Flint Hills Regional Transit Administration

Regional Transit Administration Board Meeting Agenda
Wednesday, March 9, 2016 at 4:30 p.m.
Manhattan City Commission Room

1. Welcome and Introductions.

2. Public Comment Opportunity.

3. **ACTION ITEM:** Approval of February 17, 2016 Draft Board Meeting Minutes.

4. **PRESENTATION:** Eric Kientz, CPA, CMA, CGMA, Senior Manager with Varney & Associates CPA, LLC – for Flint Hills Area Transportation Agency, Inc.

5. **ACTION ITEM:** Review and Award of Crime Prevention and Security Projects.

6. **ACTION ITEM:** Approval of Federal Transit Administration Fiscal Year 2016 Certification and Assurances.

7. **ACTION ITEM:** Approval of Letter of Commitment for the Transit Planning 4 All Project – Inclusive Planning Impact Grant.

8. Updates.
    a. Status of FTA Section 5307 Grant Application.
    b. New Grant Opportunity – Transit Planning 4 All.

9. Adjournment by Chair.

10. Next meeting: May 18, 2016, 4:30 pm.

Special Accommodations: Please notify the FHRTA at (855) 785- 3472 or FHRTA@FlintHillsRegion.org at least 72 hours in advance if you require special accommodations to attend this meeting. We will make every effort to meet reasonable requests. The FHRTA fully complies with Title VI of the Civil Rights Act of 1964, related statutes, and regulations. For more information, or to obtain a Title VI Complaint Form, see www.FlintHillsTransit.org or call (855) 785-3472.

Flint Hills Regional Transit Administration Board of Directors
Board Meeting Minutes – February 17, 2016
Manhattan City Commission Room
Manhattan, KS

Present from Board of the Flint Hills Regional Transit Administration: **Ben Bennett,** Geary County; **Cory Davis,** Kansas Department of Transportation **(Non-Voting Member)**; **Usha Reddi,** City of Manhattan; **Mike Ryan,** City of Junction City; and **Ben Wilson,** Riley County, **CPT Anthony Heberlein,**. US Army Garrison, Fort Riley **(Non-Voting Member)**.

Present from Board Alternates: **Linda Morse,** City of Manhattan and **Jim Sands,** City of Junction City.

Absent from the Board: **Dee McKee,** Pottawatomie County; **Derek Jackson**, Kansas State University, **LTC Baker,** US Army Garrison, Fort Riley **(Non-Voting Member)**, and **Federal Transit Administration (Non-Voting Member**).

Present from FHRTA/FHRC Staff Support: **Sondra Clark,** Transit Administrator/Mobility Manager; **Unique Hiram**, Administrative Manager; and **Gary Stith**, FHRTA Secretary.

Guests: **Anne Smith,** Flint Hills Area Transportation Agency, Inc., **Davonna Moore,** Kansas Department of Transportation and **Paul Roberts,** Assurance Partners.

DRAFT

WELCOME AND INTRODUCTIONS:

- Ben Bennett, FHTRA Vice-Chair, called the meeting at 4:42 p.m.

PUBLIC COMMENT PERIOD:

- None at this time.

APPROVAL OF MEETING MINUTES:

- Member Ben Wilson motioned for the January 20, 2016 Draft Meeting Minutes to be approved with the correction of Member Mike Ryan being shown as "Absent from the Board" meeting. Member Usha Reddi seconded. The motion was carried unanimously.

ACTION ITEMS:

- 2016-2020 Agreement for Contracted Services Supplemental No. 1 – Member Ben Wilson motioned to approve the 2016-2020 Agreement for Contracted Services Supplemental No. 1 with the inclusion of the Performance Bond Language. Member Mike Ryan seconded. The motion was carried unanimously.
- Approval of Memorandum of Understanding (MOU) Cooperative Agreement between KDOT, FHMPO, FHRTA & FHATA – Member Mike Ryan motioned to approve the MOU (Memorandum of Understanding) Cooperative Agreement between Kansas Department of Transportation (KDOT), Flint Hills Metropolitan Planning Organization (FHMPO), Flint Hills Regional Transit Administration (FHRTA) and Flint Hills Area Transportation Agency, Inc. (FHATA). Member Ben Wilson seconded. The motion was carried unanimously.

UPDATES:

- FTA Section 5307 Grant Application Status – Rollout for the new FTA System TrAMS occurred February 16th. There are a number of online training opportunities for navigation through the system scheduled during this month. Sondra Clark and Unique Hiram have signed up for those applicable to their assigned system role.
- New Grant Opportunity (Transit4All) – The application is due on March 18th and it is a 12-month grant with no match totaling up to $86K. Requesting Letters of Support from FHRTA, FHMPO, FHATA, Cities, Counties and other regional agencies.

DISCUSSIONS:

- No further discussion items at this time.

FUTURE MEETINGS, TIME AND PLACE:

- The next scheduled board meeting is March 9, 2016 at 4:30 p.m.

ADJOURNMENT:

- Vice-Chair Ben Bennett officially adjourned at 5:30 p.m.

DRAFT

Flint Hills Regional Transit Administration

FTA 5307 Request for Application Form

Section I: General Application Information	
Name of Organization: Flint Hills Area Transportation Agency Inc. (FHATA)	
Contact and Title: Anne Smith Executive Director	
Address: 5815 Marlatt Av	
City: Manhattan	State/Zip: KS 66503
Telephone (Office): 785-537-6346	Telephone (Cell): 785-323-7752
E-Mail Address: asmith@rileycountyks.gov	
Section II: Project Location and Description – Attach additional sheets as necessary	
Location (if applicable) 5815 Marlatt Av. Manhattan, KS 66503	
Description Procure and acquire two additional 45 gallon flammable safety cabinets for the maintenance facility. FHATA currently has one safety cabinet, additional space is needed to properly store flammable materials and liquids in order maintain OSHA compliance.	

Section III: Estimated Cost of the Project	
Activity	**Costs**
1. Planning	
2. Capital Project	$2,500.00
3. Preliminary Engineering/Design	
4. Technical Related Studies	
5. Construction	
6. Construction Engineering/Inspection	
7. ROW	
8. Utility Adjustments	
9. Total Estimated Cost	$2,500.00
10. Local Match	$500.00
11. Total Requested FTA 5307 Funds	$2,000.00
Section IV: Year of Activity	
Anticipated Year of Activity*	2016 ✔

*All funds must be expended by September 25, 2016

Submit Application to:

Sondra Clark at sondra@flinthillsregion.org

OR

Flint Hills Regional Transit Administration
PO Box 514
Ogden, Kansas 66517

For more information, contact Sondra at 855-785-3472.

Safety Cabinets for Compliant Safekeeping of Hazardous Liquids

Virtually every place of business has occasion to use flammable or combustible liquids. Whether it is a manufacturing or processing plant, laboratory, or commercial institution, fire risks can be reduced by storing hazardous liquids in flammable liquid safety storage cabinets.

Safety Cabinets serve several critical functions. First and foremost, they provide heat resistant enclosure of flammable liquid containers which helps protect both personnel and property from devastating fires. Cabinets help identify, organize, and segregate dangerous liquids. Often times they can be located near points-of-use, saving time and effort by eliminating frequent trips to a central storage room.

To clearly identify contents, safety cabinets include a visible warning label: "Flammable – Keep Fire Away." Labels that are reflective in nature offer an extra measure of safety. When illuminated with a flashlight during power outages or under smoky conditions, the reflective warning label bursts with high visibility, alerting firefighters or employees to the location of hazardous materials.

Lastly, safety cabinets improve security against unauthorized use of their potentially destructive contents. Justrite cabinets can be padlocked allowing security to be keyed different, keyed alike, or master keyed for employee convenience.

Safety Cabinet Design

Construction and design requirements for safety cabinets are spelled out in NFPA 30, *Flammable and Combustible Liquids Code* and various OSHA regulations. Cabinets must be made of double-walled,18 gauge (1mm) steel with 1-1/2" (38mm) of insulating air space in the bottom, top, doors, and sides of the cabinet.

Additional requirements are that joints shall be welded, riveted, or made tight by some equally effective means and that the door shall be provided with a three-point latching arrangement. Further, the door sill shall be raised at least 2" (51mm) above the bottom of the cabinet and be labeled "Flammable – Keep Fire Away."

In response to the criteria set forth by NFPA and OSHA, independent testing agencies such as FM and UL have established procedures to test the effectiveness of a flammable liquid storage cabinet. A cabinet is considered acceptable if the internal temperature is limited to not more than 325°F (163°C) when subjected to a 10-minute fire test using the standard time temperature curve as set forth in NFPA 251, Standard Methods of Fire Resistance of Building Construction and Materials.

Venting

Safety cabinets include dual vents with built-in flame arresters with bungs, typically located on the sides of a cabinet: one high and one low. However, NFPA 30 does not require a cabinet be ventilated for fire protection purposes. Further, the code states that if not vented, the vent openings should be sealed with the bungs provided. It goes on to say that if the cabinet is ventilated for any reason, it should be ducted directly to the outdoors in a manner that will not compromise the performance of the cabinet and that it is done in a manner that is acceptable to the authority having jurisdiction.

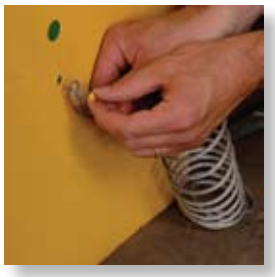
To determine if a cabinet should be vented, it is critical the local Fire Marshal/Fire Inspector be contacted for a determination based upon local or state regulations. Additional contacts could be made with the local EHS (Environmental Health and Safety) Officer, an Industrial Hygienist, the covering insurance company, or a corporate manager who is responsible for a company's overall safety directives.

Seismic Protection

For earthquake or hurricane-prone regions, or simply where an added measure of stability is needed, a seismic bracket kit allows for either floor or wall mounting. A mounting kit that does not involve drilling into the cabinet is required so as to not violate the double-walled design, maintaining the fire protection properties of the cabinet and FM approval.

Grounding

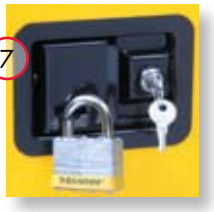
Although not required by federal regulations, steel safety cabinets include a built-in grounding lug, generally located at the bottom right side. For safe storage of flammables, it makes good safety sense to ground a cabinet when possible. If dispensing or collection processes are taking place within the cabinet, such as pumping out of a drum or pouring waste into a drum funnel, it is critical the cabinet be connected to an earth ground and proper bonding techniques between containers are followed.

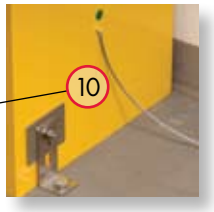


What Makes a Safety Cabinet Safe?

Complies with OSHA 29 CFR 1910.106 and NFPA Code 30, section 9.5

Fire tested and approved by FM Global.





1. *18-gauge (1mm) double wall steel with 1-1/2" (38mm) of insulating air space for fire resistance.*
2. *Fully welded construction holds squareness for longer life, offering greater protection in a fire since air gaps are reduced.*
3. *Highly reflective "Flammable – Keep Fire Away" label warns of contents and provides greater visibility when illuminated with a flashlight during fire conditions. Lower reflective label alerts firefighters when rising smoke might obscure higher points.*
4. *Rounded corners on doors reduce accidental nicks.*
5. *On self-close style of cabinet, doors are held open by means of a fusible link. If inadvertently left open, under fire conditions the link will melt at 165°F (74°C) and automatically close the doors to protect the contents. Two-door cabinets are designed to be self-indexing, so both doors close in the correct sequence.*
6. *Stainless steel, 3-point bullet self-latching system provides fail-safe, positive door closure with increased heat resistance.*
7. *Flush handle accepts padlock or keys to secure contents from unauthorized use; reduces "catches" from passing traffic.*
8. *Shelves are slightly sloped to direct hazardous spills to back and bottom of leak proof sump. They meet ANSI standards with a 350 lb. (159kg) safe allowable load.*
9. *Welded shelf hangers interlock for safe, "no-slip" stability and adjust on 3" (76 mm) centers.*
10. *Built-in grounding lug accepts optional antistatic wire to safely ground cabinet to earth ground. Optional seismic brackets secure cabinet to floor or wall for an extra measure of security when increased stability is needed.*
11. *Dual vents with built-in flame arresters sealed with bung caps.*
12. *2" (51mm) liquid-tight sump safely contains dangerous leaks or spills.*
13. *Adjustable leveling feet for stability on uneven surfaces.*

→ *Indicates location of 3-point latching system.*

Important Considerations When Selecting a Safety Cabinet

Safety cabinets come in a wide selection of colors, sizes, shapes and door arrangements. Beyond choosing a cabinet that meets the requirements of NFPA, OSHA, and carries an FM approval, other factors must be considered.

Chemical Characteristics

It is important to identify and inventory all chemicals to be stored. A review of the Material Safety Data Sheet (MSDS) will determine characteristics and recommended storage practices. To avoid generating toxic explosions and to prevent fires, it is critical to segregate incompatible chemicals. Chemical labeling and training is covered under regulations and the Right-to-Know Act (or Hazard Communication Standard). For easy access to MSDS sheets, Document Storage Boxes are available which adhere directly on a safety cabinet for point-of-use availability.

One factor in choosing a cabinet is how the chemical relates to the construction material of the cabinet itself. For example, for non-flammable acids and corrosive liquids, the construction material should be polyethylene or wood laminate. However, for less aggressive corrosive liquids that exhibit flammable characteristics, a chemically resistant steel cabinet with polyethylene lined shelves is recommended. Cabinets constructed of steel are suitable for flammable liquids, and choosing the correct color helps organize and segregate different types of liquids. While regulatory codes do not mandate the specific color, industry has customarily observed certain colors for defined liquids (see below).

Regulatory and Safety Considerations

As covered earlier, construction criteria must conform to specifications set forth by NFPA and OSHA. In some areas of the country where either the International Fire Code (IFC) or NFPA 1 the Uniform Fire Code is followed, it is further required that the doors of a flammable liquid cabinet shall be well fitted and *self-closing*.

Safety cabinets come in single or two door closure styles: manual or self-closing. Economical manual close doors permit doors to open a full 180 degrees and require the user to physically shut the doors. Self-close, self-indexing doors incorporate a mechanism that automatically shuts doors upon release. Fusible links hold the doors open during use, but if inadvertently left open, will melt at 165°F (74°C) in the event of a fire to automatically close the doors.

Whereas self-closing doors are required in states that adopt a specific fire code, it is recommended that local jurisdictions always be contacted for specific requirements. Self-closing doors ensure closure by taking away the "human element" of potentially forgetting to shut the doors. It is often, therefore, considered the preferred door choice for a good overall safety program. Additionally, self-close mechanisms that are concealed within the top wall of the cabinet are an added benefit, maximizing available storage space.

Whether manual or self-closing, a self-latching door and handle is critical as it does not require the user to manually rotate a handle to ensure the mandatory three-point latch is properly engaged. A stainless steel bullet-type latching system offers positive closure and optimum longevity with increased heat resistance.

All Justrite cabinets have a 3-pt. stainless steel bullet self-latching system, meet OSHA and NFPA, and most are FM approved.

Yellow for flammable liquids	Green for pesticides and insecticides
Red for paints, inks, and other combustible liquids	Silver or neutral colors for laboratory settings
Blue for corrosives	White or gray for waste materials or outdoor lockers

THE SELF-CLOSING STYLE OF DOORS IS REQUIRED IN CERTAIN STATES WHICH FOLLOW AN ADOPTED FIRE CODE SUCH AS THE INTERNATIONAL FIRE CODE (IFC) OR NFPA 1, UNIFORM FIRE CODE.

Contact local jurisdictions for specific requirements.

Below are samples. List is not all inclusive.

100% adopted throughout the state: Alaska, Idaho, Oregon, California, Montana, Utah, Hawaii, Nevada, Washington.

10% to 90% adopted throughout the state: Arizona, Indiana, Iowa, Minnesota, New Mexico, South Dakota, Colorado, Missouri, North Dakota, Texas, Illinois, Kansas, Nebraska, Oklahoma, Wyoming

Capacity Factors
OSHA limits the amount of liquid kept outside of a flammable storage cabinet or inside storage room. Local authorities or insurance companies may require the use of safety cabinets for quantities less than that of OSHA. It is simply a good safety practice to store even the smallest amount of flammables in cabinets rather than on or under benches or in other locations where carelessness could contribute to fire hazards and possible inspection citations.

When choosing a safety cabinet, identify how much chemical capacity is needed for both existing as well as future needs.

Justrite flammable liquid storage cabinets are available in sizes ranging from 4 to 120 gallons (15 to 454 Litres). It's important to note that OSHA states that not more than 60 gallons (227 Litres) of Class I and II flammable liquids, nor more than 120 gallons of Class III liquids may be stored in a single cabinet. However In the 2008 version of NFPA 30, it states that the volume of Class I, II, and IIIA liquids stored in an individual storage cabinet shall not exceed 120 gallons. Nuances between different codes underscore the importance of consulting with local jurisdictions to ensure compliance when handling and storing flammables.

NFPA 30 Section 9.6 further indicates that the total aggregate volume of Class I, II, and IIIA liquids in a group of cabinets shall not exceed the maximum allowable quantity (MAQ) per control area based on the occupancy where the cabinets are located. See Table on page 29. The MAQ for "general occupancies" is 120 gallons (454 Litres) of Class IB and IC flammables. Quantity may be doubled when stored in approved flammable liquid storage cabinets or safety cans. The 120 gallon maximum may also be doubled again in buildings equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13 *Installation of Sprinkler Systems*. The increase for both situations may be applied accumulatively. Therefore, in the above example, the MAQ of Class IB and IC liquids is 480 gallons (1816 Litres) as it relates to a general occupancy, meeting the sprinkler system requirements of NFPA 13, and where the liquids are stored in compliant safety cabinets or safety cans.

Because allowable quantities and other issues regarding flammable liquids can be different between a myriad of codes and regulations (i.e. OSHA, NFPA, and other Fire Codes), it is critical to always consult the authority having jurisdiction (AHJ) for final determinations.

Beyond code issues, thought should be given to the type of containers being stored and location placement. There are a variety of sizes and shapes available, accommodating safety cans and smaller containers up to storage for large drums, stored either vertically or horizontally.

Security and other Safety Considerations
To secure hazardous contents from unauthorized use, all safety cabinets are lockable. Justrite cabinets include a double key set and are also designed to accept a padlock which also offers a clearly visible deterrent. A padlock allows security to be keyed differently for highly restrictive use, or master keyed or keyed alike for employee convenience. The padlockable feature eliminates the desire to drill into the cabinet to attach a padlock hasp which would violate its FM approval and the cabinet's fire protection property.

To identify flammable contents and alert employees, safety cabinets carry a large, "Flammable – Keep Fire Away" warning label. Trilingual warning labels on Justrite cabinets are reflective in nature. When illuminated with a flashlight during dark conditions, they burst with high visibility and can be seen at a great distance. Strategically placed in high and low zones, their firefighter friendly design allows emergency personnel to locate a cabinet during an investigative walk through, or when crawling in a smoke filled area.

Other things to look for in selecting a cabinet include shelves that meet ANSI standards for safe loading. The ability to direct spills and leaks into the leak proof cabinet sump is a plus. Lastly, choosing a cabinet with quality craftsmanship ensures cabinets will work properly for a long time. Justrite cabinets come with a 10-year limited warranty.

FTA FISCAL YEAR 2016 CERTIFICATIONS AND ASSURANCES

PREFACE

Except as the Federal Transit Administration (FTA or We) determines otherwise in writing, before FTA may award federal assistance for public transportation in the form of a federal grant, cooperative agreement, loan, line of credit, or loan guarantee, certain pre-award Certifications and Assurances are required. The Applicant must authorize a representative (Authorized Representative) to select and sign its Certifications and Assurances and bind the Applicant's compliance. You, as your Applicant's Authorized Representative, must select and sign all Certifications and Assurances that your Applicant must provide to support each application it submits to FTA for federal assistance during federal fiscal year (FY) 2016.

We request that you read each Certification and Assurance and select those that will apply to any application for which your Applicant might seek federal assistance from FTA during FY 2016. As provided by federal laws, regulations, and requirements, only if you select adequate Certifications and Assurances on your Applicant's behalf may FTA award federal assistance.

We have consolidated our Certifications and Assurances into twenty-three (23) Categories. At a minimum, you must select the Assurances in Category 01. If your Applicant requests more than $100,000 in federal assistance, you must select the "Lobbying" Certification in Category 02, except if your Applicant is an Indian tribe, Indian organization, or an Indian tribal organization. Depending on the nature of your Applicant and the Award it seeks, you may also need to select one or more Certifications and Assurances in Categories 03 through 23. Instead of selecting individual Categories of Certifications and Assurances, however, you may make a single selection that will encompass all twenty-three (23) Categories of Certifications and Assurances that apply to our various programs.

FTA, your Applicant, and you, as your Applicant's Authorized Representative, understand and agree that not every provision of these twenty-three (23) Categories of Certifications and Assurances will apply to every Applicant or every Award or Project included in an Award, even if you make a single selection encompassing all twenty-three (23) Categories. Nor will every provision of each Certification or Assurance within a single Category apply if that provision does not apply to your Applicant or the Award it seeks. The type of Applicant and its application will determine which Certifications and Assurances apply.

Your Applicant is ultimately responsible for compliance with the Certifications and Assurances selected that apply to its Award, itself, any Subrecipient, or any other Third Party Participant in its Award, 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 as necessary to assure your Applicant's compliance with the applicable Certifications and Assurances selected on its behalf.

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 that each member will perform and the extent to which each member will be responsible for compliance with the Certifications and Assurances selected on its behalf. You also must identify each member's role in the Award, whether as a Recipient, Subrecipient, Third Party Contractor, or other Third Party Participant.

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 Award. We expect you to submit your Applicant's FY 2016 Certifications and Assurances and its applications for federal assistance in FTA's electronic award and management system, currently the Transit Award Management System (TrAMS). You must be registered in TrAMS to submit to FTA your Applicant's FY 2016 Certifications and Assurances. TrAMS contains fields for selecting among the twenty-three (23) Categories of Certifications and Assurances and a designated field for selecting all twenty-three (23) Categories of Certifications and Assurances. If FTA agrees that you are unable to submit your Applicant's FY 2016 Certifications and Assurances electronically, you must submit the Signature Pages at the end of this document, as FTA directs, marked to show the Categories of Certifications and Assurances that you are submitting.

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

- *The Fixing America's Surface Transportation (FAST) Act, Public Law No. 114-94, December 4, 2015,*
- *The Moving Ahead for Progress in the 21st Century Act (MAP-21), Public Law No. 112-141, July 6, 2012, as amended by the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015, Public Law No. 114-41, July 31, 2015 and other authorizing legislation to be enacted,*
- *FTA's authorizing legislation in effect in FY 2012 or a previous fiscal year, except as superseded by the FAST Act cross-cutting requirements that apply, and*
- *Appropriations Acts or Continuing Resolutions funding the U.S. Department of Transportation during Fiscal Year 2016.*

FTA FISCAL YEAR 2016 CERTIFICATIONS AND ASSURANCES

CATEGORY 01. REQUIRED CERTIFICATIONS AND ASSURANCES FOR EACH APPLICANT.

Before FTA may provide federal assistance for your Applicant's Award, you must select the Certifications and Assurances in Category 01 in addition to any other Certifications and Assurances that you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

Any provision of the Certifications and Assurances in Category 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 in signing these Certifications, Assurances, and Agreements, both you, as your Applicant's Authorized Representative, and your Applicant's attorney who is authorized to represent your Applicant in legal matters, may undertake the following activities on your Applicant's behalf, in compliance with applicable state, local, or Indian tribal laws, regulations, and requirements and its by-laws or internal rules:

1. Execute and file its application for federal assistance,
2. Execute and file its Certifications, Assurances, Charter Service Agreement, and School Bus Agreement, as applicable, binding its compliance,
3. Execute its Grant Agreement, Cooperative Agreement, Loan, Loan Guarantee, or Line of Credit, for which the Applicant is seeking federal assistance from FTA,
4. Comply with applicable federal laws, regulations, and requirements, 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 laws, regulations, and requirements in implementing its Award.
2. It is under a continuing obligation to comply with the terms and conditions of its Grant Agreement or Cooperative Agreement with FTA for each Award, including the FTA Master Agreement and other documents incorporated by reference and made part of its Grant Agreement or Cooperative Agreement, or latest amendment thereto.
3. It recognizes that federal laws, regulations, and requirements may be amended from time to time and those amendments may affect the implementation of its Award.
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 Award.

5. It agrees that the most recent federal laws, regulations, requirements, and guidance will apply to its Award, 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 federal assistance for those programs was appropriated or made available.

01.C. Intergovernmental Review Assurance.

(This assurance in this Category 01.C does not apply to an Indian tribe, an Indian organization, or an Indian tribal organization that applies for federal assistance made available under 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 assistance to the appropriate state and local agencies for intergovernmental review.

01.D. Nondiscrimination Assurance.

On behalf of your Applicant, you assure that:

1. It will comply with the following laws, regulations, and requirements 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 assisted 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 including:
   a. Federal transit laws, specifically 49 U.S.C. § 5332 (prohibiting discrimination on the basis of race, color, religion, national origin, sex (including gender identity), 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, federal regulations that may be issued, or federal requirements that may be imposed.
2. It will comply with federal guidance implementing federal nondiscrimination laws, regulations, or requirements, except as 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 that:
      (1) It implements its Award,
      (2) It undertakes property acquisitions, and
      (3) It operates all parts of its facilities, as well as its facilities operated in connection with its Award.
   b. This assurance applies to its Award and to all parts of its facilities, as well as its facilities used to implement its Award.
   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 U.S. DOT or FTA assisted 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 assistance 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 law, 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 Award, except FTA and the Applicant (and later, 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) Subagreement at any tier,
   (2) Property transfer agreement,
   (3) Third party contract or subcontract at any tier,
   (4) Lease, or
   (5) Participation agreement.

j. The assurances you have made on your Applicant's behalf remain in effect as long as FTA determines appropriate, including, for example, as long as:
   (1) Federal assistance is provided for its Award,
   (2) Its property acquired or improved with federal assistance is used for a purpose for which the federal assistance is extended, or for a purpose involving similar services or benefits,
   (3) It retains ownership or possession of its property acquired or improved with federal assistance provided for its Award, or
   (4) FTA may otherwise determine in writing.

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. § 5332, 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 Category 01.D Assurance, of which compliance is a condition of approval or extension of any FTA assistance 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.

   b. In any program or activity receiving or benefiting from federal assistance that U.S. DOT administers, no qualified individual with a disability will, because of his or her disability, be:
      (1) Excluded from participation,
      (2) Denied benefits, or
      (3) Otherwise subjected to discrimination.

FTA FISCAL YEAR 2016 CERTIFICATIONS AND ASSURANCES

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 Governmentwide 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. Within a three-year period preceding its latest application or proposal, its management has not 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 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 Category 01.E Certification, it will promptly provide that information to FTA.
   f. It will treat each lower tier contract or subcontract under its Award 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.

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 Award is not presently declared by any federal department or agency to be:
      (a) Debarred from participation in any federally assisted Award,
      (b) Suspended from participation in any federally assisted Award,
      (c) Proposed for debarment from participation in any federally assisted Award,
      (d) Declared ineligible to participate in any federally assisted Award,
      (e) Voluntarily excluded from participation in any federally assisted Award, or
      (f) Disqualified from participation in any federally assisted Award.

5. It will provide a written explanation 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 Category 01.E Certification.

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

The assurances in this Category 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, regulations, and requirements.

1. *Administrative Activities.* On behalf of your Applicant, you assure that:
   a. For any application it submits for federal assistance, it has adequate resources to plan, manage, and complete properly the tasks to implement its Award, including:
      (1) The legal authority to apply for federal assistance,
      (2) The institutional capability,
      (3) The managerial capability, and
      (4) The financial capability (including funds sufficient to pay the non-federal share of the cost of incurred under its Award).
   b. As required, it will give access and the right to examine materials related to its Award to the following entities or individuals, including, but not limited to:
      (1) FTA,
      (2) The Comptroller General of the United States, and
      (3) The State, through an appropriate authorized representative.
   c. It will establish a proper accounting system in accordance with generally accepted accounting standards or FTA guidance.
   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) An appearance of a personal or organizational conflict of interest or personal gain.

2. *Specifics of the Award*. On behalf of your Applicant, you assure that:
   a. It will begin and complete work within the period of performance that applies following receipt of an FTA Award.
   b. For FTA assisted construction Awards:
      (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 to the approved plans and specifications,
      (3) It will include a covenant to assure nondiscrimination during the useful life of the real property financed under its Award in its title to that real property,
      (4) To the extent FTA requires, it will record the federal interest in the title to FTA assisted real property or interests in real property, and
      (5) It will not alter the site of the FTA assisted construction 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.
   c. It will furnish progress reports and other information as FTA or the state may require.
3. *Statutory and Regulatory requirements*. On behalf of your Applicant, you assure that:
   a. It will comply with all federal laws, regulations, and requirements 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 assisted 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 assisted 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.
(10) The nondiscrimination provisions of any other statute(s) that may apply to its Award.

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 assistance has been provided for any real property acquired or improved for purposes of its Award:
(1) It will provide for fair and equitable treatment of any displaced persons or any persons whose property is acquired or improved as a result of federally assisted programs.
(2) It has the necessary legal authority under state and local laws, regulations, and requirements 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.
(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 provided by 42 U.S.C. §§ 4622, 4623, and 4624, and 49 CFR part 24, if its Award 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 provided 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 assistance for its eligible costs of providing payments for those expenses, as required by 42 U.S.C. § 4631.

(h) It will execute the necessary implementing amendments to FTA assisted 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, related to its Award that involves relocation or land acquisition.

(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 assistance 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 assisted Awards 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:

(l) 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 the floodplains provisions of Executive Order No. 11988, May 24, 1977, 42 U.S.C. § 4321 note, and Executive Order No. 13690 "Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input, January 30, 2015.

(5) Complying with the assurance of 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 1970, as amended, 42 U.S.C. §§ 7401 – 7671q.

(7) Complying with 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 Award, 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.

(11) Complying with and facilitating compliance with:

(a) Section 106 of the National Historic Preservation Act of 1966, as amended, 54 U.S.C. § 300108,

(b) The Archaeological and Historic Preservation Act of 1974, as amended, 54 U.S.C. § 312501 *et seq.*, and
(c) Executive Order No. 11593 (identification and protection of historic properties), 54 U.S.C. § 300101.

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 with federal assistance:
   (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 assisted buildings.

i. It will comply with and assure that each of its Subrecipients located in special flood hazard areas will 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 assistance, including a federal loan, grant agreement, or cooperative agreement, and
   (2) 49 U.S.C. § 5323(l)(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 federal assistance appropriated or made available under 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. DOT regulations, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," 2 CFR part 1201, which incorporates by reference U.S. OMB regulatory guidance, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," 2 CFR part 200, and
   (3) Most recent applicable U.S. OMB Compliance Supplement, 2 CFR part 200, appendix XI (previously known as the U.S. OMB Circular A-133 Compliance Supplement).

l. It will comply with all other federal laws, regulations, and requirements that apply.
m. It will follow federal guidance governing it and its Award, except as FTA has expressly approved otherwise in writing.

CATEGORY 02. LOBBYING.

Before FTA may provide federal assistance for a grant or cooperative agreement exceeding $100,000 or a loan, line of credit, loan guarantee, or loan insurance exceeding $150,000, unless your Applicant is an Indian Tribe, Indian organization, or an Indian tribal organization exempt from the requirements of 31 U.S.C. § 1352, you must select the Lobbying Certifications in Category 02 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

Any provision of the Certifications in Category 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 assistance for a grant or cooperative agreement, and
      (2) For $150,000 or more in federal assistance 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 the instructions on that form, 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.

c. It will include the language of this Certification in its Award documents under a federal grant, cooperative agreement, loan, line of credit, or loan insurance including, but not limited to:
   (1) Each third party contract,
   (2) Each third party subcontract,
   (3) Each subagreement, and
   (4) Each third party agreement.

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 federal assistance for a transaction covered by 31 U.S.C. § 1352, including a:
      (1) Federal grant or cooperative agreement, or
      (2) Federal loan, line of credit, loan guarantee, or loan insurance.
4. It 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.

CATEGORY 03. PROCUREMENT AND PROCUREMENT SYSTEMS.

We request that you select the Procurement and Procurement Systems Certification in Category 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 2 CFR § 200.324(c)(2), incorporated by reference in 2 CFR part 1201 or former 49 CFR 18.36(g)(3)(ii).

Any provision of the Certification in Category 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, regulations, and requirements in accordance with applicable federal guidance, except as FTA has approved otherwise in writing.

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CATEGORY 04. PRIVATE SECTOR PROTECTIONS.

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

Any provision of the Assurances and Agreements in Category 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 federal assistance from FTA 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 Category 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 federal assistance it has requested is essential to carrying out its 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.
2. It has completed the actions described in the preceding section 1 of this Category 04.A Certification before:
    a. It acquires the property or an interest in the property of a private provider of public transportation, or
    b. It 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 federal assistance from FTA to acquire or operate transit facilities or equipment, the Charter Service Agreement in Category 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 or improved under its Award from FTA financed with federal assistance 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 assistance 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.
        (2) Any Third Party Participant that receives federal assistance 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.
    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 Award.
    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 Award 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 selected in its latest annual Certifications and Assurances is incorporated by reference in and made part of the Underlying Agreement accompanying its Award of federal assistance from FTA.

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 federal assistance from FTA appropriated or made available for its Award 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 selected 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 its Award that has provided prohibited charter service from receiving federal assistance from FTA,

(b) Withholding an amount of federal assistance as provided by Appendix D to FTA's Charter Service regulations, or

(c) Any other appropriate remedy that may apply.

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 federal assistance appropriated or made available under 49 U.S.C. §§ 5307 or 5311 to be used for Job Access and Reverse Commute (JARC) activities that would have been eligible for assistance under former 49 U.S.C. §§ 5316 in effect in FY 2012 or a previous fiscal year, provided that it uses that federal assistance from FTA for those program purposes only.

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

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 assisted 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 federal assistance from FTA to acquire or operate transit facilities or equipment, the School Bus Agreement in Category 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 or improved with federal assistance 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 assistance 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.
   b. Any Third Party Participant that receives federal assistance 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 its Award.
4. You and your Applicant agree and will obtain the agreement of any Third Party Participant involved in your Applicant's Award 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 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 its Award of federal assistance.
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 assistance for public transportation, or
   b. Require the Applicant or Third Party Participant to take such remedial measures as FTA considers appropriate.

CATEGORY 05. ROLLING STOCK REVIEWS AND BUS TESTING.

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

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

05.A. Rolling Stock Reviews.

If your Applicant seeks federal assistance from FTA to acquire rolling stock for use in revenue service, the Rolling Stock Reviews Certifications in Category 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 of that rolling stock, 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 federal assistance from FTA to acquire a new bus model, the Bus Testing Certifications in Category 05.B apply to your Applicant, except as FTA determines otherwise in writing.

On behalf of your Applicant, you certify that:

1. FTA's 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 assistance 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 for 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 for 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 the:
   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.
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.

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CATEGORY 06. DEMAND RESPONSIVE SERVICE.

Before FTA may provide federal assistance for an Award to a public entity that operates demand responsive service to acquire a non-rail vehicle that is not accessible, you must select the Demand Responsive Service Certifications in Category 06 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

Any provision of the Certifications in Category 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.
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.

CATEGORY 07. INTELLIGENT TRANSPORTATION SYSTEMS.

Before FTA may provide federal assistance for an Award in support of an Intelligent Transportation System (ITS), you must select the Intelligent Transportation Systems Assurances in Category 07 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

Any provision of the Assurances in Category 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 System is defined to include technologies or systems of technologies that provide or

significantly contribute to the provision of one or more Intelligent Transportation System (ITS) user services as defined in the "National ITS Architecture."

2. Assure that, as provided in 23 U.S.C. § 517(d), any Award that includes an ITS or related activity financed 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).

CATEGORY 08. INTEREST AND FINANCING COSTS AND ACQUISITION OF CAPITAL ASSETS BY LEASE.

Before FTA may award federal assistance appropriated or made available under 49 U.S.C. chapter 53 to support the interest, financing, or leasing costs of any Award financed under the Urbanized Area Formula Grants Program, Fixed Guideway Capital Investment Grants Program, any program to which the requirements of 49 U.S.C. § 5307 apply, or any other program as FTA may specify, you must select the Certifications in Category 08 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA may determine otherwise in writing.

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

08.A. Interest and Financing Costs.

If your Applicant intends to use federal assistance to support the interest or any other financing costs for an Award financed under the Urbanized Area Formula Grants Program, the Fixed Guideway Capital Investment Grants Program, the New Starts, Small Starts, and Core Capacity Programs, any program that must comply with the requirements of 49 U.S.C. § 5307, or any other program as FTA may specify, the Interest and Financing Costs Certifications in Category 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 assistance for those costs, and
   b. Its records demonstrate that it has shown reasonable diligence in seeking the most favorable financing terms, as FTA may require.
2. It will comply with the same favorable financing cost provisions for Awards financed under:
   a. The Urbanized Area Formula Grants Program,
   b. A Full Funding Grant Agreement,

c. An Early Systems Work Agreement,
d. The Fixed Guideway Capital Investment Program financed by previous FTA enabling legislation,
e. Any program that must comply with the requirements of 49 U.S.C. § 5307, or
f. Any other program as FTA may specify.

08.B. Acquisition of Capital Assets by Lease.

If your Applicant seeks federal assistance from FTA to acquire capital assets (other than rolling stock or related equipment) through a lease, the Acquisition of Capital Assets by Lease Certifications and Assurances in Category 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, to the extent consistent with the FAST Act, if your Applicant acquires any capital asset (other than rolling stock or related equipment) through a lease financed with federal assistance appropriated or made available under 49 U.S.C. chapter 53, it will not enter into a capital lease for which FTA can provide only incremental federal assistance unless it has adequate financial resources to meet its future lease obligations if federal assistance is not available.

CATEGORY 09. TRANSIT ASSET MANAGEMENT PLAN AND PUBLIC TRANSPORTATION AGENCY SAFETY PLAN.

Before FTA may provide federal assistance appropriated or made available under 49 U.S.C. chapter 53 to support an Award, you must select the Certifications in Category 09 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

Any provision of the Certifications in Category 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 of its Subrecipients will:
1. Follow federal guidance that, when issued, will implement the 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 that, when issued, will 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).

CATEGORY 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 federal assistance for an Award, you must select the Certifications in Category 10 in addition to other Certifications and Assurances you select on your Applicant's behalf, except as FTA may determine otherwise in writing.

Any provision of the Certifications in Category 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 an Applicant that is a state, 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 its 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.
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 its 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 its 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.

CATEGORY 11. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS PROGRAM (NEW STARTS, SMALL STARTS, AND CORE CAPACITY IMPROVEMENT).

Before FTA may provide federal assistance for an Award financed under the New Starts, Small Starts, or Core Capacity Improvement Program authorized under 49 U.S.C. § 5309, you must select the Certifications in Category 11 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA may determine otherwise in writing.

Any provision of the Certifications in Category 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 legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award,
2. It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award,
3. It will maintain its equipment and facilities acquired or improved under its Award in accordance with its transit asset management plan,
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, and
5. It will comply with FTA guidance, "Final Interim Policy Guidance, Capital Investment Grant Program," August 2015, 80 *Fed. Reg*. 46514, August 5, 2015,

CATEGORY 12. STATE OF GOOD REPAIR PROGRAM.

Before FTA may provide federal assistance for an Award financed under the State of Good Repair Program authorized under 49 U.S.C. § 5337, you must select the Certifications in Category 12 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

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

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On behalf of your Applicant, you certify that:

1. It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award,
2. It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award,
3. It will maintain its equipment and facilities acquired or improved under its Award, in accordance with the recipient's transit asset management plan, 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.

CATEGORY 13. GRANTS FOR BUSES AND BUS FACILITIES AND LOW OR NO EMISSION VEHICLE DEPLOYMENT GRANT PROGRAMS

Before FTA may provide federal assistance for an Award under the Buses and Bus Facilities Program authorized under 49 U.S.C. § 5339, as amended by the FAST Act, which among other things authorizes grants for Low or No Emission buses, you must select the Certifications in Category 13 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

Any provision of the Certifications in Category 13 that does not apply will not be enforced.

13.A. Grants for Buses and Bus Facilities Program The following Certifications for the Grants for Buses and Bus Facilities Program are required by 49 U.S.C. § 5339, as amended by the FAST Act, which provides that the requirements of 49 U.S.C. § 5307 shall apply to recipients of grants made in urbanized areas and the requirements of 49 U.S.C. § 5311 shall apply to recipients of grants made in rural areas under this 49 U.S.C. §§ 5339(a) and (b). Therefore:

1. If your Applicant is in an urbanized area, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:
    a. It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
    b. It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
    c. It will maintain its equipment and facilities acquired or improved under its Award, in accordance with the recipient's transit asset management plan,

d. When using or involving a facility or equipment acquired or improved with federal assistance under 49 U.S.C. § 5339 during non-peak hours for transportation, recipients in an urbanized area will ensure that the following individuals will be charged a fare not exceeding fifty (50) percent of the peak hour fare:
   (1) Any senior,
   (2) 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), is unable to 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 procurement under 49 U.S.C. § 5339, it will comply with:
   (1) The applicable general provisions of 49 U.S.C. § 5323, and
   (2) The applicable 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).

g. As required by 49 U.S.C. § 5307(d):
   (1) It has or will have the amount of funds required for the non-federal share,
   (2) It will provide the non-federal share from sources approved by FTA, and
   (3) It will provide the non-federal share 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 transportation 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 service.

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

2. If your Applicant is in a rural area, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:
   a. It has or will have and require each Subrecipient to have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
   b. It has or will have and require each Subrecipient to have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.

c. It will maintain and require each Subrecipient to maintain its equipment and facilities acquired or improved under its Award, in accordance with the recipient's transit asset management plan.
d. Its state program has provided for a fair distribution of federal assistance appropriated or made available under 49 U.S.C. § 5311(b) within the state to eligible entities, including Indian reservations.
e. Its program provides or will provide the maximum feasible coordination of federal assistance for public transportation service with transportation service financed by other federal sources.
f. Its Awards and Subawards in its Formula Grants for Rural Areas Program are included in:
   (1) The statewide transportation improvement program, and
   (2) To the extent applicable, a metropolitan transportation improvement program.
g. With respect to the non-federal share:
   (1) It has or will have and, as necessary, will require each Subrecipient to have the amount of funds required for the non-federal share, as required by 49 U.S.C. § 5311(g) ,
   (2) It will provide and, as necessary, will require each Subrecipient to provide the non-federal share from sources approved by FTA, and
   (3) It will provide and, as necessary, will require each Subrecipient to provide the non-federal share when needed.
h. It may transfer a facility or equipment acquired or improved under its Award 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.

13.B. Low or No Emission Vehicle Deployment.

If your Applicant seeks federal assistance from FTA for an Award financed under the Low or No Emission Vehicle Development Program authorized under former 49 U.S.C. § 5312(d)(5), the Certifications and Assurances in Category 13.B apply to your Applicant, except as FTA determines otherwise in writing.

Former section 5312(d)(5)(C)(i) of title 49, United States Code, requires the following Certifications for Low or No Emission Vehicle Deployment Program before awarding federal assistance appropriated or made available under MAP-21. Therefore, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify and assure that:

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1. It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
2. It has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
3. It will maintain its equipment and facilities acquired or improved under its Award.
4. When using or involving a facility or equipment acquired or improved with federal assistance under former 49 U.S.C. § 5312(d)(5) during non-peak hours for transportation, it will ensure that the following individuals will be charged a fare not exceeding fifty (50) percent of the peak hour:
   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 is unable to 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:
   a. The applicable general provisions of 49 U.S.C. § 5323, and
   b. The applicable 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:
   a. It has informed or will inform the public of the amounts of its federal assistance available under this Program,
   b. It has developed or will develop, in consultation with interested parties including private transportation providers, its proposed Program of Projects for activities to be financed,
   c. It has published or will publish its proposed 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. It has provided or will provide an opportunity for a public hearing to obtain the views of individuals on its proposed Program of Projects,
   e. It has assured or will assure that its proposed Program of Projects provides for coordination of public transportation services assisted under 49 U.S.C. § 5336, as amended by the FAST Act, with federally assisted transportation services supported by other federal sources,
   f. It has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final list of Projects, and
   g. It has made or will make the final list of Projects for which an Award is sought available to the public.

7. With respect to the non-federal share:
   a. It has or will have the amount of funds required for the non-federal share,
   b. It will provide the non-federal share from sources approved by FTA, and
   c. It will provide the non-federal share 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 service.
10. It will comply with the final federal regulations that, when issued, will implement the safety plan requirements of 49 U.S.C. § 5329(d).

CATEGORY 14. URBANIZED AREA FORMULA GRANTS PROGRAMS AND PASSENGER FERRY GRANT PROGRAM.

Before FTA may provide federal assistance for an Award financed under the Urbanized Area Formula Grants Program authorized under 49 U.S.C. § 5307, as amended by the FAST Act, which among other things, authorizes federal assistance for Job Access and Reverse Commute (JARC) activities, and the Passenger Ferry Grant Program authorized under 49 U.S.C. § 5307(h), you must select the Certifications in Category 14 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

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

14.A. Urbanized Area Formula Grants Program under the FAST Act.

If your Applicant seeks federal assistance from FTA for an Award financed under the Urbanized Area Formula Grants Program authorized under 49 U.S.C. § 5307, as amended by the FAST Act, the Certifications in Category 14.A apply to your Applicant, except as FTA determines otherwise in writing.

The following Certifications for the Urbanized Area Formula Grants Program under 49 U.S.C. § 5307, as amended by the FAST Act 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 legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
2. It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.

3. It will maintain its equipment and facilities acquired or improved under its Award, in accordance with the recipient's transit asset management plan,
4. When using or involving a facility or equipment acquired or improved with federal assistance under 49 U.S.C. § 5307 during non-peak hours for transportation, it will ensure that 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), is unable to 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:
   a. The applicable general provisions of 49 U.S.C. § 5323, and
   b. The applicable 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:
   a. It has made or will make available to the public information on the amounts of federal assistance available to it under 49 U.S.C. § 5307,
   b. It has developed or will develop, in consultation with interested parties including private transportation providers, its proposed Program of Projects for activities for which federal assistance is sought,
   c. It has published or will publish its proposed 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 its proposed Program of Projects and its performance as an Applicant or Recipient,
   d. It has provided or will provide an opportunity for a public hearing to obtain the views of individuals on its proposed Program of Projects,
   e. It has ensured or will ensure that its proposed Program of Projects provides for coordination of transportation services financed by FTA under 49 U.S.C. § 5336, as amended by the FAST Act, with transportation services supported by other Federal Government sources,
   f. It 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. It has made or will make its final Program of Projects available to the public.
7. As required by 49 U.S.C. § 5307(d):
   a. It has or will have the amount of funds required for the non-federal share,
   b. It will provide the non-federal share from sources approved by FTA, and

   c. It will provide the non-federal share 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 federal assistance under 49 U.S.C. § 5307 apportioned to its urbanized area must be expended for Public Transportation Security activities 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) 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 activity 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 Public Transportation Security activities are not necessary.
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. It will provide a report by the end of the fourth quarter of the preceding federal fiscal year that lists projects carried out in the preceding fiscal year under this section for associated transit improvements as defined in 49 U.S.C. § 5302, and
   b. The report of its Associated Transit Improvements or related activities is or will be incorporated by reference and made part of its Certifications and Assurances.
12. It will comply with the final federal regulations that, when issued, will implement the safety requirements of 49 U.S.C. § 5329(d).

14.B. Passenger Ferry Grant Program.

If your Applicant seeks federal assistance from FTA for an Award financed under the Passenger Ferry Grant Program authorized under 49 U.S.C. § 5307(h), the Certifications in Category 14.B apply to your Applicant, except as FTA determines otherwise in writing.

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

1. It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
2. It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
3. It will maintain its equipment and facilities acquired or improved under its Award, in accordance with the recipient's transit asset management plan.
4. When using or involving a facility or equipment acquired or improved with federal assistance under 49 U.S.C. § 5307(h) during non-peak hours for transportation, it will ensure that 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), is unable to 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:
   a. The applicable general provisions of 49 U.S.C. § 5323, and
   b. The applicable third party contract provisions of 49 U.S.C. § 5325.
6. As required by 49 U.S.C. § 5307(d):
   a. It has or will have the amount of funds required for the non-federal share,
   b. It will provide the non-federal share from sources approved by FTA, and
   c. It will provide the non-federal share 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 service.
9. It will comply with the final federal regulations that, when issued, will implement the safety plan requirements of 49 U.S.C. § 5329(d).

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CATEGORY 15. SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAMS.

Before FTA may provide federal assistance for an Award financed under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program authorized under 49 U.S.C. § 5310, as amended by the FAST Act, you must select the Certifications in Category 15 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

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

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 Subrecipient 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 selection and planning requirements:
      (1) The Projects it has selected or will select for an Award or Subaward of federal assistance appropriated or made available under 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) Within its Award, the Projects selected to receive federal assistance will assist in providing transportation services for seniors and individuals with

disabilities are included in its Program of Projects, that is or will be submitted to FTA annually.

(4) To the maximum extent feasible, the services financed by 49 U.S.C. § 5310 will be coordinated with transportation services financed by other federal departments and agencies, including any transportation activities carried out by a recipient of federal assistance 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 to any Subrecipient federal assistance received under 49 U.S.C. § 5310, it will have allocated that federal assistance on a fair and equitable basis.

d. It will not transfer a facility or equipment acquired or improved with federal assistance 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, unless:

(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 federal assistance it receives for Capital Projects to meet the special needs of seniors and individuals with disabilities.

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 Program authorized by 49 U.S.C. § 5310.

2. FTA has determined that certain requirements of 49 U.S.C. § 5307 are appropriate for the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program, some of which 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 legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.

b. It has or will have and will require each Subrecipient to have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award or Subaward.

c. It will maintain and will require each Subrecipient to maintain its equipment and facilities acquired or improved under its Award or Subaward, in accordance with the recipient's transit asset management plan.

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

(1) The applicable general provisions of 49 U.S.C. § 5323, and

(2) The applicable third party contract provisions of 49 U.S.C. § 5325.

e. With respect to the non-federal share:
   (1) It has or will have and, as necessary, will require each Subrecipient to have the amount of funds required for the non-federal share, as required by 49 U.S.C. § 5310,
   (2) It will provide and, as necessary, will require each Subrecipient to provide the non-federal share from sources approved by FTA, and
   (3) It will provide and, as necessary, will require each Subrecipient to provide the non-federal share when needed.
f. It has complied or will comply 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.
g. To the extent applicable, it will comply and require its Subrecipients to comply with the final federal regulations that, when issued, will implement the safety plan requirements of 49 U.S.C. § 5329(d).

CATEGORY 16. RURAL AREAS AND APPALACHIAN DEVELOPMENT PROGRAMS.

Before FTA may provide federal assistance for an Award financed under the Formula Grants for Rural Areas Program authorized under 49 U.S.C. § 5311(b), as amended by FAST Act, and the Appalachian Development Public Transportation Assistance Program authorized under 49 U.S.C. § 5311(c)(2), as amended by FAST, you must select the Certifications in Category 16 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

Any provision of the Certifications and Assurances in Category 16 that does not apply will not be enforced.

16.A. Formula Grants for Rural Areas Program.

If your Applicant seeks federal assistance from FTA for an Award financed under the Formula Grants for Rural Areas Program authorized under 49 U.S.C. § 5311, as amended by FAST Act, the Certifications in Category 16.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 federal assistance appropriated or made available for the Rural Areas Formula Program financed under 49 U.S.C. § 5311(b), as amended by FAST Act. On its behalf, you certify and assure that:

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1. It has or will have and require each Subrecipient to have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
2. It has or will have and require each Subrecipient to have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
3. It will maintain and require each Subrecipient to maintain its equipment and facilities acquired or improved under its Award, in accordance with the recipient's transit asset management plan.
4. Its state program has provided for a fair distribution of federal assistance appropriated or made available under 49 U.S.C. § 5311(b) within the state to eligible entities, including Indian reservations.
5. Its program provides or will provide the maximum feasible coordination of federal assistance for public transportation service authorized by 49 U.S.C. § 5311(b) with transportation service financed by other federal sources.
6. Its Awards and Subawards 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. With respect to the non-federal share:
   a. It has or will have and, as necessary, will require each Subrecipient to have the amount of funds required for the non-federal share, as required by former 49 U.S.C. § 5311(g),
   b. It will provide and, as necessary, will require each Subrecipient to provide the non-federal share from sources approved by FTA, and
   c. It will provide and, as necessary, will require each Subrecipient to provide the non-federal share when needed.
8. It may transfer a facility or equipment acquired or improved under its Award 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.
9. Each fiscal year:
   a. It will spend at least fifteen (15) percent of its federal assistance authorized under 49 U.S.C. § 5311 and available that fiscal year for eligible activities to develop and support intercity bus transportation within the state 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.

16.B. Appalachian Development Public Transportation Assistance Program.

If your Applicant seeks federal assistance from FTA for an Award financed under the Appalachian Development Public Transportation Assistance Program authorized under 49 U.S.C. § 5311(c)(2), the Certification in Category 16.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 federal assistance made available or appropriated for public transportation operating assistance, in accordance with 49 U.S.C. § 5311(c)(2)(D), it may use the federal assistance 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 such use in writing, and
3. In approving the use, it determines that local transit needs are being addressed.

CATEGORY 17. TRIBAL TRANSIT PROGRAMS (PUBLIC TRANSPORTATION ON INDIAN RESERVATIONS PROGRAMS).

Before FTA may provide federal assistance for an Award financed under either the Public Transportation on Indian Reservations Formula or Discretionary Program authorized under 49 U.S.C. § 5311(c)(1), as amended by the FAST Act, (Tribal Transit Programs), you must select the Certifications in Category 17 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

Any provision of the Certifications in Category 17 that does not apply will not be enforced.

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

1. It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.

2. It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
3. It will maintain its equipment and facilities acquired or improved under its Award, in accordance with the recipient's transit asset management plan.
4. Its Award will achieve maximum feasible coordination with transportation service financed by other federal sources.
5. With respect to its procurement system:
   a. It will have a procurement system that complies with U.S. DOT regulations, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," 2 CFR part 1201, which incorporates by reference U.S. OMB regulatory guidance, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," 2 CFR part 200, for Awards made on or after December 26, 2014,
   b. It will 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 former 49 CFR § 18.36, for Awards made before December 26, 2014, or
   c. It will inform FTA promptly that its procurement system does not comply with either of those U.S. DOT regulations.
6. It will comply with the Buy America requirements under 49 U.S.C. § 5323(j), as amended by FAST Act, and FTA regulations, "Buy America Requirements," 49 CFR part 661.
7. It will comply with the Certifications, Assurances, and Agreements in:
   a. Category 03.B and 03.C (Charter Service Agreement and School Bus Agreement),
   b. Category 05.B (Bus Testing),
   c. Category 06 (Demand Responsive Service),
   d. Category 07 (Intelligent Transportation Systems), and
   e. Category 10 (Alcohol and Controlled Substances Testing).

CATEGORY 18. STATE SAFETY OVERSIGHT GRANT PROGRAM.

Before FTA may provide federal assistance for an Award financed under the State Safety Oversight Grant Program authorized under 49 U.S.C. § 5329(e)(6), you must select the Certifications in Category 18 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

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

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On behalf of your Applicant, you certify that:

1. It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
2. It has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
3. It will maintain its equipment and facilities acquired or improved under its Award.
4. When carrying out a procurement under its Award, it will comply with:
   a. The applicable general provisions of 49 U.S.C. § 5323, and
   b. The applicable third party contract provisions of 49 U.S.C. § 5325.
5. As required by 49 U.S.C. § 5329(e)(6)(C):
   a. It has or will have the amount of funds required for the non-federal share,
   b. It will provide the non-federal share only from sources approved by FTA, and will not be met by:
      (1) Any federal assistance,
      (2) Any funds received from a public transportation agency, or
      (3) Any revenues earned by a public transportation agency, and
   c. Will provide the non-federal share when needed.
6. It meets the applicable requirements of FTA regulations, "Rail Fixed Guideway Systems: State Safety Oversight," 49 CFR part 659.
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.

CATEGORY 19. PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM.

Before FTA may provide federal assistance for an Award financed under the Public Transportation Emergency Relief Program authorized under 49 U.S.C. § 5324, you must select the Certifications in Category 19 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

Any provision of the Assurance in Category 19 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:

1. Comply with the requirements of the Certifications and Assurances as FTA determines will apply to an Applicant for federal assistance appropriated or made available for the Public Transportation Emergency Relief Program, and
2. Comply with FTA regulations, "Emergency Relief," 49 C.F.R. part 602.

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CATEGORY 20. EXPEDITED PROJECT DELIVERY PILOT PROGRAM.

Before FTA may provide federal assistance for an Award financed under the Expedited Project Delivery Pilot Program authorized under section 3005(b) of the FAST Act, you must select the Certifications in Category 20 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

To the extent that any Certification in Category 20 does not apply, it will not be enforced.

As required by section 3005(b)(3)(B) of the FAST Act, except as FTA determines otherwise in writing, on behalf of your Applicant, you certify that:

1. It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
2. It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
3. It will maintain its equipment and facilities acquired or improved under its Award in accordance with the recipient's transit asset management plan.
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.

CATEGORY 21. INFRASTRUCTURE FINANCE PROGRAMS.

Before FTA may provide credit assistance for an Award financed under the Transportation Infrastructure Finance and Innovation Act (TIFIA) Program authorized under 23 U.S.C. §§ 601 – 609, or the State Infrastructure Banks (SIB) Program authorized under 23 U.S.C. § 610, you must select the Certifications in Category 23 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

Any provision of the Certifications and Assurances in Category 21 that does not apply will not be enforced.

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

If your Applicant seeks federal assistance from FTA for an Award financed under the TIFIA Program authorized under 23 U.S.C. §§ 601 – 609 the Certifications and Assurances in Category 23.A applies to your Applicant, except as FTA determines

otherwise in writing. In administering this Program, the FAST Act cross-cutting requirements supersede inconsistent former requirements.

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(c)(1), on its behalf, you certify that:
   a. It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
   b. It has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
   c. It will maintain its equipment and facilities acquired or improved under its Award, in accordance with the recipient's transit asset management plan.
   d. For transportation during non-peak hours and using or involving a facility or equipment of an Award financed using 49 U.S.C. § 5307 funds, it will ensure that the following individuals will be charged a fare not exceeding fifty (50) percent of the peak hour fare:
      (1) Any senior,
      (2) Any 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), is unable to 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-financed procurement, it will comply with:
      (1) The applicable provisions of 49 U.S.C. § 5323, and
      (2) The applicable provisions of 49 U.S.C. § 5325.
   f. It has complied with or will comply with 49 U.S.C. § 5307(b).
   g. (1) It has or will have no more than 80 percent of the Total Award Budget as the sum of all federal grants and any TIFIA-financed awards,
      (2) It will provide the non-federal share from sources approved by FTA, and
      (3) It will provide the non-federal share 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.
   j. It will comply with the final federal regulations that, when issued, will 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 or any other financing costs incurred in connection with its Award that must be in compliance with those requirements unless:
   a. It is eligible to receive federal assistance 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. Pursuant to the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. § 5321 *et seq*., it will receive an environmental categorical exclusion, a finding of no significant impact, or a record of decision under NEPA for its Award before obligating federal assistance.
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.

21.B. State Infrastructure Banks (SIB) Program.

If your Applicant is a state and seeks federal assistance from FTA financed under the SIB Program authorized under 23 U.S.C. § 610, the Certifications and Assurances in Category 23.B applies to your state and its Award, except as FTA determines otherwise in writing. In administering this Program, the FAST Act cross-cutting requirements supersede inconsistent former requirements.

On behalf of the state organization serving as your Applicant for federal assistance 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 the FAST Act,
   b. 23 U.S.C. § 610 or its predecessor before the FAST Act 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 federal assistance from FTA 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 the FAST Act,
   b. 23 U.S.C. § 610 or its predecessor before the FAST Act 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 the FAST Act, apply to any Award 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(c)(1):
   a. It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
   b. It has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
   c. It will maintain its equipment and facilities acquired or improved under its Award, in accordance with the recipient's transit asset management plan.
   d. When using or involving a facility or equipment acquired or improved with federal assistance under a SIB-financed Award during non-peak hours for transportation, it will ensure that the following individuals will be charged a fare not exceeding fifty (50) percent of the peak hour fare:
      (1) Any senior,
      (2) 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), is unable to 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 procurement under a SIB-financed Award, it will comply with:
      (1) The applicable general provisions of 49 U.S.C. § 5323, and
      (2) The applicable 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).

g. (1) It has or will have the amount of funds required for the non-federal share by the SIB Program, but not less than twenty-five (25) percent of each capitalization grant,
   (2) It will provide the non-federal share from sources approved by FTA, and
   (3) It will provide the non-federal share 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.
j. It will comply with the final federal regulations that, when issued, will implement the safety plan requirements of 49 U.S.C. § 5329(d).

6. As required by 49 U.S.C. chapter 53, it certifies that it will not seek reimbursement for interest or any other financing costs incurred in connection with its Award unless:
   a. It is eligible to receive federal assistance for those expenses, and
   b. Its records demonstrate that it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, as FTA may require.
7. It agrees that it will adopt a transit asset management plan that complies with regulations implementing 49 U.S.C. § 5326(d).

GROUP CATEGORY 22. PAUL S. SARBANES TRANSIT IN PARKS PROGRAM

Before FTA may provide federal assistance for an Award financed under the Paul S. Sarbanes Transit in Parks Program authorized under former 49 U.S.C. § 5320, in effect in FY 2012 or a previous fiscal year, except as superseded by FAST Act requirements that apply you must select the Certifications in Category 22 in addition to other Certifications and Assurances you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

Any provision of the Certifications and Assurances in Category 22 that does not apply will not be enforced.

1. Except as superseded by the FAST Act cross-cutting requirements that apply, 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. 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.

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 the FAST Act cross-cutting requirements that apply, you certify that:
   a. It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
   b. It has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
   c. It will maintain its equipment and facilities acquired or improved under its Award.
   d. When carrying out a procurement under former 49 U.S.C. § 5320, it will comply and will require each Subrecipient to comply with the following provisions:
      (1) Competitive procurement (as defined or approved by FTA) requirements of 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" requirements under 49 U.S.C. § 5323(j), as amended by the FAST Act, and FTA regulations, "Buy America Requirements," 49 CFR part 661,
      (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" requirements 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:
      (1) It 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 implement under its Award,
      (2) It has developed or will develop, in consultation with interested parties including private transportation providers, Projects to be financed under its Award,
      (3) It 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) It has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed Projects,
(5) It 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) It has made or will make the final list of Projects for which an Award is sought available to the public.

g. With respect to the non-federal share:
(1) It has or will have and, as necessary, will require each Subrecipient to have the amount of funds required for the non-federal share, as required by 49 U.S.C. § 5320,
(2) It will provide the non-federal share from sources approved by FTA, and
(3) It will provide the non-federal share when needed.

h. 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 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.

CATEGORY 23. CONSTRUCTION HIRING PREFERENCES.

Before FTA may provide federal assistance for a third party contract for construction hiring financed under title 49 U.S.C. or title 23 U.S.C. using a geographic, economic, or any other hiring preference not otherwise authorized by federal law or regulation, you must select the Certifications in Category 23 on behalf of your Applicant in addition to other Certifications you must select on your Applicant's behalf, except as FTA determines otherwise in writing.

Any provision of the Certifications in Category 23 that does not apply will not be enforced.

As provided by section 192 of division L, title I of the Consolidated Appropriations Act, 2016, Pub. L. 114-113, on behalf of your Applicant, you certify that if, in connection with any third party contract for construction hiring financed under title 49 U.S.C. or title 23 U.S.C., it uses a geographic, economic, or any other hiring preference not otherwise authorized by law or prohibited under 2 CFR § 200.319(b):

1. Except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the

work that the third party contract requires resides in the jurisdiction where the work will be performed;

2. It will include appropriate provisions in its bid document ensuring that its third party contractor(s) do not displace any of its existing employees in order to satisfy such hiring preference; and
3. That any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

Selection and Signature Page(s) follow.

FTA FISCAL YEAR 2016 CERTIFICATIONS AND ASSURANCES

FEDERAL FISCAL YEAR 2016 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS

(Signature pages alternative to providing Certifications and Assurances in TrAMS)

Name of Applicant: _____

The Applicant agrees to comply with applicable provisions of Categories 01 – 23. _____

OR

The Applicant agrees to comply with applicable provisions of the Categories it has selected:

Category	Description	
01.	Required Certifications and Assurances for Each Applicant.	_____
02.	Lobbying.	_____
03.	Procurement and Procurement Systems.	_____
04.	Private Sector Protections.	_____
05.	Rolling Stock Reviews and Bus Testing.	_____
06.	Demand Responsive Service.	_____
07.	Intelligent Transportation Systems.	_____
08.	Interest and Financing Costs and Acquisition of Capital Assets by Lease.	_____
09.	Transit Asset Management Plan and Public Transportation Agency Safety Plan.	_____
10.	Alcohol and Controlled Substances Testing.	_____
11.	Fixed Guideway Capital Investment Grants Program (New Starts, Small Starts, and Core Capacity Improvement).	_____
12.	State of Good Repair Program.	_____
13.	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs.	_____
14.	Urbanized Area Formula Grants Programs and Passenger Ferry Grant Program.	_____
15.	Seniors and Individuals with Disabilities Programs.	_____
16.	Rural Areas and Appalachian Development Programs.	_____
17.	Tribal Transit Programs (Public Transportation on Indian Reservations Programs).	_____
18.	State Safety Oversight Grant Program.	_____
19.	Public Transportation Emergency Relief Program.	_____
20.	Expedited Project Delivery Pilot Program.	_____
21.	Infrastructure Finance Programs.	_____
22.	Paul S. Sarbanes Transit in Parks Program.	_____
23.	Hiring Preferences	_____

FTA FISCAL YEAR 2016 CERTIFICATIONS AND ASSURANCES

FEDERAL FISCAL YEAR 2016 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE
(Required of all Applicants for federal assistance to be awarded by FTA and all FTA Grantees with an active Capital or Formula Award)

AFFIRMATION OF APPLICANT

Name of the Applicant: _____

Name and Relationship of the Authorized Representative: _____

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, 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 his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded by FTA 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_____
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): _____

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature_____ Date: _____

Name_____
Attorney for Applicant

Each Applicant for federal assistance to be awarded by FTA and each FTA Recipient with an active Capital or Formula Project or Award must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within FTA's electronic award and management system, provided the Applicant has on file and uploaded to FTA's electronic award and management system this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.

FLINT HILLS REGIONAL TRANSIT ADMINISTRATION

P.O. BOX 514, OGDEN, KANSAS 66517-0514
TOLL FREE (855) 785-3472
FAX (855) 329-3472

March 9, 2016

RE: Letter of Commitment – Transit Planning 4 All Project – Inclusive Planning Impact Grants

Dear Review Committee:

The Flint Hills Regional Transit Administration (FHRTA) Board would like to provide a letter of commitment for the Transit Planning 4 All Project – Inclusive Planning Impact Grants. The FHRTA was designated as the Direct Recipient of Federal Transit Administration (FTA) Section 5307 funds for the Manhattan, Kansas Urbanized Area in August of 2014. Additionally, FHRTA houses the Regional Mobility Manger whose duties include managing mobility issues in a seven county region, also known as the Flint Hills Coordinated Transit District (CTD).

As a federal and state funded organization, and the responsible party for the planning and development of transit services to and within the Manhattan Urbanized Area (UZA) and Mobility Management in the region, the FHRTA has a responsibility to provide all residents with an equal opportunity to be engaged in this process.

The FHRTA also has a Memorandum of Understanding with the Flint Hills Metropolitan Planning Organization (FHMPO), and our regional transit provider, Flint Hills Area Transportation Agency, Incorporated (FHATA), and the Kansas Department of Transportation (KDOT), to partner in the coordination of all transit related planning activities in the region.

We will work with the FHMPO and FHATA to ensure collaboration in identifying and developing the necessary tools to engage those underrepresented populations in our region in the planning and decision-making process for our transportation systems.

We believe our support and commitment to the sustainability of this grant will provide a long-term solution for inclusion of underrepresented populations in the development of our transportation system.

Sincerely,

Derek Jackson, Chair
Flint Hills Regional Transit Administration Board