STATE OF CALIFORNIA

FTA SECTION 5311(f) PROJECT APPLICATION

GENERAL INFORMATION

FEDERAL FISCAL YEAR 2015

Name of Applicant:

Address:

City/State/Zip Code:

Contact Person: Title:

Phone: E-Mail:

DUNS Number:		CCR Number:	

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

Select the category you are applying:

☐ Category 1: Operating Assistance

☐ Category 2: Bus Purchase/Bus Related Equipment

☐ Category 3: Transit Infrastructure

☐ Category 4: Planning and Marketing Studies

Project Title and brief description of project

PART I - CERTIFICATIONS AND ASSURANCES
STATE OF CALIFORNIA
FTA SECTION 5311(f) PROJECT ASSISTANCE APPLICATION

General Information:

Name of Applicant:

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:

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 ***(Blue Ink)***: _____ Date: _____

PART II- REGIONAL AGENCY CERTIFICATIONS AND ASSURANCES 5

General Information:

Name of Regional/Transportation Planning Agency:

Contact Person: Title:

Phone: E-Mail:

Name of Applicant:

Project Description:

1. The transportation planning agency (TPA) has approved, by resolution, the programming of Section 5311(f) Intercity Bus Program funds in one or more of the following categories:

Category 1: Operating Assistance	$	
Category 2: Bus Purchase/Bus Related Equipment	$	
Category 3: Transit Infrastructure	$	
Category 4: Planning and Marketing Studies	$	
Total	$	

2. Subsequent to award of the project, the Transportation Improvement Plan (TIP) will be amended to include this project. ☐ Yes ☐ No

3. A combination of state, local, or private funding sources have been or will be committed to provide the required local share. ☐ Yes ☐ No

4. The applicant has, or will have sufficient funds to complete this project as designated in Parts IV (Description) and V (Budget), having the vehicles and/or equipment to do so.
   ☐ Yes ☐ **No**

5. The applicant has coordinated with other transportation providers and users in the region, including social service agencies capable of purchasing service. ☐ Yes ☐ No

Certifying Representative

(Please Print)
Name: Title:

Signature ***(Blue Ink)***: _____ Date:

PART III – PROJECT TYPE/CATEGORY

Please attach your completed Part III here with supporting documentation.

Category 1: Operating Assistance ☐

Category 2: Bus Purchase/Bus Related Equipment ☐

Category 3: Transit Infrastructure ☐

Category 4: Planning and Marketing Studies ☐

PART IV – TRANSIT SECURITY & EMERGENCY PREPAREDNESS

Does your county emergency evacuation plan identify your agency 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 in your county?

☐ 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? ☐ 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 an emergency? ☐ 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 for your agency?

☐ Yes ☐ No

PART V – LABOR UNION INFORMATION FOR SECTION 13(c) CERTIFICATION

Organization Name:	
Contact Person:	
Address:	
Telephone:	

Union Representation of Applicant's Employees

Union representation of employee of other surface public transportation providers			
Organization:		**Organization:**	
Contact Person:		**Contact Person:**	
Email:		**Email:**	
Address:		**Address:**	
Telephone:		**Telephone:**	
If more than two, please specify:			

PART VI – DESCRIPTION OF EFFORTS TO COORDINATE SERVICES WITH SOCIAL SERVICE AGENCIES
STATE OF CALIFORNIA
FTA SECTION 5311(f) PROJECT ASSISTANCE APPLICATION

Please answer the following questions regarding the Description of Efforts to Coordinate Services with Social Service Agencies:

1. What human service agencies, employment/training programs, or other transportation providers does your agency coordinate with?

2. In your agency's coordination efforts with social service agencies, check all that apply:

	Current Practice	Would Consider
Drivers attend safety/sensitivity training		
Sharing vehicles with other agencies		
Providing information to riders/patrons on other available services		
Working with CTSA or other agencies to coordinate trips		
Utilize pre-paid fare media with other agencies		
Coordinate with Medical, CalWorks or Employment Programs		
Other: _____		

3. Describe your agency's role in the human service-public transportation coordination planning efforts?

4. Describe efforts that you have made to notify social service/transport service agencies of the proposed project and if applicable possible coordination and purchase service agreements.

5. Describe efforts that you have made to provide transportation to the elderly and disabled community to comply with the American Disability Act (ADA).

6. Will this service funded by 5311(f) address gaps and/or barriers identified in the regional public transportation coordination plan or maintain the existing service?

   Yes No

7. Has your agency made any efforts to provide information about your agency's service to human service agencies, the Work Force Center, or other activity centers.

   Yes No

PART VII – Civil Rights
STATE OF CALIFORNIA
FTA SECTION 5311(f) PROJECT ASSISTANCE APPLICATION

1. Are there Title VI complaint policies and procedures? Yes ☐ No ☐
   a. If yes, who was the approving agency? FTA ☐ Caltrans ☐ DMT ☐
2. Are procedures for filing complaints (organization name, phone numbers, etc.) readily accessible to riders and employees?
   Yes ☐ No ☐
3. Are or were there any Title VI related lawsuits/complaints filed within the past year? If yes, does the review of lawsuits/complaints denote a pattern of discrimination? Yes ☐ No ☐

Please provide the following information to Caltrans DMT:

- The date the lawsuit/complaint was filed
- The name and address of the complainant
- A summary of the allegation

4. Are complaints documented and listed? Yes ☐ No ☐
5. Who in your agency is assigned for investigation and what is his/her title?
6. Do riders, employees, and applicants have the option to file a complaint with entities other than the subrecipient (i.e. Caltrans and/or FTA)? Yes ☐ No ☐
   If so, who:

7. Has a federal (FTA) civil rights compliance review been performed within the past year?

   Yes ☐ No ☐

   If yes, attach PDF copy of the following information:

- The name of the agency or organization conducting the review
- A summary of findings and recommendations
- The status or disposition of the recommendations

Special requirements for first-time applicants

1. If first time applicants have previously received funding from another Federal agency, the applicant must provide information regarding Title VI compliance history. Please provide the following information to Caltrans DMT a summary of compliance review activities conducted in the past three (3) years.

- The purpose or reason for the review
- Name of agency that performed the review
- Summary of findings and recommendations of the review
- Status and/or disposition of such findings and recommendations.
- A brief description of any pending applications for Federal funding
- Did any Federal agency find the applicant to be in noncompliance with any civil rights requirement?

  Yes ☐ No ☐

PART VIII – Disadvantage Business Enterprise (DBE)
STATE OF CALIFORNIA
FTA SECTION 5311(f) PROJECT ASSISTANCE APPLICATION

1. What enforcement mechanisms does the subrecipient use for DBE requirements? Please explain.

2. Does the subrecipient require contractors to obtain approval from its DBE Liaison Officer (DBELO) prior to substituting a DBE firm after contract award?

   ☐ Yes ☐ No ☐ N/A

3. Does the subrecipient monitor prime contractors to ensure that DBEs are actually performing applicable work on federally funded projects?

   ☐ Yes ☐ No ☐ N/A

4. Did the subrecipient receive any complaints or procurement protests alleging that it did not comply with the DBE regulations for federally funded projects?

   ☐ Yes (Go to question #6) ☐ No

5. What are the subrecipients' processes for handling protests? Please explain.

6. Do the complaints indicate any problems with the DBE program?

   ☐ Yes ☐ No

*The following is a link to FTA's sample DBE program, "Section 26.37 Monitoring and Enforcement Mechanisms" this section gives examples of monitoring and enforcement mechanisms that ensure compliance. http://www.fta.dot.gov/civilrights/dbe/civil_rights_5771.html

PART IX (SAMPLE) - AUTHORIZING RESOLUTION
STATE OF CALIFORNIA
FTA SECTION 5311(f) PROJECT ASSISTANCE APPLICATION

RESOLUTION NO.

RESOLUTION AUTHORIZING THE FEDERAL FUNDING UNDER FTA SECTION 5311 (49 U.S.C. SECTION 5311) WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION

WHEREAS, the U. S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support operating assistance projects for non-urbanized public transportation systems under Section 5311 of the Federal Transit Act (**FTA C 9040.1F)**; and

WHEREAS, the California Department of Transportation (Department) has been designated by the Governor of the State of California to administer Section 5311 grants for transportation projects for the general public for the rural transit and intercity bus; and

WHEREAS, *[subrecipient]* desires to apply for said financial assistance to permit operation of service in *[subrecipient's service area or county]*; and

WHEREAS, the *[subrecipient]* has, to the maximum extent feasible, coordinated with other transportation providers and users in the region (including social service agencies).

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the *[subrecipient]* does hereby authorize *[Name/Title or Title of designated representative],* to file and execute applications on behalf of *[subrecipient]* with the Department to aid in the financing of capital/operating assistance projects pursuant to Section 5311 of the Federal Transit Act (**FTA C 9040.1F)**, as amended.

That [*Name/Title or Title or designated representative]* is authorized to execute and file all certification of assurances, contracts or agreements or any other document required by the Department.

That *[Name/Title or Title of designated representative]* is authorized to provide additional information as the Department may require in connection with the application for the Section 5311 projects.

That [*Name/Title or Title or designated representative]* is authorized to submit and approve request for reimbursement of funds from the Department for the Section 5311 project(s).

PASSED AND ADOPTED by the *[subrecipient]* of the *[Sample County],* State of California, at a regular meeting of said Commission or Board Meeting held on the ## of *[Month],* 20## by the following vote:

AYES:
NOES:
ABSENT:

<<Insert ANY/ALL Pertinent Signatures (as applicable),
Titles and Dates>>
(**Original** signature in **BLUE** ink)

PART X – DOCUMENTATION OF PUBLIC HEARING OPPORTUNITY

Per FTA Circular 9040.1F IV, 3 & Title 49 USC 5323(b), subrecipient must hold public hearing to receive comments from the public on the proposed capital project.

Please check and provide copy if applicable:

☐	- Municipal Letter of Resolution of Support
☐	- Copy of Published Public Hearing Notice
☐	- Affidavit of Publication of Public Hearing Notice
☐	- Minutes of Public Hearing, Copies of Exhibits and Written Statements

PART XI - FTA SECTION 5311(f) GLOSSARY

ADA - Americans with Disabilities Act, this Federal law is a comprehensive civil rights measure prohibiting discrimination against the disabled in employment, housing and transportation. The intent of ADA is to ensure equal access for persons with disabilities to public accommodations, public services, telecommunications and transportation.

Annual Certification and Assurances -Subrecipients are required to complete FTA's Certs and Assurances annually for all FTA grants and cooperative agreements. FTA updates the assurances in January every year. Subrecipients must download the forms from FTA or Caltrans' website. The signature page must be completed, signed and returned to Caltrans with the application. Subrecipients receiving both 5311 and 5307 funds may submit a hard copy of the Certs and Assurances submitted to FTA.

Authorized Resolution by Planning Agency and/or Subrecipients - The resolution must identify the Section 5311(f) program and designate all individuals authorized to submit/sign applications, contractual documents (standard agreements), and request for reimbursements. The resolution must cover the following:

- Planning agency has approved the programming of funds for this project.
- Some combination of state, local, or private funding sources has been or will be committed to provide the required local share.
- The subrecipient has, or will have by the time of delivery, sufficient funds to operate the vehicles and equipment purchased under this project or operate the service, as applicable.
- The subrecipient has coordinated with other transportation providers and users in the region, including social service agencies capable of purchasing service.

Capital Cost of Contracting - Some subrecipients turn to an outside source to obtain public transportation service, maintenance service, or vehicles that the recipient will use in public transportation service. When subrecipient's contract for such service, FTA will provide assistance with the capital consumed in the course of the contract. In the case of a contractor's providing vehicles for public transportation service, the capital consumed is equivalent to the depreciation of the vehicles in use in the public transportation service during the contract period. In the case of a maintenance contract, the capital consumed may be, for example, depreciation of the maintenance garage, or depreciation of the machine that lifts the vehicle. Capital consumed may also include a proportionate share of the interest the contractor might pay out as the contractor purchases and makes available to the subrecipient of these capital assets. FTA refers to the concept of assisting with capital consumed as the "capital cost of contracting."

Charter Service – Transportation provided by a recipient at the request of a third party for the exclusive use of a bus or van for a negotiated price, such as:

- A third party pays the transit provider a negotiated price for the group;
- (Any fares charged to individual members of the group are collected by a third party;
- The service is not part of the transit provider is regularly scheduled service, or is offered for a limited period of time; or
- A third party determines the origin and destination of the trip as well as scheduling; or

Transportation provided by a recipient to the public for events or functions that occur on an irregular basis or for a limited duration and:

- A premium fare is charged that is greater than the usual or customary fixed route fare; or
- The service is paid for in whole or in part by a third party.

Note: Charter Service does NOT include demand response service to individuals.

Copy of FTIP/Copy of FHWA/FTA Federally approved TIP Letter - Before FTA can make grants available to recipients, adequate planning must take place. The project proposed must be a product of the metropolitan planning process and/or the statewide planning process specified in 49 CFR part 613 and 23 CFR part 450. That is, all transit projects for which federal funds are expected to be used and that are within metropolitan planning boundaries must be included in a Metropolitan Transportation Improvement Program (TIP) approved by the MPO and the Governor and in a Statewide Transportation Improvement Program (STIP) that has been approved by FTA and the Federal Highway Administration (FHWA). Projects not within metropolitan planning boundaries are required only to be in the STIP. The application should identify the latest approved STIP (or amendments) containing the project(s), the appropriate page numbers, and a statement identifying the date that FTA and FHWA approved the STIP (or STIP amendment) that contains the proposed project(s). Projects listed in the TIP and STIP must be derived from and consistent with the State's long range plan.

Direct Operating Expenses – Expenses that are for activities and services that benefit the proposed project directly.

Examples of eligible direct operating expenses include, but are not limited to:

- Fuel and Lubricants – Gas, Diesel, bio-diesel, CNG, oil, and grease consumed by vehicles providing transportation services.
- Insurance – Vehicle insurance expenses accrued during the specified time period.
- Vehicle Maintenance – Routine vehicle maintenance and repairs that are not capitalized by your organization. (New engines and complete vehicle restorations and refurbishments that substantially extend the useful life of the vehicle should not be included. Those items should be requested through a capital grant application.)
- Contracted Services – Expenses that are paid to outside sources/vendors to provide the services in lieu of subrecipient's employees performing the activity.
- Labor and Benefits – Wages, salaries and fringe benefits paid to employees such as drivers, dispatchers, and shop mechanics.
- Administrative Expenses – Salaries and related benefits of those employees who perform administrative/clerical duties, and other non-salaried administrative expenses incurred to support a project.

Fringe Benefits – Compensation in addition to direct wages or salaries, such as company car, house allowance, medical and dental insurance, paid holiday, pension plans, subsidized meals, etc.

Indirect Costs - Indirect costs are overhead costs incurred by subrecipients as a result of the project, but that are not easily identified with the specific project. Generally, indirect costs are defined as administrative or other expenses that are not directly allocable to a particular activity or project; rather they are related to overall general operations and are shared among projects and/or functions. Indirect costs are sometimes referred to as "overhead costs."

Example of indirect operating expenses include, but is not limited to:

- Executive Oversight
- Accounting
- Grants Management
- Legal Expenses
- Utilities
- Technology Support
- Facility Maintenance
- Depreciation
- Insurance

Indirect Cost Allocation Plan (ICAP)- If subrecipients are planning to charge indirect costs to an operating project, you must submit a plan documenting how charges were calculated and allocated between programs and projects. The plan MUST be reviewed and approved in writing by Caltrans Division of Audits and Investigation as well as FTA. Otherwise, Caltrans will NOT reimburse indirect operating expenses.

In-kind Match - In-kind match are goods and services donated from outside your agency. The value of non-cash charges for real property and equipment, and the value of goods and services must be directly benefiting and specifically identifiable to the project. To be eligible as a match, the monetary value of the in-kind contributions must be documented.

In-kind Valuation Plan - If subrecipients are planning to use in-kind match for local share, you must submit a plan documenting a list of donated goods and services, the fair market value of such goods and services and how the values were determined. The plan MUST be approved by Caltrans DMT as well as FTA. Otherwise, Caltrans will NOT issue a standard agreement for your proposed project.

Intelligent Transportation System (ITS) - ITS are techniques and methods for relieving congestion, improving road and transit safety, and increasing economic productivity. Subrecipients who are applying for ITS projects must complete the ITS compliance plan in the application. In addition, the proposed project must be included in the regional ITS architecture. Prior to completion of the regional ITS architecture, an ITS project shall have a project level ITS plan that is coordinated with the development of the regional ITS architecture.

Job Access Reverse Commute (JARC) – JARC projects are now eligible under Section 5311 Program. A transportation project to finance planning, capital and operating costs that support the development and maintenance of transportation services designed to transport welfare recipients and eligible low-income individuals to and from jobs and activities related to their employment, including transportation projects that facilitate the provision of public transportation services from urbanized areas and rural areas to suburban employment locations.

Labor Union Information - Under the terms of the Special Section 13 (c) Warranty for Application to the Small Urban and Rural program, Caltrans must provide an accurate up-to-date listing of all existing transportation providers in the transportation service area of the project, and any labor organization representing employees of such providers to the Department of Labor.

- Project Description – As identified in the Program of Projects.
- Other Providers – Provide a listing of all surface public transportation providers in the subrecipient's service area.
- Union Representative of Subrecipient's Employees – List union representation including name of organization, contact person, address, telephone number, and email address or indicate "none," if applicable.

Local Share - Local share is subrecipients' revenue generated from local sources such as, but are not limited to, taxing authority, funding received from state, county or municipal sources, other local or private grant awards and revenue generated from other internal activities. Operating assistance consists of 55.33% federal contribution and a 44.67% local match. Please note that source of local funds can NOT be from federal funds such as FTA Section 5310, 5316, or 5317 funds.

Maintenance Plan - Subrecipients are required to develop written maintenance plans for FTA funded facilities, vehicles, and equipment. The plan should identify the goals and objectives of a maintenance program and establish the means by which such goals and objective will be attained. In the maintenance plans, periodic reporting, maintenance record review, visual inspections, and maintenance audits should also be addressed.

Moving Ahead for Progress in the 21st Century Act (MAP-21) – is the new two-year surface transportation authority that provides FTA an authorization level of $10.9 billion in FY 2013 and $10.7 billion in FY 2014.

Procurement Requirements - Recipients/subrecipients seeking federal assistance under the Federal Transit Laws as codified at 49 U.S.C. 5301 et seq. to acquire property or services in support of a proposed project is subject to numerous provisions of law pertaining to third-party procurement requirements. SAFETEA-LU re-codified FTA's procurement requirements in 49 U.S.C. 5325. In addition, regulations promulgated at 49 CFR part 18 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments) establish uniform administrative rules for federal grants, cooperative agreements, and subawards to State, local, and Indian tribal governments (private, non-profit organizations must comply with similar regulations in 49 CFR part 19). Provisions of the common rule pertaining to procurement requirements for FTA recipients that are governmental authorities are set forth at 49 CFR 18.36. Those requirements, as well as other FTA specific provisions, are also set forth in FTA's Master Agreement, FTA MA(13) October 1, 2006, at Section 15, "Procurement," and will be updated annually with issuance of each new Master Agreement. Finally, FTA has published additional guidance on recipient compliance with third-party procurement requirements within the most current FTA Circular 4220 and its "Best Practices Procurement Manual." These regulations and guidance are intended to ensure full and open competition and equitable treatment of all potential sources in the procurement process including planning, solicitation, award, administration, and documentation of all Federally-funded contracts. Each recipient of FTA assistance to acquire property or services in support of its proposed project shall certify to FTA, in accordance with 49 CFR 18.36 that its procurements and procurement system will comply with all applicable third-party procurement provisions of federal laws, regulations, and directives, except to the extent FTA has expressly approved otherwise in writing. Any subrecipient that fails to provide this certification may be determined ineligible for award of federal assistance if FTA and State determines that its procurement practices and procurement system are incapable of compliance with federal laws, regulations, and directives governing procurements financed with FTA assistance.

Reporting Requirements - Caltrans and subrecipients are required to report information to the FTA in a variety of formats: annual and periodic reports, financial reports, milestone progress reports, Title VI civil rights reports, and Disabled Business Enterprise (DBE) reports.

Toll Credits - Toll credits provide a credit toward a project's local share for certain expenditures with toll revenues. The amount of credit toward local share to be earned by State is based on revenues generated by toll authorities within the State. Under the provision of 23 U.S.C. 120(j), FHWA oversees the determination of toll credit within each state. For FTA, the effect of utilizing toll credits means that FTA, in essence, provides 100% of the total net project cost. If subrecipients are planning to use toll credit for local share, you MUST coordinate with your MPO and Caltrans before you submit an application to ensure the availability of the credit.