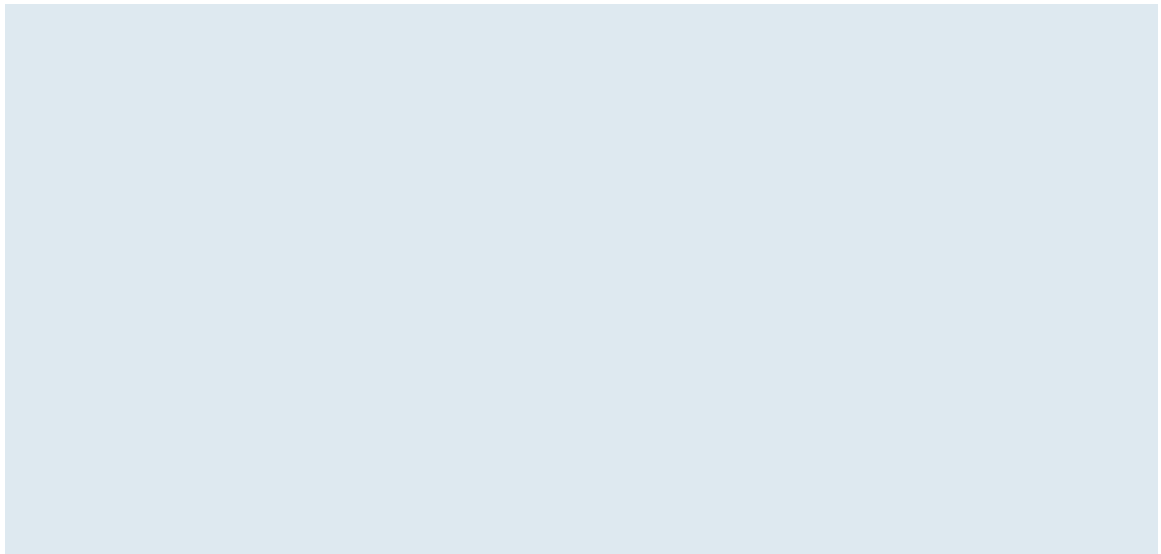
22. EXPLAIN HOW THE PROJECT WILL PROVIDE ACCESS TO JOBS, DAY CARES, EDUCATION AND TRAINING FACILTIES, AND SOCIAL SERVICE AGENCY FACILITIES



23. EXPLAIN HOW THE PROJECT WILL INCREASE MOBILITY FOR LOW INCOME POPULATIONS AND PEOPLE WITH DISABILITIES



24. EXPLAIN HOW THE SUCCESS OF THE PROJECT WILL BE MEASURED



25. ARE YOU WILLING TO SHARE TRAINING, STAFF, OR VEHICLES OBTAINED AS A RESULT OF THE GRANT, IF POSSIBLE?

Yes No

Ranking Guidelines

Project Rating

Projects are rated based on a weighted point system. There is a possible score of 100 points accumulated through 6 weighted items.

The project prioritization process involves reviewing projects on a scale of 1 to 100, using six weighted elements to provide a final score for the project. All Section 5316 and Section 5317 applications that meet eligibility requirements will be scored individually, by funding category on the following criteria:

1. Demonstrated Need (Max. 30 points) –

How well the project addresses issues to mitigate gaps and deficiencies in transportation systems. Key points to consider:

- Project provides service options that currently don't exist
- Project would extend and/or enhance existing transportation services
- Project would serve geographic areas where service is needed most
- Project would improve the mobility options of low income individuals, the elderly and persons with disabilities and/or combinations of the three groups
- Project would preserve existing services

2. Cost Effectiveness (Max. 20 points) –

A defined budget indicating expenditures and revenue, including matching funds to be used for the project:

- Clearly defined budget
- Benefit/cost ratio
- Performance measures

3. Project Oversight (Max. 20 points) –

Demonstration of the sponsoring agency, group or organization to carry out the service as described in their application:

- Sponsor has the institutional and fiscal capacity available to accomplish the proposed project
- Project expands or supports existing transportation services
- Involves local human service, transit (non-for-profit and profit) and other transportation stakeholders
- Completion of project within a reasonable timeframe

4. Project Coordination (Max. 15 points) –

Identifies and acknowledges the ability and desire of the sponsoring agency, group or organization to coordinate with other programs and stakeholders:

- Willingness to share resources obtained and funded from the grant
- Complements and supports existing services and does not duplicate services

5. Sustainability (Max. 10 points) –

How the project will be able to continue beyond the initial source of funding

- Sponsor has the institutional and fiscal capacity to maintain equipment or facilities
- Consideration has been made for future project continuation

6. Project Equity (Max. 5 points) –

The equitable distribution of funds for projects among diverse agencies, groups or organizations to afford the maximum exposure of available funding:

- Funding limits per individual request
- Frequency of approved applications
- Disproportionate allocations to individual projects or groups

Certifications

JARC § 5316 and New Freedom § 5317

Certifications for JARC § 5316 and New Freedom § 5317

The following certifications are either joint or specific to JARC (5316) and New Freedom (5317) programs. The section (A) certifications are designed for either 5316 or 5317 and must be included with the application. Sections (B) and (C) are specific to the program that is being applied for and must be included with the application. The applicant must include the appropriate completed certifications signature page in the back of this packet.

Section A: Joint Certifications for JARC (5316) or New Freedom (5317)

Section B: JARC 5316

Section C: New Freedom 5317

Example: Sections (A) and (B) or Sections (A) and (C) will need to be completed by the applicant depending upon the applied for program.

CERTIFICATION SECTION

- AA) CHARTER BUS REQUIREMENTS 49 U.S.C. 5323(D), 49 CFR PART 604
- AB) SCHOOL BUS REQUIREMENTS 49 U.S.C. 5323(F), 49 CFR PART 605
- AC) ENERGY CONSERVATION REQUIREMENTS 42 U.S.C 6321 ET SEQ. 49 CFR PART 18
- AD) CLEAN WATER REQUIREMENTS 33 U.S.C. 1251
- AE) LOBBYING 31 U.S.C. 135249, CFR PART 20
- AF) FEDERAL CHANGES 49 CFR PART 18
- AG) CLEAN AIR 42 U.S.C. 7401 ET. SEQ., 40 CFR 15.61 49 CFR PART 18
- AH) NO GOVERNMENT OBLIGATION TO THIRD PARTIES
- AI) PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENT AND RELATED ACTS 31 U.S.C. 3801 ET. SEQ. 49 CFR PART 31 18 U.S.C. 1001 49 U.S.C. 5307
- AJ) TERMINATION 49 U.S.C. PART 18, FTA CIRCULAR 4220.1D
- AK) GOVERNMENT-WIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT) 49 CFR PART 29, EXECUTIVE ORDER 12549
- AL) CIVIL RIGHTS REQUIREMENTS 29 U.S.C. § 623, 42 U.S.C. § 2000, 42 U.S.C. § 6102, 42 U.S.C. § 12112, 42 U.S.C. § 12132, 49 U.S.C. § 5332, 29 CFR PART 1630, 41 CFR PART 60 ET SEQ.

- AM) BREACHES AND DISPUTES RESOLUTION 49 CFR PART 18, FTA CIRCULAR 4220.1E
 - AN) STATE AND LOCAL LAW DISCLAIMER
 - AO) INCORPORATION OF FEDERAL TRANSIT ADMINISTRATION (FTA) TERMS FTA CIRCULAR 4220.1E
 - AP) ADA CERTIFICATION FOR NOT-FOR-PROFIT
 - AQ) ADA CERTIFICATION FOR PUBLIC ENTITIES
 - AR) CERTIFICATION OF COMPLIANCE WITH DRUG AND ALCOHOL MISUSE RULE FOR FTA RECIPIENTS 49 CFR PART 655 AMENDED PART 40
 - AS) CERTIFICATION OF SECTION 5323(A)(1) REQUIREMENTS (*FOR PUBLIC ENTITIES ONLY*)
 - AT) INTERGOVERNMENTAL REVIEW ASSURANCE
-
- BA) CITY UTILITIES STANDARD ASSURANCES
 - BB) SAMPLE AUTHORIZING RESOLUTION FOR PUBLIC ENTITIES
 - BC) SAMPLE AUTHORIZING RESOLUTION FOR NONPROFIT CORPORATION
 - BD) CERTIFICATION OF COMPLIANCE WITH FTA ITS ARCHITECTURE POLICY
-
- CA) CITY UTILITIES FTA 49 U.S.C. SECTION 5317 STANDARD ASSURANCES
 - CB) SAMPLE AUTHORIZING RESOLUTION FOR NONPROFIT CORPORATIONS

Section A:
Shared Certification for
JARC (5316)
Or
New Freedom (5317)

AA. Charter Bus Requirements 49 U.S.C. 5323(d), 49 CFR Part 604

Charter Service Operations – The Applicant agrees to comply with 49 U.S.C. 5323(D) and 49 CFR Part 604, which provides that recipients and subrecipients of FTA assistance are prohibited from providing charter service using federally funded equipment or facilities if there is at least one private charter operator willing and able to provide the service, except under one of the exceptions at 49 CFR 604.9 thru 604.11 Any charter service provided under one of the exceptions must be “incidental,” i.e., it must not interfere with or detract from the provision of mass transportation and recipients of funds from 5311, 5316 and 5317 can only provide charter service that supports the program purpose.

AB. School bus requirements 49 U.S.C. 5323(f), 49 CFR Part 605

School Bus Operations – Pursuant to 49 U.S.C. 5323(F) and 49 CFR Part 605, recipients and subrecipients of FTA assistance may not engage in school bus operations exclusively for the transportation of students and school personnel in competition with private school bus operators unless qualified under specified exemptions. When operating exclusive school bus service under an allowable exemption, recipients and subrecipients may not use federally funded equipment, vehicles, or facilities.

AC. Energy conservation requirements 42 U.S.C 6321 et seq. 49 CFR Part 18

Energy Conservation – The Applicant agrees to comply with mandatory standards and policies relating to energy efficiency, which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.

AD. Clean Water requirements 33 U.S.C. 1251

Clean Water –

(1) The Applicant agrees to comply with all applicable standards, orders or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq. The Applicant agrees to report each violation to the Purchaser and understands and agrees that the Purchaser will, in turn, report each violation as required to assure notification to FTA and the appropriate EPA Regional Office.

(2) The Applicant also agrees to include these requirements in each subcontract exceeding \$100,000 financed in whole or in part with Federal assistance provided by FTA.

AE. Lobbying 31 U.S.C. 135249, CFR Part 20

Modifications have been made to the Clause pursuant to Section 10 of the Lobbying Disclosure Act of 1995, P.L.104-65 [to be codified at 2 U.S.C. § 1601, et seq.]

(1) Lobbying Certification and Disclosures of Lobbying Activities for third party Applicants are mandated by 31 U.S.C. 1352(b)(5), as amended by Section 10 of the Lobbying Disclosure Act of 1995, and Department of Transportation (DOT) implementing regulations, “New Restrictions on Lobbying,” at CFR § 20.110(d)

(2) Language in Lobbying Certification is mandated by CFR Part 19, Appendix A, Section 7, which provides that Applicants file the certification required by 49 CFR Part 20, Appendix A.

Modification has been made to the lobbying Certification pursuant to Section 10 of the Lobbying Disclosure Act of 1995.

(3) Use of “Disclosure of Lobbying Activities,” Standard Form-LLL set forth in Appendix B of 49 CFR Part 20, as amended by “Government wide Guidance For New Restrictions on Lobbying,” 61 Federal Regulation 1413 (1/19/96) is mandated by 49 CFR Part 20, Appendix A

Byrd Anti-Lobbying Amendment, 31 U.S.C. 1352, as amended by the Lobbying Disclosure Act of 1995, P.L. 104-65 [to be codified at 2 U.S.C. § 1601, et seq.] – Applicants who apply or bid for an award of \$100,000 or more shall file the certification required by 49 CFR Part 20, “Restrictions on Lobbying.” Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of an agency, a member of congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier shall also disclose the name of any registrant under the Lobbying Disclosure Act of 1995 who has made lobbying contacts on its behalf with non-Federal Funds with respect to that Federal contract, grant or award covered by 31 U.S.C. 1352. Such disclosures are forwarded from tier to tier to the recipient.

APPENDIX A, 49 CFR PART 20—CERTIFICATION REGARDING LOBBYING

Certification for Contract, Grants, Loans, and Cooperative Agreements

(To be submitted with each bid or offer exceeding \$100,000)

The undersigned [Applicant] certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions [as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Federal Regulation 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, et seq.)]

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

(4) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

[Note: Pursuant to 31 U.S.C. § 1352(c)(1)-(2)(A), any person who makes a prohibited expenditure or fails to file or amend a required certification of disclosure form shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure or failure.]

The Applicant, (Agency Name) certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Applicant understands and agrees that the provisions of 31 U.S.C. A 3801, et seq., apply to this certification and disclosure, if any.

AF. Federal changes 49 CFR Part 18

Federal Changes

Applicant shall at all times comply with all applicable FTA regulations, policies, procedures, and directives, including without limitation those listed directly or by reference in the Agreement (Form FTA MA (2) dated October, 1995) between Purchaser and FTA, as they may be amended or promulgated from time to time during the term of this contract. Applicant's failure to so comply shall constitute a material breach of this contract.

AG. Clean Air 42 U.S.C. 7401 et seq, 40 CFR 15.61, 49 CFR Part 18

Clean Air

(1) The Applicant agrees to comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. § 7401 et seq. The Applicant agrees to report each violation to the Purchaser and understands and agrees that the Purchaser will, in turn, report each violation as required to assure notification to FTA and the appropriate EPA Regional Office.

(2) The Applicant also agrees to include these requirements in each subcontract exceeding \$100,000 financed in whole or in part with Federal assistance provided by FTA.

AH. No Government Obligation to Third Parties

No Obligation by the Federal Government

(1) The Purchaser and Applicant acknowledge and agree that, notwithstanding any concurrence by the Federal Government in or approval of the solicitation or award of the underlying contract, absent the express written consent by the Federal Government is not a party to this contract and shall not be subject to any obligations or liabilities to the Purchaser, Applicant, or any other party (whether or not a party to that contract) pertaining to any matter resulting from the underlying contract.

(2) The Applicant agrees to include the above clause in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that the clause shall not be modified, except to identify the Sub-Applicant who will be subject to its provisions.

AI. Program Fraud and False or Fraudulent Statements or Related Acts 31 U.S.C. 3801 et seq 49 CFR Part 31 18 U.S.C. 1001 49 U.S.C. 5307

Program Fraud and False or Fraudulent Statements or Related Acts

(1) The Applicant acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. § 3801 et seq. and U.S. DOT regulations, "Program Fraud Civil Remedies," 49 C.F.R. Part 31, apply to its actions pertaining to this Project. Upon execution of the underlying contract, the Applicant certifies or affirms the truthfulness and accuracy of any statement it has made, it makes, it may make, or causes to be made, pertaining to the underlying contract or the FTA assisted project for which this contract work is being performed. In addition to other penalties that may be applicable, the Applicant further acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification, the Federal Government reserves the right to impose the penalties of the Program Fraud Civil Remedies Act of 1986 on the Applicant to the extent the Federal Government deems appropriate.

(2) The Applicant also acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification to the Federal Government under a contract connected with a project that is financed in whole or in part with Federal assistance originally awarded by FTA under the authority of 49 U.S.C. § 5307, the government reserves the right to impose the penalties of 18 U.S.C. § 1001 and 49 U.S.C. § 5307(n)(1) on the Applicant, to the extent the Federal Government deems appropriate.

(3) The Applicant agrees to include the above two clauses in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that the clauses shall not be modified, except to identify the Sub-Applicant who will be subject to the provisions.

AJ. Termination 49 U.S.C. Part 18, FTA Circular 4220.1D

(1) Termination for Convenience (General Provision) The City Utilities of Springfield, Missouri (CU) may terminate this contract, in whole or in part at any time by written notice to the Applicant when it is in the CU's best interest. The Applicant shall be paid its costs, including contract closeout costs, and profit on work performed up to the time of termination. The Applicant shall promptly submit its termination claim to CU for payment. If the Applicant has any property in its possession belonging to CU, the Applicant will account for the same, and dispose of it in the manner CU directs.

(2) Termination for Default [Breach or Cause] (General Provision) If the Applicant does not deliver supplies in accordance with the contract delivery schedule, or, if the contract is for services, the Applicant fails to perform in the manner called for in the contract, or if the Applicant fails to comply with any other provisions of the contract, CU may terminate this contract for default. Termination shall be effected by serving a notice of termination on the Applicant setting forth the manner in which the Applicant is in default. The Applicant will only be paid the contract price for supplies delivered and accepted, or services performed in accordance with the manner of performance set forth in the contract.

If it is later determined by CU that the Applicant had an excusable reason for not performing, such as a strike, fire, or flood, events which are not the fault or are beyond the control of the Applicant, CU, after setting up a new delivery or performance schedule, may allow the Applicant to continue work, or treat the termination as a termination for convenience.

(3) Opportunity to Cure (General Provisions) CU in its sole discretion may in the case of a termination for breach or default, allow the applicant [thirty (30) to sixty (60) days, depending on severity] in which to cure the defect. In such case, the notice of termination will state the time period in which cure is permitted and other appropriate conditions.

If Applicant fails to remedy to CU's satisfaction the breach or default or any of the terms, covenants, or conditions of this Contract within [ten (10) days] after receipt by the Applicant or written notice from CU setting forth the nature of said breach or default, CU shall have the right to terminate the Contract without any further obligation to Applicant. Any such termination for default shall not in any way operate to preclude CU from also pursuing all available remedies against Applicant and its sureties for said breach or default.

(4)Waiver of Remedies for any Breach In the event that CU elects to waive its remedies for any breach by Applicant of any covenant, term or condition of this Contract, such waiver by CU shall not limit CU's remedies for any succeeding breach of that or of any other term, covenant, or condition of this Contract.

AK. Government-Wide Debarment and Suspension (Nonprocurement) 49 CFR Part 29, Executive Order 12549

(1) Instructions for Certification

- A By signing and submitting this application, the prospective lower tier participant is providing the signed certification set out below.
- B The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, (Recipient) may pursue available remedies, including suspension and/or debarment.
- C The prospective lower tier participant shall provide immediate notice to (Designated Recipient) if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- D The term "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "persons," "principal," "proposal," and "voluntarily excluded," as use in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549 [49 CFR Part 29]. You may contact (Designated Recipient) for assistance in obtaining a copy of those regulation.
- E The prospective lower tier participant agrees by submitting their proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded form participation in this covered transaction unless authorized in writing by (Designated Recipient).

- F The prospective lower tier participant further agrees by submitting this proposal that it will include the clause title “Certification regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
- G A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows the certification is erroneous. A participant may, decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List issued by U.S. General Service Administration.
- H Nothing contained in the foregoing shall be construed to require establishment of system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- I Except for transactions authorized under Paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to all remedies available to the Federal Government, (Designated Recipient) may pursue available remedies including suspension and/or debarment.

“Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion – Lower Tier Covered Transaction”

(2) The prospective lower tier participant certifies, by submission of this bid or proposal, that neither it nor its “principals” [as defined at 49 C.F.R. § 29.105(p)] is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(3) When the prospective lower tier participant is unable to certify to the statements in this certification, such prospective participant shall attach an explanation to this proposal.

AL. Civil Rights Requirements 29 U.S.C. § 623, 42 U.S.C. § 2000, 42 U.S.C. § 6102, 42 U.S.C. § 12112, 42 U.S.C. § 12132, 49 U.S.C. § 5332, 29 CFR Part 1630, 41 CFR Part 60 et seq.

Civil Rights- The following requirements apply to the underlying contract:

(1) Nondiscrimination – In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332, the Applicant agrees that it will not discriminate against any employee or applicant for

employment because of race, color, creed, national origin, sex, age, or disability. In addition, the Applicant agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.

(2) Equal Employment Opportunity – The following equal employment opportunity requirements apply to the underlying contract:

(a) Race, Color, Creed, National Origin, Sex – In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, and Federal transit laws at 49 U.S.C. § 5332, the Applicant agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor,” 42 CFR Part 60 et seq., (which implement Executive Order No. 11246, “Equal Employment Opportunity,” as amended by executive Order No. 11375, “Amending Executive Order 11246, “Equal Employment Opportunity,” 42 U.S.C. § 2000e note) and with any applicable Federal Statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the Project. The Applicant agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regards to their race, color, creed, national origin, sex, or age. Such actions shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, the Applicant agrees to comply with any implementing requirements FTA may issue.

(b) Age In accordance with section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § § 623 and Federal transit law at 49 U.S.C. § 5332, the Applicant agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, the Applicant agrees to comply with any implementing requirements FTA may issue.

(c) Disabilities In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, the Applicant agrees that it will comply with the requirements of the U.S. Equal Employment Opportunity Commission, “Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act,” 29 CFR Part 1630, pertaining to employment of persons with disabilities. In addition, the Applicant agrees to comply with any implementing requirements FTA may issue.

(3) The Applicant also agrees to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA, modified only if necessary to identify the affected parties.

AM. Breaches and Dispute Resolution 49 CFR Part 18, FTA Circular 4220.1E

Disputes – Disputes arising in the performance of this Contract, which are not resolved by agreement of the parties, shall be decided in writing by City Utilities, Director of Transit. This decision shall be final and conclusive unless within [ten (10)] days from the date of receipt of its copy, the Applicant mails or otherwise furnishes a written appeal to the Director of Transit. In connection with any such appeal, the Applicant shall be afforded an opportunity to be heard and to offer evidence in support of its position. The decision of the Director of Transit shall be binding upon the Applicant and the Applicant shall abide by the decision.

Performance During Dispute – Unless otherwise directed by City Utilities, Applicant shall continue performance under this Contract while matters in dispute are being resolved.

Claims for Damages – Should either party to the Contract suffer injury or damage to person or property because of any act or omission of the party or of any of his employees, agents, or others for whose acts he is legally liable, a claim for damages therefore shall be made in writing to such other party within a reasonable time after the first observance of such injury of damage.

Remedies – Unless this contract provides otherwise, all claims, counterclaims, disputes, and other matters in question between City Utilities and the Applicant arising out of or relating to this agreement or its breach will be decided by arbitration if the parties mutually agree, or in a court of competent jurisdiction within the State in which City Utilities is located.

Rights and Remedies – The duties and obligations imposed by the Contract Documents and the rights and remedies available thereunder shall be in addition to and not a limitation of any duties, obligations, rights and remedies otherwise imposed or available by law. No action or failure to act by City Utilities or Applicant shall constitute a waiver of any right or duty afforded any of them under the Contract, nor shall any such action or failure to act constitute an approval of or acquiescence in any breach thereunder, except as may be specifically agreed in writing.

AN. State and Local Law Disclaimer

State and Local Law Disclaimer – The use of many of the suggested clauses are not governed by Federal law, but are significantly affected by State law. The language of the suggested clauses may need to be modified depending on state law, and that before the suggested clauses are used in the grantees procurement documents, the grantees should consult with their local attorney.

AO. Incorporation of Federal Transit Administration (FTA) Terms FTA Circular 4220.1E

Incorporation of Federal Transit Administration (FTA) Terms – The preceding provisions include, in part, certain Standard Terms and Conditions required by DOT, whether or not expressly set forth in the preceding contract provisions. All contractual provisions required by DOT, as set forth in FTA Circular 4220.1E, dated June 19, 2003, are hereby incorporated by reference. Anything to the contrary herein notwithstanding, all FTA mandated terms shall be deemed to control in the event of a conflict with other provisions contained in this Agreement. The Applicant shall not perform any act, fail to perform any act, or refuse to comply with any (name of grantee) requests, which would cause (name of grantee) to be in violation of the FTA terms and conditions.

AP. ADA Certification for Not-for-Profit

Certification of Equivalent Service

_____ certifies that its demand responsive service offered to individuals with disabilities, including individuals who use wheelchairs, is equivalent to the level and quality of service offered to individuals without disabilities. Such service, when viewed in its entirety, is provided in the most integrated setting feasible and is equivalent with respect to:

1. Response time
2. Fares
3. Geographic service areas
4. Hours and days of service
5. Restrictions on trip purpose
6. Availability of information and reservation capability
7. Constraints on capacity or service availability

In accordance with 49 CFR 37.103 not-for-profit organizations operating demand responsive systems for the general public that receive financial assistance under Chapter 53 of Title 49, United States Code must file this Certification with the appropriate state program office. **This certification is valid for no longer than one year from its date of filing.**

AQ. ADA Certification for Public Entities

Certification of Equivalent Service

_____ (applicant) certifies that its demand responsive service offered to individuals with disabilities, including individuals who use wheelchairs, is equivalent to the level and quality of service offered to individuals without disabilities. Such service, when viewed in its entirety, is provided in the most integrated setting feasible and is equivalent with respect to:

1. Response time
2. Fares
3. Geographic service areas
4. Hours and days of service
5. Restrictions on trip purpose
6. Availability of information and reservation capability and
7. Constraints on capacity or service availability

In accordance with 49 CFR 37.77, public entities operating demand responsive systems for the general public which receive financial assistance under Chapter 53 of Title 49, United States Code must file this Certification with the appropriate state program office before procuring any inaccessible vehicle. Such public entities not receiving any Federal Transit Administration (FTA) funds shall also file the certification with the appropriate state program office. Such public entities receiving FTA funds under Chapter 53 of Title 49, United States Code must file the certification with the appropriate FTA regional office. **This certification is valid for no longer than one year from its date of filing.**

AR. Certification of Compliance with Drug and Alcohol Misuse Rule for FTA Recipients 49 CFR Part 655 Amended Part 40

I, Name _____, Title _____, certify that, _____ (Applicant) has established and implemented a drug and alcohol prevention and testing program and have conducted employee training complying with the requirements of 49 CFR Part 655 and Amended CFR Part 40; and that we have no employees regulated by the U.S. Federal Railroad Administration (FRA).

This requirement is not applicable to applicants who receive only JARC funds. However, applicants must still comply with Federal Motor Carrier Safety Administration requirements for employees who hold Commercial Drivers Licenses. JARC recipients who receive funding under other FTA programs that

require substance abuse programs should include employees funding under JARC programs in their testing and prevention program.

AS. Certification of Section 5323(a)(1) Requirements (for Public Entities Only)

Section 5323(a) (1) Requirements – As required by 49 U.S.C. 5323(a)(1), the applicant certifies that before it acquires property or an interest in property of a private mass transportation company or operates mass transportation equipment or a facility in competition with or in addition to transportation service provided by an existing mass transportation company it has or will have:

- A. Found that the assistance is essential to carrying out a program of projects as determined by the plans and programs of the metropolitan planning organization;
- B. Provided for the participation of private mass transportation companies to the maximum extent feasible;
- C. Paid just compensation under State or local law to a private mass transportation company for its franchises or property acquired; and
- D. Acknowledged that the assistance falls within the labor standards compliance requirements 49 U.S.C. 5333(a) and 5333(b).

AT. Intergovernmental Review Assurance

Except if the Applicant is an Indian tribal government seeking assistance authorized by 49 U.S.C. 5311 (c)(1), the Applicant ensures that each application for Federal assistance is submitted to FTA has been submitted or will be submitted for intergovernmental review to the appropriate State and local agencies as determined by the State. Specifically, the Applicant ensures that it has fulfilled or will fulfill the obligations imposed on FTA by U.S. Department of Transportation (U.S. DOT) regulations, "Intergovernmental Review of Department of Transportation and Programs and Activities," 49 CFR Part 17. This assurance does not apply to Applicants for Federal assistance derived from FTA's Tribal Transit Program, 49 U.S.C. 5311 (c)(1).

Section B:

JARC 5316

BA. City Utilities Standard Assurances

The Applicant ensures that it will comply with all applicable Federal statutes and regulations in carrying out any project supported by an FTA grant or cooperative agreement. The Applicant agrees that it is under a continuing obligation to comply with the terms and conditions of the grant agreement or cooperative agreement issued for its project with FTA. The Applicant recognizes that Federal laws and regulations may be modified from time to time and those modifications may affect project implementation. The Applicant understands that Presidential executive orders and Federal directives, including Federal policies and program guidance may be issued concerning matters affecting the Applicant or its project. The Applicant agrees that the most recent Federal laws, regulations, and directives will apply to the project, unless FTA issues a written determination otherwise.

BB. Sample Authorizing Resolution for Public Entities

WHEREAS, The Ozarks Transportation Organization is authorized to make operating and capital assistance grants for employment related transportation projects; and,

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

WHEREAS, it is the goal of the Applicant to provide the best transportation that can be provided with the money available.

NOW THEREFORE, be it resolved by the _____ (applicant) as follows:

- 1) That the _____ (title, i.e. mayor, city manager) is authorized to execute and file a capital and/or operating application for operating assistance on behalf of the _____ (applicant), a municipal corporation, with Ozarks Transportation Organization to aid in the financing of an employment transportation system.
- 2) That the _____ (title) is authorized to furnish such additional information as the Ozarks Transportation Organization may require in connection with the application or the project.

3) (This paragraph may also be a separate resolution) That the _____ (title) is authorized to execute agreements on behalf of the _____ (applicant) with the Ozarks Transportation Organization for aid in the financing of a Section 5316 project.

Adopted this _____ day of _____, 20_____.

BC. Sample Authorizing Resolution for Non-Profit Corporations

WHEREAS, the Ozarks Transportation Organization is authorized to make grants for employment related transportation projects; and,

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

WHEREAS, it is the goal of the applicant to provide the best transportation that can be provided with the funds available.

NOW THEREFORE, be it resolved by the _____ (applicant) as follows:

1. That the _____ (Executive Director) is authorized to execute and file applications for Section 5316 assistance on behalf of the _____ (applicant), a non-profit corporation, with Ozarks Transportation Organization to aid in the financing of an employment transportation system.
2. That the _____ (Executive Director) is authorized to furnish such additional information as the Ozarks Transportation Organization may require in connection with applicants for the project.
3. That the President or Chairperson is authorized to execute grant agreement(s) on behalf of _____ (applicant) with City Utilities for aid in financing of a Section 5316 project.

Adopted this _____ day of _____, 20_____.

BD. Certification of Compliance with FTA ITS Architecture Policy

In compliance with Section VII for “FTA National ITS Architecture Policy on Transit Projects” at 66 CFR 1459, January 8, 2001 in the course of implementing an ITS project, the Grantee assures it will comply, and require any third party contractor to comply, will all applicable requirements imposed by Section V and Section VI of that notice.

Section C:

New Freedom 5317

CA. City Utilities FTA 49 U.S.C. Section 5317 Standard Assurances

Legal Name of the Organization: _____

The applicant organization hereby agrees to the following Standard Assurances pursuant to the Section 5317 program:

1. It has legal authority to apply and receive a capital assistance grant.
2. It will comply with all applicable requirements of FTA Circular 4704.1, Equal Employment Opportunity Policy and Requirements for grant recipients.
3. It will comply with all requirements of Title VI, Civil Rights Act of 1964, with FTA Circular 4702.1, Interim Guidelines for Title VI – Information Specific to FTA Programs, and with 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964.
4. Its programs will be conducted or its facilities operated in compliance with all requirements imposed by or pursuant to 49 CFR Part 27, 37 and 38, Transportation for Individuals with Disabilities: Final Rule.
5. It will comply with all applicable provisions with the Missouri Property Management Standards for Section 5317
6. It will give FTA and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
7. It will operate and maintain any facility or equipment constructed or purchased as part of a Federal grant in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State, and Local agencies for the maintenance and operation of such facilities.
8. It recognizes FTA's and City Utilities' authority to conduct audits for the purpose of verifying compliance with the requirements and stipulations stated above.
9. Based on information submitted in the applicant organization's application, the service provided or offered to be provided by existing public or private transit operators are unavailable, insufficient or inappropriate to meet the special needs of elderly or disabled persons with the service area.
10. Private transit and paratransit operators have been offered a fair and timely opportunity to participate to the maximum extent feasible in the provisions of the proposed special transportation services for elderly and disabled.
11. Projects in urbanized areas are included in the Annual Element of the local Transportation Improvement Program.

12. The applicant organization possesses the necessary fiscal and managerial capabilities to implement and manage its proposed project.
13. The applicant organization has or will have the required non-federal cash match for the project or such match will be provided in whole or in part from other state, local or private sources.
14. The applicant organization is considered under state law as a private nonprofit organization or public entity and has the legal capacity to contract with the state to carry out the proposed project.
15. The applicant organization has or will have by the time of delivery sufficient funds to operate the vehicles and equipment to be purchased under this project.

CB. Sample Authorizing Resolution

WHEREAS, the City Utilities is authorized to make grants for elderly and/or persons with disabilities transportation projects; and,

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

WHEREAS, it is the goal of the applicant to provide the best transit project that can be provided with the funds available.

NOW THEREFORE, be it resolved by _____
(Legal Name of Organization)

_____ as follows:

That the President or Chairperson is authorized to execute grant contract agreements with the City Utilities for aid in financing of a Section 5317 assistance project.

Adopted this ____ day of _____, 20 ____

SIGNATURE PAGE FOR CERTIFICATION SECTIONS

BY MARKING THE CHECK BOX THE SIGNER AGREES TO AND UNDERSTANDS ALL THE REQUIREMENT THAT SHALL BE IMPOSED BY FEDERAL, STATE AND LOCAL GOVERNMENTS OR GOVERNING BODIES.

THE APPROPRIATE BOX FOR JARC (5316) OR NEW FREEDOM (5317)

(AA) CHARTER BUS REQUIREMENTS 49 U.S.C. 5323(D), 49 CFR PART 604

(AB) SCHOOL BUS REQUIREMENTS 49 U.S.C. 5323(F), 49 CFR PART 605

(AC) ENERGY CONSERVATION REQUIREMENTS 42 U.S.C 6321 ET SEQ. 49 CFR PART 18

(AD) CLEAN WATER REQUIREMENTS 33 U.S.C. 1251

(AE) LOBBYING 31 U.S.C. 135249, CFR PART 20

(AF) FEDERAL CHANGES 49 CFR PART 18

(AG) CLEAN AIR 42 U.S.C. 7401 ET. SEQ., 40 CFR 15.61 49 CFR PART 18

(AH) NO GOVERNMENT OBLIGATION TO THIRD PARTIES

(AI) PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENT AND RELATED ACTS 31 U.S.C. 3801 ET. SEQ. 49 CFR PART 31 18 U.S.C. 1001 49 U.S.C. 5307

(AJ) TERMINATION 49 U.S.C. PART 18, FTA CIRCULAR 4220.1D

- (AK) GOVERNMENT-WIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT) 49 CFR PART 29, EXECUTIVE ORDER 12549

 - (AL) CIVIL RIGHTS REQUIREMENTS 29 U.S.C. § 623, 42 U.S.C. § 2000, 42 U.S.C. § 6102, 42 U.S.C. § 12112, 42 U.S.C. § 12132, 49 U.S.C. § 5332, 29 CFR PART 1630, 41 CFR PART 60 ET SEQ.

 - (AM) BREACHES AND DISPUTES RESOLUTION 49 CFR PART 18, FTA CIRCULAR 4220.1E

 - (AN) STATE AND LOCAL LAW DISCLAIMER

 - (AO) INCORPORATION OF FEDERAL TRANSIT ADMINISTRATION (FTA) TERMS FTA CIRCULAR 4220.1E

 - (AP) ADA CERTIFICATION FOR NOT-FOR-PROFIT

 - (AQ) ADA CERTIFICATION FOR PUBLIC ENTITIES

 - (AR) CERTIFICATION OF COMPLIANCE WITH DRUG AND ALCOHOL MISUSE RULE FOR FTA RECIPIENTS 49 CFR PART 655 AMENDED PART 40

 - (AS) CERTIFICATION OF SECTION 5323(A)(1) REQUIREMENTS (FOR PUBLIC ENTITIES ONLY)

 - (AT) INTERGOVERNMENTAL REVIEW ASSURANCE
-
-
- (BA) CITY UTILITIES STANDARD ASSURANCES

 - (BB) SAMPLE AUTHORIZING RESOLUTION FOR PUBLIC ENTITIES

(BC)..... SAMPLE AUTHORIZING RESOLUTION FOR NONPROFIT CORPORATION

(BD) CERTIFICATION OF COMPLIANCE WITH FTA ITS ARCHITECTURE POLICY

(CA)..... CITY UTILITIES FTA 49 U.S.C. SECTION 5317 STANDARD ASSURANCES

(CB)..... SAMPLE AUTHORIZING RESOLUTION FOR NONPROFIT CORPORATIONS

Signature (President or Chairperson)

Date

Typed Name

Title

Attest: (Secretary to Board)

Typed Name