

STATE OF CALIFORNIA
FTA SECTION 5311(f) CONTINUED FUNDING OPERATING ASSISTANCE PROJECT APPLICATION
FY 2014

General Information:

Name of Applicant: _____

Address: _____

City/State/Zip Code: _____

Contact Person: _____ Title: _____

Phone: _____ E-Mail: _____

Amount of Federal Section 5311 (f) Funds Requested: \$ _____

Operating Assistance

CONTINUED FUNDING APPLICATION (No changes to existing project)

If there are **no changes** to the existing 5311(f) project, please **complete** this application.

This application is for **CONTINUED FUNDING** for **applicants** that were awarded Operating projects in **FY2013** for the operating period **July 1, 2013** through **JUNE 30, 2014**.

I certify that the project I am requesting is the same as was funded in FY12/13 and that there are no changes to the project. Funding increase above what was provided for your project in FFY 2013 will be allowed but must be based on prior year actual 5311(f) expenditures and not above the 5311(f) program cap for the project. **Continued funding participants with multiple 5311(f) Operating Assistance projects must identify each project in Section 2, 3 and 4 of this application. You will receive one (1) contract for all your projects.**

To expedite the processing of your application, please submit the actual prior year expenditures budget with your application using the **attached Budget and Fiscal Plan Sheet in Part 1, Section 3** of this application.

In accordance with Federal Transit Administration directive, projects that use previous program savings are not eligible to use TOLL CREDITS for local match. Because of this directive, the FY 2014 5311(f) continued funding projects will not qualify for TOLL CREDITS. However, if applicants want to utilize TOLL CREDIT for their projects they can reapply for funding during the regular 5311(f) competitive call for new projects which will take place in early March 2014.

Please note that all FFY2014 continued funding application will require the following documentation:

- A complete electronic application
- All required supporting documentation in PDF format
- 2014 FTA Certification and Assurances (available on DMT website)
- Authorized Resolution by your Board/Commission

Submit scanned electronic PDF copy of the **signed** (blue ink) completed application via email to ronaldo_hu@dot.ca.gov by **May 2, 2014**.

Applications must be complete and final as submitted. Note: Incomplete applications will be returned to the applicant for revision.

The application is provided in fillable PDF format that can be saved.

For questions or concerns about the continued funding application, please contact the 5311(f) program manager, Ronaldo Hu at 916-657-3955.

I certify that data in this application are true and correct and the person whose signature appears below has been duly authorized by the governing body of the subrecipient to submit this application.

Certifying Representative:

(Please Print)

Name: _____ Title: _____

Signature: _____ Date: _____

PART I, SECTION 1
FTA SECTION 5311(f) CONTINUED FUNDING OPERATING ASSISTANCE
PROJECT APPLICATION

Section One: Certifications and Assurances:

1. Pursuant to 49 CFR, Part 21, **Title VI of the Civil Rights Act of 1964**, the subrecipient assures that no person, on the grounds of race, color, creed, national origin, sex, age, or disability shall be excluded from participation in, or denied the benefits of, or be subject to discrimination under any project, program or activity funded in whole or in part by Federal Transit Administration (FTA).
2. Pursuant to 49 CFR, Part 21, **Title VI of the Civil Rights Act of 1964**, the subrecipient assures that it shall not discriminate against any employee or subrecipient for employment because of race, color, religion, sex, national origin, and that it shall take affirmative action to ensure that subrecipients are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin.
3. Pursuant to 49 CFR, Part 27, **U.S. DOT Regulations implementing the Rehabilitation Act of 1973**, the subrecipient certifies that it will conduct any program or operate any facility that receives or benefits from Federal financial assistance administered by FTA in compliance with all imposed requirements, Nondiscrimination on the basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.
4. Pursuant to 49 CFR, Part 26, the subrecipient must prepare and maintain complaint procedures for investigating and tracking Title VI complaints filed against them. Such procedures include record of investigations, complaints, and/or lawsuits, and notice to public about rights containing instructions on how to file a discrimination complaint. Recipients of federal financial assistance are required to take reasonable steps to ensure meaningful access to their programs and activities by **limited English proficient persons**.
5. Pursuant to 49 CFR Part 21, the subrecipient certifies that special efforts are being made to provide the **level and quality of transportation** services that disabled persons, including wheelchair users and semi-ambulatory persons, can use. This transportation shall be reasonable in comparison to the transportation provided to the general public and shall meet a significant fraction of actual transportation needs of such persons within a reasonable time.
6. Pursuant to FTA Circular **9040.1F & 9050.1**, the subrecipient assures and certifies that it will comply with the Federal statutes, regulations, executive orders and administrative requirements, which relate to applications made to and grants received from FTA. The subrecipient acknowledges receipt and understanding of the list of such statutes, regulations, executive orders and administrative requirements.
7. The subrecipient agrees and assures that it will comply with U.S. DOT regulations, **“Participation by Disadvantaged Enterprises in Department of Transportation Financial Assistance Programs,”** 49 CFR part 26. Among other provisions, this regulation requires recipients of DOT Federal financial assistance, namely State and local transportation agencies, to establish goals for the participation of disadvantaged entrepreneurs and certify the eligibility of DBE firms to participate in their DOT-assisted contracts. The recipient agrees and assures that it will comply with 49 CFR 26.49 which requires each transit vehicle manufacturer, as a condition of being authorized to bid or propose a FTA-assisted transit vehicle procurement (new vehicles only), certify that it complied with the requirements of the DBE program.
8. The subrecipient assures and certifies that it will adhere to the **California State DBE Program Plan** as it applies to local agencies. The subrecipient must complete and submit to the Department a DBE implementation Agreement. The subrecipient certifies that it must report twice annually on DBE participation in their contracting opportunities; their award/commitments and actual payments.
9. The subrecipient assures and certifies that its services funded by Section 5311 are, and shall remain, open to the general public.
10. The subrecipient certifies that its **procurements** and procurement system will comply with all applicable requirements imposed by Federal laws, executive orders, or regulations and the requirements of FTA Circular 4220.1F, “Third Party Contracting Requirements,” and such other implementing requirements as FTA may issue. The subrecipient certifies that it will include in its contracts, financed in whole or in part with FTA assistance, all clauses required by Federal laws, executive orders, or regulations and will ensure that each subrecipient and each contractor will

also include in its sub agreements and contracts financed in whole or in part with FTA assistance all applicable contract clauses required by Federal laws, executive orders, or regulations.

11. The subrecipient assures and certifies that **private for-profit transit** operators have been afforded a fair and timely opportunity to participate to the maximum extent feasible in the planning and provision of the proposed transportation services.

12. The subrecipient assures and certifies that the project complies with the **environmental impact** and related procedures of 23 CFR Part 771.

13. The subrecipient certifies that it has established and implemented an **anti-drug and alcohol misuse prevention program** and has conducted employee training complying with the requirements of 49 CFR part 655, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations".

14. The subrecipient assures and certifies that it requires its subcontractors and subrecipients to have established and implemented an **anti-drug and alcohol misuse prevention program**, to have conducted employee training complying with the requirements of 49 CFR part 655, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations".

15. The subrecipient certifies that before expending any Federal assistance to acquire the first bus of any new **bus model or any bus model with a new major change in configuration or components** or before authorizing final acceptance of that bus (as described in 49 CFR part 665), that model of bus will have been tested at a bus testing facility approved by FTA and subrecipient and FTA will have received a copy of the test report prepared on that bus model.

16. The subrecipient certifies that the recipient shall comply with 49 CFR Part 604 in the provision of any **charter service** provided with FTA funded equipment and facilities. The subrecipient certifies that in the provision of any charter service provided, subrecipient and its recipients will provide charter service that uses equipment or facilities acquired with Federal assistance authorized for 49 U.S.C. 5309, or 5311 only to the extent that there are no private charter service operators willing and able to provide those charter services that it or its recipients desire to provide unless one or more of the exceptions in 49 CFR part 604-Subpart B applies. The subrecipient assures and certifies that the revenues generated by its incidental charter bus operations (if any) are, and shall remain, equal to or greater than the cost (including depreciation on federally assisted equipment) of providing the service. The subrecipient understands that the requirements of 49 CFR part 604 will apply to any charter service provided, the definitions in 49 CFR part 604 apply to this agreement, and any violation of this agreement may require corrective measures and the imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

17. As required by 49 U.S.C. 5323 (f) and FTA regulations, "**School Bus Operations,**" at 49 CFR 605.14, the subrecipient agrees that it and all its recipients will: (1) engage in school transportation operations in competition with private school transportation operators only to the extent permitted by an exception provided by 49 U.S.C. 4323 (f) and implementing regulations, and (2) comply with requirements of 49 CFR part 605 before providing any school transportation using equipment or facilities acquired with Federal assistance awarded by FTA and authorized by 49 U.S.C. Chapter 53 or Title 23 U.S.C. for transportation projects. The subrecipient understands that the requirements of 49 CFR part 605 will apply to any school transportation it provides, that the definitions of 49 CFR part 605 apply to any school transportation agreement, and a violation of this agreement may require corrective measures and the imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

18. The subrecipient assures and certifies that when procuring capital equipment acquired with Federal assistance it will comply with all **Buy America provisions** as pertaining to all 5311 subrecipients, **49 CFR Part 661 and 49 USC 5323(j)(2)(c)**. This policy means that certain steel, iron, and manufactured products used in any capital equipment acquired with Federal assistance must be produced in the United States. Buy America requirements apply to all purchases, including materials and supplies funded as operating costs, if the purchase exceeds the threshold for small purchases (currently \$100,000).

19. The subrecipient certifies that it will comply with the requirements of 49 CFR parts 663, in the course of purchasing revenue rolling stock. Among other things, the subrecipient will conduct, or cause to be conducted, the prescribed **pre-award and post-delivery reviews** and will maintain on file the certifications required by 49 CFR part 663, subparts B, C, and D.

20. The subrecipient certifies that it will submit the "Fiscal Year 2014 **FTA Annual List of Certifications and Assurances** for Federal Transit Administration Grants and Cooperative Agreements" and Appendix A Certifications and Assurances Checklist and Signature Page **when made available by the FTA.**

21. The subrecipient has provided documentation needed by the Department to assure FTA that it has properly and sufficiently delegated and executed authority, by Resolution, to the appropriate individual(s) to take official action on its behalf.

22. The subrecipient, providing **complimentary paratransit service**, certifies that they submitted to the Department an initial plan for compliance with the complimentary paratransit service provision as of January 26, 1992, as required by 49 CFR Part 37, Section 135[b] and have provided the Department annual updates to its plan on January 26 of each year, as required by 49 CFR Part 37, Section 139[c]. The subrecipient has provided the Department an initial **complimentary paratransit service** plan signed and dated _____ **(Updated plans must be submitted with application)**. Subrecipient who provides fixed route service must provide ADA complementary service. Subrecipients who provide other route deviation transit services in lieu of ADA complementary service such as deviated fixed-route or demand responsive must make the service accessible and available to the general public. To be considered demand responsive, service provided must deviate for the general public, not just for persons with disabilities meeting paratransit eligibility criteria. If deviations are restricted to a particular group, the service ceases to be a form of demand-responsive service for the general public and ADA complementary paratransit service is required.

23. The subrecipient certifies that all **direct and indirect costs** billed are allowable per Title 2 Code of Federal Regulations, Part 225 (2 CFR 225) (formerly Office of Management and Budget (OMB) Circular A-87), the federal guidelines for allowable costs for subrecipients that are State, Local and Indian Tribal governments or 2 Code of Federal Regulations, Part 230 (2 CFR 230), (formerly, OMB Circular A-122), OMB Circular A-133 if the subrecipient is a non-profit organization. With regards to private for-profit organizations, refer to **48 CFR Part 3**.

24. The subrecipient certifies that all indirect costs billed are supported by an annual **indirect cost allocation plan** submitted in accordance with 2 CFR 225. The plan or subrecipients' cognizant agency approval of plan was submitted to the Department's Audits and Investigations and approved before subrecipient submits request for reimbursement of any indirect costs. Indirect costs prior to having a plan approved as evidenced by a letter from the Departments' Audits and Investigations is not an allowable expense. If subrecipient does not bill for indirect cost then an indirect cost allocation plan is not required.

25. Before a subrecipient may lease an asset, FTA regulations, "**Capital Leases**," 49 CFR 639, Subpart C, require a written comparison of the cost of leasing the asset compared with the cost of purchasing or constructing the asset. Costs used in the comparison must be reasonable, based on realistic current market conditions, and based on the expected useful service life of the asset.

26. The subrecipient certifies that they understand that **Transit Employee Protection** is specified in Title 49 U.S.C. 5333(b). This Title requires that the interests of employees affected by assistance under most FTA programs shall be protected under arrangements the Secretary of Labor concludes are fair and equitable. Title 49 U.S.C. 5311(b) requires that the Department of Labor (DOL) use "a special warranty that provides a fair and equitable arrangement to protect the interests of employees" in order for the 5311(i) requirements to apply to Section 5311.

27. To the best of my knowledge and belief, data in this local application are true and correct, and the person whose signature appears below has been duly authorized by the governing body of the subrecipient for filing of this application.

Certifying Representative:

(Please Print)

Name: _____ Title: _____

Signature: _____ Date: _____

**PART I, SECTION 2
 CERTIFICATION AND ASSURANCES OF THE REGIONAL TRANSPORTATION
 PLANNING AGENCY (TPA) OR GOVERNING BOARD**

Name-Regional Agency/TPA: _____
 Contact Person: _____ Title: _____
 Phone: _____ E-Mail: _____
 Name of Subrecipient: _____
 Project Description: _____

The transportation planning agency/governing board has approved, by resolution, the following:

State Transportation Improvement Program - Metropolitan Planning Organizations Only

Document (or Amendment) Number	Document (or Amendment) Year	FHWA/FTA Federally Approved TIP (Date)

And further certifies:

1. The subrecipient has, or will have by the time of delivery, sufficient funds to operate the vehicles, or, facility, or equipment purchased under this project, as applicable and has coordinated with other transportation providers and users in the region, including social service agencies.
2. The regional agency/TPA has approved, the programming of funds for this Project and Project has met all Statewide Transportation Improvement Program (STIP) requirements. Some combination of state, local, or private funding sources has been applied at the rate of 44.67% or more to match the federal share of 55.33%.

Certifying Representative:

By signing below, I have read and acknowledge that my agency is in compliance with certifications and assurances as stated above.

(Please Print)

Name: _____ Title: _____

Signature: _____ Date: _____

PART I , SECTION 3 BUDGET AND FISCAL PLAN
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Project Description: _____

Operating Period: JULY 1, 2014 THROUGH JUNE 30, 2015

(1) Total DIRECT Operating Expenses (Itemize)

	\$	
_____	\$	
_____	\$	
_____	\$	
_____	\$	
TOTAL DIRECT OPERATING EXPENSES	\$	
TOTAL INDIRECT EXPENSE (Indirect Rate: ___%)	\$	
TOTAL DIRECT & INDIRECT EXPENSE	\$	(1)

(2) Less Fare box and Other Revenue

	\$	
_____	\$	
_____	\$	
_____	\$	
TOTAL FAREBOX AND OTHER REVENUE	\$	
APPLIED AGAINST ELIGIBLE EXPENSES	\$	(2)

(3) Less Ineligible Expenses

Preventive Maintenance	\$	
Other (Specify)	\$	
_____	\$	
_____	\$	
TOTAL INELIGIBLE EXPENSES	\$	(3)

(4) NET PROJECT COST (Line 1 – Line 2 – Line 3)

\$ **(4)**

(5) Local Share (Itemized by Source Type & Amount)

	\$	
_____	\$	
_____	\$	
TOTAL LOCAL SHARE	\$	(5)

(6) FEDERAL SHARE *

\$ **(6)**

*Federal Share Max Allowed 55.33% of Net Project Cost (Item 4):

(7) BUDGET SUMMARY: Local Share + Federal Share = Net Project Cost

LOCAL SHARE:	\$	(5)
FEDERAL SHARE:	+ \$	(6)
NET PROJECT COST:	= \$	(7)

**PART I, SECTION 3
BUDGET AND FISCAL PLAN (CONTINUED)**

Fiscal Strategy Plan

Please identify how you intend to use the funding and in what fiscal year

<i>Fund Source</i>	FY 13 - 14	FY 14 - 15	TOTAL
A. FEDERAL			
5311(f)	\$	\$	\$
5311	\$	\$	\$
5307	\$	\$	\$
CMAQ	\$	\$	\$
STIP (RSTP/TIF)	\$	\$	\$
5309	\$	\$	\$
Subtotal	\$	\$	\$

B. LOCAL			
TDA (LTF, STAF)	\$	\$	\$
Tax or Measure	\$	\$	\$
Subtotal	\$	\$	\$

C. STATE			
State Highway Account	\$	\$	\$
Public Transportation Account	\$	\$	\$
Other:	\$	\$	\$
Subtotal	\$	\$	\$

TOTAL (A+B+C)	\$	\$	\$
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PART I, SECTION 4
TRANSIT SECURITY AND EMERGENCY PREPAREDNESS

- Do county emergency evacuation plans identify you as community responder-transportation provider?
 Yes No

- What is your **capacity** to move individuals with disabilities during an emergency situation from schools, neighborhoods, medical facilities, etc?

- Do you participate in transportation infrastructure security/emergency planning, drills/exercises, and/or decision making activities (to prevent, prepare for, mitigate, respond to, and recover from security/emergency acts) upon which to identify sufficient resources to maintain operating performance of your transit system in order to meet comprehensive transportation needs during a time of an emergency situation?
 Yes No

- Do these activities encourage the development of integrated passenger transportation opportunities that are coordinated, and connected to enhance personal mobility during a time of an emergency situation?
 Yes No

- Do you have a program for personnel (i.e. a security coordinator having authority to implement security actions, coordinate security improvements, and /drivers to support preparation and response activities to further enhance security measures, thus encouraging an active role during a time of an emergency situation)?
 Yes No

- Have you applied for funding under the [Department of Homeland Security Intercity Bus Security Grant Program](#)?
 Yes No

- Have you completed a vulnerability assessment and developed a security plan?
 Yes No